



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

APRIL 19, 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/UCB8qI0JrhmpYIR1OLY68bw/>

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 April 16, 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 by You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

9:30

Calendar No. 21-052:

11502 Edgewater Dr.

Ward 15

Jenny Spencer

10 Notices

Deborah Kleve, owner proposes to install 126 linear feet of six foot high wood fence, with gates in an AA1 Limited One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.** Section 358.03(a) which states that no portion of a fence located shall along and parallel to a driveway within fifteen (15) feet of its intersection with a public sidewalk or public street exceed two and one-half (2-1/2) feet in height, unless all portions of the fence above two and one-half (2-1/2) feet in height are at least seventy-five percent (75%) open. Six foot high wood fence is proposed.
- 2.** 358.04(a) which states that fences in actual side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open, except that, in an actual side street yard, a fence that is set back at least four (4) feet from the side street property line may be a maximum of six (6) feet in height and may be open or solid. Exact setback from side street property line is not provided, but is apparently less than four feet for the proposed six foot high wood fence proposed. (Filed March 25, 2021)

9:30

Calendar No. 21-057:

**560 E. 99 St.
Public Works Invoice
WO-7010-1011637**

**Ward 10
Anthony Hairston**

2000 Development, Inc., owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer dated March 17, 2021 to uphold the City of Cleveland's Department of Public Works to issue invoice WO-7010-1011637 regarding abating nuisances (grass cutting) at the subject property. (Filed March 26, 2021).

RE-HEARING FROM MARCH 22, 2021

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-TESTIMONY TAKEN) *THE BOARD GRANTED THE VARIANCE ON MARCH 22 HOWEVER, TECHNICAL DIFFICULTIES PRECLUDED NEIGHBORS FROM VOICING THEIR CONCERNS ABOUT PARKING.*

POSTPONED FROM MARCH 22, 2021

9:30

Calendar No. 21-034

9322 Nelson Ave.

**Ward 2
Kevin Bishop
16 Notices**

Intrinsic Renewal, owner, proposes to renovate and use as office and warehouse. The owner appeals for relief from the strict application from 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 352.08-12 which states that a ten foot landscaped transition strip providing 75% year round opacity is required where property abuts residential district.(Filed Feb. 25, 2021-Testimony Taken). *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW TIME FOR THEM TO MEET WITH MARKA FIELDS AND THE DEVELOPMENT CORPORATION.*

POSTPONED FROM APRIL 5, 2021

9:30

Calendar No. 21-043:

8399 Hough Ave.

Ward 7

Basheer S. Jones

9 Notices

A Diamond in the Hough owner, proposes to establish use as carryout restaurant in a C2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.08 which states that a carry out restaurant is not permitted in a Multi-Family Residential zoning district, first permitted in a Local Retail Business District.
2. Sections 352.08 through 352.12 which states that a ten foot wide landscaped transition strip providing 75% opacity is required where premises abuts residential district; this section also states that a six foot wide landscaped frontage strip with 50% opacity is required where parking lot abuts the street. A landscape plan is required and no landscaping plan is proposed (Filed March 11, 2021- Testimony Taken) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD AS A DETAILED SITE PLAN, SHOWING LANDSCAPING, WAS NOT AVAILABLE AT THE HEARING.*

POSTPONED FROM JANUARY 25, 2021

9:30

Calendar No. 20-135:

1415 Kenilworth Ave.

Ward 3

Kerry McCormack

13 Notices

1415 Kenilworth LLC. proposes to construct a 5 story apartment building in a D2 Multi-Family Residential District and an Urban Form Overlay District. The owner appeals for relief from the strict application from the following section of the Cleveland Codified Ordinances:

Section 348.04(4)(A) which states that 30 parking spaces are required; and no parking spaces are proposed. (Filed September 2, 2020)

1. Section 348.04(4)(A) which states that 30 parking spaces are required; and no parking spaces are proposed. (Filed September 2, 2020- Testimony Taken) *FOURTH AND FIFTH POSTPONEMENTS MADE AT THE REQUEST OF THE APPELLANT TO ALLOW TIME TO COMPLETE THE PARKING STUDY. THIRD POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR A PARKING STUDY TO BE CONDUCTED. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR THE 5TH MEMBER TO BE PRESENT. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW FOR THE 5TH MEMBER TO BE PRESENT.*

****THE FOLLOWING CASE HAS BEEN WITHDRAWN BY THE APPELLANT****

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)