



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

**JULY 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 July 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](mailto:cityplanning@clevelandohio.gov) . You can also email Secretary Elizabeth Kukla at [ekukla@city.cleveland.oh.us](mailto:ekukla@city.cleveland.oh.us).**

**9:30**

**Calendar No. 21-098:**

**13001 Dove Ave.**

**Ward 2**

**Kevin L. Bishop**

**22 Notices**

Paul Snowball, owner proposes to construct a 7 space parking lot in a B1 Two-Family Residential and a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07 (a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials.
2. Section 349.07 (b) which states that accessory off-street parking spaces shall be provided with wheel or bumper guards that are so located that no part of a parked vehicle will extend beyond such parking space.
3. Section 349.07 (c) which states that the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged to minimize traffic congestion.
4. Section 349.13(c) which states the Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District for a parking lot.
5. 349.13(c)(6) All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board.
6. 358.04 Fences in actual front yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open. (Filed June 7, 2021)

**9:30**

**Calendar No. 21-099:**

**6818-6904 Denison Ave.**

**Ward 14**

**Jasmine Santana**

**15 Notices**

CLE Ohio Properties LLC., owner proposes to expand motor vehicle sales facility and erect new 2,700 square foot motor vehicle service garage in a B1 Semi-Industry District and a C2 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.14 which states that parking/display of autos for sale is not permitted in an established ten-foot specific setback on Denison Avenue.
2. Section 349.07(a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing. No surfacing or drainage details for lot provided.
3. Section 341.02(c) which states that new construction of motor vehicle service garage requires approval of the City Planning Commission/Department. (Filed June 7, 2021)

**9:30**

**Calendar No. 21-103:**

**17014 Laverne Ave**

**Ward 17**

**Charles Slife**

**15 Notices**

Melanie Lauricia, owner proposes to erect 38' x 30' 1-story frame gable detached garage with open patio area in an A1 One-Family District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that the minimum distance from all property lines is 18 inches; and the appellant is proposing 12 inches.
2. Section 337.23C which states that accessory garage shall not exceed 933 square feet, proposing 1,140 square feet. (Filed June 8, 2021)

**9:30**

**Calendar No. 21-104:**

**3985 East 66<sup>th</sup> Street**

**Ward 12**

**Anthony Brancatelli**

**15 Notices**

Cental Rental LLC., owner proposes to add a dwelling unit and establish use as four dwelling unit apartment building 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:

Section 337.03 which states that a four dwelling unit building is not permitted in a 2 Family residential district. (Filed June 8, 2021)

**9:30**

**Calendar No. 21-105:**

**14100 Lakeshore Blvd.**

**Ward 8**

**Michael D. Polensek**

**16 Notices**

Breakwater Tower LLC, owner, applies to erect a business identification wall sign, 384 square feet in area, 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 350.13(a) which states that a multi-family apartment building, in a Residential District, is allowed one business identification sign of a maximum of 20 square feet in area and proposed signage is 384 square feet in area.
2. Section 350.16 which states that for permit applications within designated design review districts, the Landmarks Commission or City Planning Commission, as applicable, may authorize the Commissioner of Building and Housing to issue a permit which requires adherence to standards which are either less strict or stricter than the standards otherwise required by the Zoning Code. The City Planning Commission has specifically denied this application for premises in a Design Review District. (Filed June 8, 2021)

**9:30**

**Calendar No. 21-106:**

**2341 Scranton Rd.**

**Ward 3**

**Kerry McCormack**

**28 Notices**

3004 St. Clair LLC, owner proposes to make exterior alterations and build a parking lot in a G3 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07 which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete or asphalt.
2. Section 352.04 which states that a landscape plan is required; none proposed.
3. Section 352.10 which states that six-foot-wide landscaped screen is required for parking lots; none proposed.
4. Section 357.14 which states that parking is a prohibited front yard encroachment. (Filed June 10, 2021)

**POSTPONED FROM JUNE 21, 2021**

**9:30**

**Calendar No. 21-026:**

**1914 East 75<sup>th</sup> Street**

**Ward 7**

**Basheer S. Jones**

**18 Notices**

Famicos Foundation, owner, proposes to erect a four story, 56-unit apartment building and accessory parking lot in an E2 Multi-Family Residential District and an Urban Form Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 348.04(d)(2)(F) which states that the height of finished first floor above grade, 18 inches minimum required, 0 provided.

2. Section 348.04(d)(4)(C) which states that on the Primary Street Frontage, surface parking location must be behind the rear wall of the main building. Surface parking is not behind rear wall of main building. (Filed February 22, 2021; Zoning Code change effective May 21, 2021- Testimony Taken) *POSTPONED AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR COMMUNITY REVIEW.*

**POSTPONED FROM MAY 17, 2021**

**9:30**

**Calendar No. 21-034**

**9322 Nelson Ave.**

**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 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 52.08-12 which states that a ten foot landscaped transition strip providing 75% year round opacity is required where property abuts residential district. (Filed February 25, 2021- Testimony Taken) *THIRD POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW TIME TO ACQUIRE A NEARBY LANDBANK LOT. FIRST AND SECOND POSTPONEMENT MADE AT THE REQUEST OF THE CITY AND THE APPELLANT TO ALLOW TIME FOR DESIGN REVIEW TO TAKE PLACE.*

**POSTPONED FROM JUNE 21, 2021**

**9:30**

**Calendar No. 21-087:**

**1331 West 65<sup>th</sup> Street**

**Ward 15**

**Jenny Spencer**

**26 Notices**

Apartment 92 Gordon Square LLC, owner, proposes to construct a three story building consisting of five dwelling units, office and gym space, and consolidate with existing, non-conforming four dwelling unit 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 a multiple dwelling unit building with office and gym space is not a permitted use in a Two-Family Residential zoning district.
2. Section 357.01(d) which states that a specific front setback of 10 feet is required along West 65 Street where a 5-foot front setback is proposed. Note: the Board of Zoning Appeals is limited in its ability to grant front yard setbacks unless certain circumstances exist per code section 329.04 (c).

- 3.**Section 357.08(b)(1) which states that a rear yard equal to the height of the building of 30 feet is required where 8 feet and 1 inches are proposed.
- 4.** Section 349.04 which states that required, accessory off street parking is required at the rate of one space per dwelling unit plus one per 500 square feet of office space: 11 parking spaces are required, four parking spaces are proposed.
- 5.**Section 355.04(b) which states that maximum gross floor area in a "B" area district cannot exceed one-half the lot size, or in this case 4,532.5 square feet and 12,408 square feet of square footage of buildings on lot is proposed. This code section also states that 2,400 square foot lot size per dwelling unit is required for residential buildings in a "B" area district, requiring a lot size of 21,600 square feet and a 9,065 square foot lot is proposed.
- 6.** Section 341.02 which states that Approval of the City Planning Commission is required. (Filed May 17, 2021- No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF COUNCILWOMAN SPENCER TO ALLOW FOR TIME FOR COMMUNITY ENGAGEMENT.*