

BOARD OF ZONING APPEALS

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

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

216.664.2580

OCTOBER 3, 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 September 30, 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.

Calendar No. 22-160

1127 Parkwood Avenue.

Ward 9

Kevin Conwell

16 Notices

Jaraine Jenkins, proposes to establish use as Residential Facility for five occupants in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.03(h) which states a residential facility, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons, is not permitted if located less than one thousand (1000) feet from another residential facility. Proposed Residential Facility use is within one thousand (1,000) feet from five other Residential Facilities, located at 1135 Parkwood Ave. 10932 Grantwood Ave. 10820 Drexel Ave 1126 East 114 St., and 10804 Pasadena Ave.

Calendar No. 22-161**714 E. 140th Street.****Ward 8****Michael Polensek**

20 Notices

Cross Cay LLC., proposes to install a 6' high chain link fence in actual front yard and in side street yard in Local Retail Business District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 358.05(a)(2) which states that fences in actual front yards and in side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open. A 6' high chain link fence is proposed in side street yard.

Calendar No. 22-163**7902 Bessemer Avenue.****Ward 6****Blaine Griffin****15 Notices**

William McMillan, proposes to establish use as scrap metal yard with outside storage in General Industry Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.04(a)(3) which states that a scrap metal yard is required to be 500' from Residential District and shall be enclosed within a minimum seven feet high masonry wall or solid nontransparent, well maintained substantial fence. Such wall or fence may have one opening not more than 20' width for street access and may have 2 openings if wall or fence along the street is more than 200' in length. This property is about 131 feet from Two family Residential District.
2. Section 349.04(j) which requires one parking space per two employees on site during largest work shift, 10% gross floor area or whichever is greater; no parking spaces are shown.
3. Section 349.07(a) which states that accessory off street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition. No drainage or specific paving detail shown. Driveway and aprons must also be shown on plan.

Calendar No. 22-164**15006 Westropp Avenue.****Ward 8****Michael Polensek****12 Notices**

Julie Slater proposes to establish plant nursery, install 2 hoop houses, shed, apron and gravel drive, and approximately 380 linear feet of six foot high fence on a Cleveland Landbank parcel located in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the Cleveland Codified Ordinances:

1. Section 358.04(a) which states fences in actual front yards in Residential Districts shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open. A six-foot tall fence is proposed in the 30 foot (per Section 357.04(a) required front yard area.

2. Section 357.04(a) which states that a thirty-foot front yard is required. A Hoop-house is not a permitted front yard encroachment, per Section 357.13 and it is proposed 5 feet from front property line. The board is limited in its power to grant a variance to this sections unless certain conditions exist as described in section 329.04(c)(1).
3. Section 337.25(d)(3) which states no agricultural produce or related products may be sold from the property of an agricultural use and no farm stand for the sale of such products may be located on the property unless the Board of Zoning Appeals determines, after public notice and public hearing, that the farm stand and sales will meet a community need without adversely affecting the neighborhood.
4. Section 349.07(a) which states gravel driveway/vehicle maneuvering area is not permitted.

Calendar No. 22-166

17213 Deforest Avenue.

Ward 1

Joseph Jones

13 Notices

Ohio Reo Group, proposes to erect a bedroom and dining room addition attached to existing residence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2) which states the minimum required interior side yard is 10' and the appellant is proposing 6'.

POSTPONED FROM AUGUST 29, 2022

Calendar No. 22-145

2147 W 20th Street.

Ward 3

Kerry McCormack

2153 LLC, proposes to erect 23' x 40' three story frame single family residence (bedrooms in the basement) with detached gable garage in a D1 Two-Family Residential. The owner appeals for relief from the strict application of the following sections of the codified ordinances:

1. Section 353.05 which states the required distance of garage from dwelling on adjoining lot is 14' and the appellant is proposing 7'.
2. Section 355.04(b) which states in the Maximum Gross Floor area shall not exceed 50 percent of lot size of or in this case, 1,906 square feet and the appellant is proposing 2,910 square feet.
3. Section 357.13 (c) which states that window wells are not a permitted interior sideyard encroachment.

POSTPONED FROM AUGUST 29 AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT. NO TESTIMONY TAKEN

