



CITY OF CLEVELAND
Mayor Frank G. Jackson

Board of Zoning Appeals

601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)
216.664.2580

MARCH 18, 2019

9:30

Calendar No. 19-24:

2033 Carter Road

Ward 3

Kerry McCormack

14 Notices

Lake Link LLC., owner, proposes to erect a 3 story 2,967 square foot single family residence with an attached garage in a K3 Local Retail Business District. The owner appeals for relief from the strict application the following sections of the Cleveland Codified Ordinances:

1. Section 355.05(a) which states that the Minimum Lot area required is 4800 square feet and the appellant is proposing 2,643 square feet.
2. Section 357.09(b)(2)(B) which states that the Required Interior Side yard is 11.25 feet and the appellant is proposing 5 feet and 1 foot. This section also states that the aggregate width of the side yards on the same parcel shall not be less than 10 feet and the appellant is proposing 6 feet.
3. Section 357.08(b)(2) which states that the depth of required rear yard shall not be less than 1/2 the height of the main building or in this case 21 feet 5 inches and a 20 foot rear yard is proposed.
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed February 12, 2019)

9:30

Calendar No. 19-26:

15706 Parkgrove Ave.

Ward 8

Michael D. Polensek

32 Notices

Yolanda F. Hamilton, owner, proposes to establish use as a state licensed Residential Facility for 5 residents in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of sections of the Cleveland Codified Ordinances:

1. Section 337.03(b) which states that uses located in a Two-Family Residential District are subject to regulations stated in the One Family Residential District.
2. Section 337.02(h) states that a residential facility for one (1) to five (5) unrelated persons is permitted provided it is located not less than one thousand feet from another residential facility. Two other Residential Facilities exist within 1,000 feet of the proposed use: Westchester House Adult Family Home at 15320 Parkgrove Avenue, and Healing Hearts Adult Family Home at 15410 Parkgrove Avenue. (Filed February 14, 2019)

9:30

Calendar No. 19-27:

3137 Sackett Avenue

Ward 14

Jasmine Santana

26 Notices

Sackett LLC., owner, and Platform Beer Company propose to expand use to include assembly and a parking lot in a B1 General Retail Business District. The owner appeals for relief from the strict application of sections of the Cleveland Codified Ordinances:

1. Section 349.04(j) which states that 37 parking spaces are required and 16 spaces are provided.
2. Section 325.03 which states that a parking space is required to be 180 square feet and some of the proposed parking spaces are 18 feet by 8.5 feet.
3. Section 352.10 which states that a 6 foot wide landscape strip is required along Sackett Avenue and W. 32 St. where parking lot abuts the street and no landscaping is proposed.
4. 349.15 which states that two bicycle spaces are required and none are proposed.
5. Section 358.05 which states that a fence in a non-residential district shall not exceed 4 feet in height in the actual front yard and in actual side street yard and shall be 50% open. (Filed February 15,2019)

9:30

Calendar No. 19-28:

11125 Magnolia Drive

Ward 9

Kevin Conwell

13 Notices

Cleveland Music School Settlement, owner, proposes to install a 30' x 40' temporary tent for various events that will occur from April 1, 2019 to October 1, 2019 on a parcel located in an AA1 One Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.77 which states that "temporary use" means any main accessory use in any Use District involving the erection or occupancy of temporary structures.
2. Section 347.10(a)(b) which states that no temporary use shall be established until a permit for such use has been issued by the Commissioner of Building and Housing. A temporary permit shall not exceed thirty (30) days in duration. No temporary permit shall be issued within sixty (60) days of the expiration of a previous temporary permit for the same temporary use, on the same premises. Such temporary use permit shall constitute a temporary waiver of off-street parking requirements. Proposed temporary use/structure will be for approximately 180 days. (Filed February 19, 2019)

9:30

Calendar No. 19-031:

11508 Mayfield Rd.

Ward 6

Blaine A. Griffin

6 Notices

University Circle, Inc., owner, proposes to establish use as a museum and a rooming house in an E2 Multi-Family Residential District. The owner appeals for relief from the strict application of Section 337.08(e) of the Cleveland Codified Ordinances which states that a museum is permitted if located not less than 15' from any adjoining premises in residence district not used for similar purpose: proposed use is located less than 15' from adjacent residential properties. (Filed February 22, 2019)

POSTPONED FROM JANUARY 28, 2019

9:30

Calendar No. 18-267:

2291 W. 38 St.

Ward 3

Kerry McCormack

28 Notices

B.R. Knez proposes to erect a 25' x36' two story frame single family residence with a detached garage on a Cuyahoga County Land Bank Lot located in a B1 Two-Family Residential District. The owner appeals for relief from the strict application the following sections of the Cleveland Codified Ordinances:

1. Section 337.239(a) which states that an accessory building shall not be less 10' from main building on adjacent lot; proposing 4.6'. This section also states that an accessory garage shall be on the rear half of lot or 34' back from the front property line; proposing 26'
2. Section 355.04(b) which states that the Maximum Gross Floor Area shall not exceed 50 percent of lot size or in this case 1700 square feet; proposing 1772.
3. Section 357.05(b)(2) which states that the side street yard for rear of corner lot has established building line of 6'; proposing 5'.
4. Section 357.06(a) which states that the required Front Yard Setback is 12.75', proposing 12'.
5. Section 357.08(b)(1) which states that the required Rear yard shall not be less than 27.10'; proposing 3'.
6. Section 357.09(b)(2) (A) which states that a dwelling shall not be less than 10' from a main dwelling on adjacent lot; proposing 4.6'.
7. Section 357.13(c) which states that an air conditioning condenser is not a permitted rear yard encroachment.
8. Section 357.13(b)(4) which states that Open front porch shall not be less than 10' from property line; proposing 6'.
9. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed November 26, 2018-No Testimony) *SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO MAKE CHANGES TO THE PLANS. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE CITY TO ALLOW FOR TIME FOR FURTHER DESIGN REVIEW.*

POSTPONED FROM DECEMBER 17, 2018

9:30

Calendar No. 18-269:

7105 Lorain Ave./

Ward 15

Denial of Second Hand License

Matt Zone

LUFU18-00239

Rhinestoneman LTD., 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 Division of Assessments and Licenses to deny Second Hand License Application # **LUFU18-00239** (Filed November 27, 2018 - No Testimony). *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT'S ATTORNEY DUE TO A SCHEDULING CONFLICT.*