



BOARD OF ZONING APPEALS

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

<https://planning.clevelandohio.gov/bza/cpc.html>

216.664.2580

APRIL 25, 2022

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/UCB8qI0Jrhm_pYIR1OLY68bw/

In order to keep the WebEx session manageable we are asking individuals that wish to participate in the meeting to contact the Board of Zoning Appeals office by phone or email by noon on April 20, 2022. 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 Board of Zoning Appeals office and request at 216-664-2580. You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

9:30

Calendar No. 22-043:

1714 Randall Rd.

Ward 3

Kerry McCormack

Steve Mott, proposes to erect a 2 story frame bedroom & open carport addition attached to existing single family residence 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 337.23(a) which states that all Parking Spaces shall be located on rear half of lot or in this case setback 33 feet.
2. Section 349.05(a) which states that no parking space shall be located within 10 feet of any wall of a residential building that contains ground floor windows
3. Section 357.08(b)(3) which states that the Required Rear Yard on irregular shaped lot is 10 feet and the appellant is proposing 3 feet and 9 inches. (filed March 11, 2022)

9:30

Calendar No. 22-048:

3951 Rocky River Dr.

Ward 17

Charles Slife

Reach Counseling Services, owner, proposes to establish use as a Mental Health Center 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 325.471 which states that Mental Health Center is an institution providing in-patient or out-patient care or therapy for individuals affected by mental illness, developmental disabilities, alcoholism or substance abuse and others needing psychological therapy but which does not serve as a residence for such individuals.
2. Section 337.03 Mental Health Center is not a permitted use in a Two Family Residential District, first permitted in an Institutional Research District per Zoning Code Section 340.02(b).
3. Section 349.04(d) which states that accessory off-street parking is required at the rate of one space per 200 gross square feet of floor area—leased parking area is not in same title ownership requires and Board of Zoning Appeals approval.
4. Section 359.01 which states that Substitution of non-conforming use requires approval of the Board of Zoning Appeals. A variance granted previously in BZA Calendar Number 17-343 for Residential Facility for 16 persons. (Filed March 17, 2022)

9:30

Calendar No. 22-052:

1081 E. 99 Street

Ward 9

Kevin Conwell

Carolina Holifield, owner, proposes to establish a “Type A” daycare in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

Section 337.03 which states that proposed daycare use is less than 30 feet from a residential district and requires BOZA approval. (filed March 1, 2022)

9:30

Calendar No. 22-049:

1400 West 3 Street

Ward 3

Kerry McCormack

The Sherwin-Williams Company, owner, proposes to erect a 4-story parking structure and surface parking lot in a Limited Retail Business District and an Urban Core Overlay District and a ‘9’ Height District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 348.05(d)(2) which states that the maximum setback permitted in Urban Core Overlay District for principal and secondary street frontages is 3 feet where a setback of 4 feet and 7 inches on principal street frontage (West 3rd St.) is proposed; 128 feet 4 inches (83 feet 3 inches granted in BZA21-170) and 119 feet, 9 inches on secondary street frontages are proposed.
2. Section 348.05(d)(5)(B) which states that the liner building or facade along principal and secondary street frontages, that do not appear as a parking structure, are required.
3. Section 348.05(d)(5)(C) where a secondary street frontage or alley abuts the property, no access is permitted on a principal street frontage where the appellant proposes street access from prin-

POSTPONED FROM APRIL 4, 2022

9:30

Calendar No. 22-009:

5708 Herman Ave.

Ward 15

Jenny Spencer

15 Notices

Glazen Urban, LLC., owner, proposes to erect a 1 story prefabricated steel detached garage with a 4 foot high solid wooden entrance fence 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. 337.23(a)(1) which states that an accessory garage shall be located on rear half of the lot; required setback of 66 feet.
2. 358.04(a)(1) which states that a fence in the front yard area shall have fence material spacing of 50% open. (Filed February 9, 2022 – No Testimony) *THIS CASE WAS POSTPONED FROM APRIL 4 DUE TO TECHNICAL DIFFICULTIES.*

POSTPONED FROM APRIL 4, 2022

9:30

Calendar No. 22-033:

4913 Herman Ave.

Ward 15

Jenny Spencer

11 Notices

Leif Christman, owner, proposes to construct a two story wood frame garage on a 4,620 square foot lot in a B1 Two-Family Residential District. The owner appeals from the strict application of the following sections of the Cleveland Codified Ordinances:

1. 337.23 (a)(6)(A) which states that in a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed 800 square feet unless the lot area exceeds four thousand eight hundred (4,800) square feet in which event the floor area may be increased in the ratio of one (1) square foot for each twelve (12) square feet of additional lot area. A two-story garage with 1,632 square feet is proposed.
2. 337.23 (a) which states that accessory buildings shall be located on the rear half of the lot, a minimum of eighteen (18) inches from all property lines and at least ten (10) feet from any main building on an adjoining lot in a Residence District. The proposed garage is less than 10" to the property line.
3. 353.05 which states that in Residence Districts an accessory building shall not exceed fifteen (15) feet in height, or the distance from the accessory building or potential location of a main building on adjoining premises in a Residence District, whichever is less. The proposed garage is approximately 20 feet in height. (Filed March 4, 2022-No Testimony) *THIS CASE WAS POSTPONED FROM APRIL 4 DUE TO TECHNICAL DIFFICULTIES.*

POSTPONED FROM APRIL 4, 2022

9:30

Calendar No. 22-032:

6815 Temple Ave.

Ward 6

Blaine Griffin

14 Notices

Hope Williams, owner, proposes to alter single family residence and erect a 1 story frame room addition with one concrete parking space in a Two-Family Residential district. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

3. 337.23(a) which states that a Concrete Parking Space shall be located on rear half of lot or at 37.5 feet and the appellant is proposing 20 feet.
 4. 349.01(a) which states that no Parking Space shall be located within 10 feet of any wall of residential use that have ground floor window openings. (Filed February 24, 2022-No Testimony)
- THIS CASE WAS POSTPONED FROM APRIL 4 DUE TO TECHNICAL DIFFICULTIES.*