



BOARD OF ZONING APPEALS

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

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

216.664.2580

JUNE 13, 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/UCB8ql0JrhmpYIR1OLY68bw/>

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 June 8, 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. 22-70

650 E. 93 Street

Public Works Invoice WO-1261130

Ward 10

Anthony Hairston

Ann Shotwell, 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 23, 2022 to uphold the City of Cleveland's Department of Public Works to issue invoice WO-1261130 regarding abating nuisances (grass cutting) at the subject property. (Filed April 26, 2022).

9:30

Calendar No. 22-080:

2207 West 11 Street

Ward 3

Kerry McCormack

33 Notices

Southside Holdings, owner, proposes to construct a 1,500 square foot addition to existing restaurant in a B1 Local Retail Business District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 394.02 (f) which states that 56 parking spaces are required and 30 parking spaces are provided (reference BZA No. 18-227).
2. Section 357.05(b)(1) which states that on the rear third of a corner lot in a Local Retail Business District where the rear lot line abuts a Residence District, the building line shall not be less than 10 feet back from the side street line; setback of addition is approximately three feet from side street property line.

3. Section 357.05 (b) (1) which states that new restaurant building construction requires City Planning Commission approval.

9:30

Calendar No. 22-92:

4311 Orchard Ave.

Ward 3

Kerry McCormack

17 Notices

Elmhurst Homes LLC, owner, proposes to build a 2 story single family residence with attached garage on a 2,640 square foot 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 355.04(a) which states the minimum lot width for a single family dwelling in "B" area district is 40 feet and 30 feet are proposed. This section also states that a minimum lot area of 4,800 square feet is required for a single family dwelling; 2,640 square feet are proposed.
2. Section 357.08(b)(1) which states the depth of required rear yard shall in no case be less than 20'-0 or be less than the height of the main building which in this case is 30'-6".
3. Section 341.02 (b) which states City Planning Approval is required prior to the issuance of a building permit.

9:30

Calendar No. 22-93:

4308 Peach Ct.

Ward 3

Kerry McCormack

17 Notices

Elmhurst Homes LLC, owner, proposes to build a 2 story single family residence with attached garage on a 2,640 square foot 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 355.04(a) which states the minimum lot width for a single family dwelling in "B" area district is 40 feet and 30 feet are proposed. This section also states that a minimum lot area of 4,800 square feet is required for a single family dwelling; 2,640 square feet are proposed.
2. Section 357.08(b)(1) which states the depth of required rear yard shall in no case be less than 20'-0 or be less than the height of the main building which in this case is 30'-6".
3. Section 341.02 (b) which states City Planning Approval is required prior to the issuance of a building permit.

9:30

Calendar No. 22-094:

1178 E. 79th Street.

Ward 9

Kevin Conwell

13 Notices

Shiloh Temple House of God Inc., owner, proposes for expansion of use, to build a new church in the same lot existing one in a C1 Local Retail Business District, Multi-Family and B1 Two-Family split. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 357.03 which states that a church is permitted in Two Family and Multi-Family if 15 feet from any adjoining premises in residence district not used for a similar as referenced in

One Family Zoning District 337.02(f)(3)(C) Proposed church is within 15' of Two Family and Multi-Family district.

2. Section 355.04 which states that the maximum gross floor area permitted in "C" & "B" Area District is ½ lot area or in this case 13,312 square feet and the appellant is proposing 20,851 square feet.
3. Section 357.08 which states a 15-foot rear yard is required being the front yard setback on East 87 Street and 6 feet are proposed.

9:30

Calendar No. 22-097:

1303 West 65 Street

**Ward 15
Jenny Spencer
15 Notices**

Il Rione, LLC., owner, proposes to add enclosed dining area, patio, and kitchen addition to existing nonconforming restaurant 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:

1. Section 349.04(f) which states that 10 parking spaces are required and no parking is proposed.
2. Section 359.01 no enlargement or expansion of a non-conforming use shall be permitted except as a variance under the terms of Chapter 329
3. Sections 352.08 through 352.12 which states that an 8-foot-wide landscaped transition strip providing 75 % year round opacity is required where non-conforming restaurant use abuts residential district and none are proposed.

9:30

Calendar No. 22-097:

793 Starkweather Ave.

**Ward 3
Kerry McCormack
12 Notices**

Cumhur Sasma, owner, proposes to construct new 3 story, 3,860 square foot, 2 dwelling unit house:

1. Section 355.04(b) which states in "B" area district, minimum 6,000 square foot lot is required for a 2 dwelling unit residence: 2,400 square foot lot is proposed. 50-foot-wide lot is required; 30-foot lot width is proposed. Maximum floor area is limited to one half of lot size: or 1,200 square foot floor area permitted 3,860 square foot floor area is proposed.
2. Section 337.23(a)(6)(A)(2) which states an attached garage must be in rear half of the lot.
3. Section 357.09(b)(2)(C) states minimum 3' interior side yards aggregate of 6' is required, 4' side yards aggregate is provided.
4. Section 357.08(b)(1) states rear yard of 20' is required, no rear yard is provided with proposed attached rear deck.
5. Section 341.02 states approval of the City Planning Commission/Department is required.

POSTPONED FROM MAY 16, 2022

9:30

Calendar No. 22-053

1807 Auburn Ave.

Ward 3

Kerry McCormack

13 Notices

Guardian City Investments, owner, proposes to change use of existing two-family residents to a two story three family residence in a C1 Multi-Family residential district.

1. Section 349.04 which states that 3 off street parking spaces are required at one space per unit and the appellant is proposing 0.
2. Section 355.04 (a) which states that the required minimum lot area is 7,200 square feet and the appellant is proposing 2,582. This code section also states that the maximum gross floor area shall not be greater than 50% of the lot size or in this case 1,291 square feet and the appellant is proposing 2,296 square feet. (Filed April 4, 2022) *POSTPONEMENT WAS MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW TIME FOR FURTHER REVIEW.*