



BOARD OF ZONING APPEALS
601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
<https://planning.clevelandohio.gov/bza/cpc.html>
216.664.2580

MARCH 22, 2021

Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings in a using the WebEx Platform. The Board of Zoning Appeals will also be live streamed on YouTube. The links for the live streams will be available before the meeting on our website at:

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

In order to keep the WebEx session manageable we are asking individuals that wish to participate in the meeting to contact the City Planning office by phone or email by noon on March 19, 2021. Those individuals not planning to comment on any agenda item during the WebEx session are encouraged to view one of the live streams.

IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY contact the City Planning office and request access to the WebEx Board of Zoning Appeals Meeting please call 216.664.2210 or email us at cityplanning@clevelandohio.gov You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

9:30

Calendar No. 21-032

3182 W. 25th Street

Ward 14

Jasmine Santana

21 Notices

1870 W. 25th Street LLC., owner, propose for use as a restaurant in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04 which states that 15 off street parking spaces are required, plus those required for additional proposed uses of building on site. Due to the P.R.O. credit in section 343.23(i) 10 off-street parking spaces are required and six conforming parking spaces for entire building are shown. (Filed February 25, 2021)

9:30

Calendar No. 21-033:

9511 Buckeye Rd

Ward 4

Ken Johnson

Board of Education, owner, and Woodhill Homes LLC. propose to erect 120 unit multi-family apartment building. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.** Section 348.05(d)(2)(A) which states that at least 80% of frontage buildout along the principal street frontage has a maximum setback of 0 to 3 feet; a setback of more than 3 feet is proposed for entire buildout.
- 2.** Section 348.05(d)(3)(A) which states that a frontage buildout of 90% is required along the principal and secondary street frontages. Proposed frontage buildouts are approximately 50% along principal street frontage and approximately 80% and 20% along the 2 secondary street frontages.
- 3.** Section 348.05(d)(5)(B) which states that screening of surface parking requires a liner building or facade along principal and secondary street frontages that does not appear as a parking structure. Frontage build-out of liner building or facade shall be equal to or greater than the width of the surface parking, structured parking, or enclosed parking it screens, less permitted access openings. No liner building or facade is proposed.
- 4.** Section 341.02 which states that City Planning Commission Approval is required. (Filed February 25, 2021)

9:30

Calendar No. 21-034:

9322 Nelson Avenue

Ward 2

Kevin Bishop

16 Notices

9305 Garfield LLC., owner, proposes to renovate and use as office and warehouse in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.** Section 337.03 which states that warehouse and office uses are not permitted in a Two Family Residential District.
- 2.** Section 349.04 which states that required accessory off-street parking is required at the rate of one space per 500 square feet for office use and 10% of the gross floor area for warehouse use: 5 parking spaces required, none provided.
- 3.** Section 349.07 which states that all vehicle maneuvering areas must be paved.
- 4.** Section 352.08 through 352.12 which state that a ten foot wide landscaped transition strip providing 75% year round opacity is required where property abuts residential district. (Filed February 25, 2021)

9:30

Calendar No. 21-036

11502 Harborview Dr.

**Ward 15
Jenny Spencer
17 Notices**

David J. Coury, owner, proposes to erect an irregular shaped 10, 632 square foot three story masonry and wooden single family dwelling/boat house in an AA1 Limited One Family District with one attached garage and one detached garage. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that accessory of street parking & maneuvering area shall be properly paved and drained.
2. Section 337.23(A)(1) which states that a detached garage shall be placed on the rear half of lot at 262 feet back from the right of way and the appellant is proposing 213 feet.
3. Section 337.23(A)(2) which states that an attached garage shall be placed on rear half of lot at 262 feet back from the right of way; proposing 251 feet..
4. Section 358.04a which states that no fence or retaining wall shall be higher than 6 feet and the proposed fence is undefined.
5. Section 357.15(a) which states unobstructed entrance access-way is required from street to rear building where none is provided.
6. Section 341.02 which states that City Planning approval required prior to issuance of permit (Filed February 26, 2021)

9:30

Calendar No. 21-038:

15609 Lakeshore Blvd

**Ward 8
Michael Polensek
28 Notices**

Cole WG Cleveland OH LLC, owner, proposes to establish use as Plasma Collection Center in an E5 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 Plasma Collection Center is not permitted in a Local Retail Business District but first permitted in a General Retail Business District. (Filed February 26,2021)

9:30

Calendar No.21-040:

1458 E. 114 Street

**Ward 9
Kevin Conwell
19 Notices**

IOZ LLC, owner, proposes to build a 28 space parking lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.08 which states that where (five) or more accessory off-street parking spaces are provided, and are located on a lot that is adjacent to a Residence District or that adjoins a building containing dwelling units, such parking spaces shall be screened from all adjoining lots in the residence District or a building containing dwelling units, of land at least four (4) feet wide and densely planted with shrubs that form a dense screen year-round. Such wall, fence, or shrubs shall be at least three (3) feet, but not more than six (6) feet six (6) inches in height.

2. Section 349.09 which states that where lighting is provided for accessory off-street parking spaces, it shall be constructed and arranged so as to prevent the direct emission of light upon adjoining lots or the public streets.
3. Section 349.13 which states that The Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than a Limited One-Family District, for a parking lot when the best interests of the community will be served.
4. Section 357.14 which states that parking is a prohibited use in the front yard setback area. (Filed March 3, 2021)

POSTPONED FROM February 22, 2021
RES JUDICATA

9:30

Calendar No. 21-006:

9501 Pierpoint Ave

Ward 9

Kevin Conwell

16 Notices

Chase White & Dave Lewis, owners, proposes to change the use from a two family to a three family dwelling in a B1 Two-Family Residential. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

- 2.** Section 337.03 which states that in a Two-Family district, a three family dwelling is not permitted; it is first permitted in a Multi-Family district.
- 3.** Section 337.03(c) which states that the Board of Zoning Appeals may grant special permit for remodeling of existing dwelling houses to provide for more than two dwelling units provided that:
 - (1) The square feet of lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter 355;
 - (2) The dwelling units to be created will be not smaller than two (2) rooms and a bathroom;
 - (3) There will be no exterior evidence that a remodeled dwelling house is occupied by more than two families, except such as may be permitted by the Board;
 - (4) The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes and as the Commissioner of Building and the Commissioner of Housing so certify;
 - (5) Garage space or hard surfaced and drained parking space will be provided upon the premises for the cars of the families to be accommodated on the premises at the rate of not less than one (1) car per family.
 - (6) Section 355.04 which states that the minimum lot area for a three-family dwelling is 7, 200 square feet. The lot area proposed is 4,180 square feet. (Filed January 14, 2021- NO TESTIMONY) *FIRST POSTPONEMENT MADE BY THE BOARD TO ALLOW TIME FOR THE APPELLANT TO RESEARCH THE RES JUDICATA ISSUE.*