



## BOARD OF ZONING APPEALS

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

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

216.664.2580

**DECEMBER 12, 2022**

**Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings 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 December 09, 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](mailto:ekukla@city.cleveland.oh.us).**

**Calendar No. 22-209:**

**3478 W. 105 Street.**

**Ward 11**

**Brain Mooney**

Kararja LLC., owner, proposes to change use from service station to mechanic shop (Repair Garage) and used auto sales in General Retail District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11 which states that repair garage is not permitted in General Retail Business District but is first permitted in Semi-Industry District if 100 feet away from residential district. Proposed use abuts a Two-Family District at the rear. Used car lot is permitted in General Retail but not to sale of vehicles weighing more than two tons.
2. Section 352.10 which states that a four foot wide frontage landscape strip is required where the auto sales lot abuts the public streets (W. 105 St. and St. Mark Ave.), a ten foot landscaped transition strip is required at rear where auto sales lot abuts Two Family District; an approximate three foot wide landscape strip is provided on W. 105 St. and one foot on St. Mark Ave. and no landscape transition strip at the rear, between sales lot and Two Family District.

**Calendar No. 22-211:**

**11107 Buckeye Road.**

**Ward 6  
Blaine Griffin**

DMW Developers LLC, proposes to establish daycare use in a C2 Residence Office District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.10(c)(7) which states that daycare in Residence Office zoning district requires side yards of 15 feet where a side yard of 3 feet or less are proposed.

**Calendar No. 22-212:**

**3893 W.23 Street.**

**Ward 12  
Rebecca Maurer**

Conrad Becker, proposes to change of use from two family to four family in 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 4 family apartment is not permitted in a Two-Family Residential District but is first permitted in Multi-Family District per section 337.08.
2. Section 349.04(a) which states that two additional parking spaces are required and none are proposed.

**Calendar No. 22-214:**

**9511 Detroit Ave.**

**Ward 15  
Jenny Spencer**

Buza Properties, proposes to install 60 linear feet of 6-foot high aluminum fence and guardrail in actual front yard in Semi-Industry 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 in Non-Residential Districts other than General and Unrestricted Industry Districts, fences in actual front yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open above two (2) feet in height. The appellant is proposing to erect a 6-foot high commercial grade aluminum fence in the actual front yard of 10' specific setback.

**Calendar No. 22-215:**

**9503 Detroit Ave.**

**Ward 15  
Jenny Spencer**

Buza Properties, proposes to install linear feet of 6' high aluminum fence and guardrail in actual front yard in Semi-Industry. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

2. Section 358.05 which states that in Non-Residential Districts other than General and Unrestricted Industry Districts, fences in actual front yards shall not exceed four (4) feet in height and shall be at

least fifty percent (50%) open above two (2) feet in height. The appellant is proposing to erect a 6-foot high commercial grade aluminum fence in the actual front yard of 10' specific setback.

**Calendar No. 22-216:**

**14750 Triskett Rd.**

**Ward 17**

**Charles Slife**

Keith Sulzer, proposes to erect 20'x 20' 1 story frame detached gable pole barn storage 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:

1. Section 337.23(B)(1)(a) which states that accessory structures shall be on the rear half of the lot or in this case at 385 feet back from the right-of-way and the appellant is proposing 70 feet.

**POSTPONED FROM NOVEMBER 7, 2022**

**Calendar No. 22-146:**

**1242 W. 65<sup>th</sup> St.**

**Ward 15**

**Jenny Spencer**

Jason Nehez, proposes to install front yard deck and front yard wooden fence 3'-4" high 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 358.04 (a) which states that a fences in required front yard area shall be at least 4' in height & 50 percent open.
2. Section 357.13 (b) which states open front porches and decks cannot project more than 8 feet and the appellant is proposing 10 feet.
3. Section 358.03(a) which states that a fence running 15 feet parallel to a driveway shall not exceed 2'-6" in height and shall be 75 percent open. (Testimony Taken). *POSTPONED FROM AUGUST 29 TO ALLOW TIME FOR THE APPELLANT TO MEET WITH CITY PLANNING COMMISSION STAFF AND DESIGN REVIEW. SECOND POSTPONEMENT WAS MADE FROM SEPTEMBER 26 TO ALLOW TIME FOR THE APPELLANT TO UPDATE HIS DRAWINGS. THIRD POSTPONEMENT WAS MADE AT THE REQUEST OF THE APPELLANT AS THE DRAWINGS STILL NEEDED MORE WORK.*

**POSTPONED FROM NOVEMBER 14, 2022**

**Calendar No. 22-195:**

**4506 Lorain Avenue.**

**Ward 3**

**Kerry McCormack**

North Coast Shuffleboard Club LLC, proposes expansion of office & salon use to include a tattoo studio in Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.01 which states that a Tattoo Studio is not permitted in Local Retail Business but is first permitted in General Retail District 343.11, if it meets the conditions described in section 347.12(b) which states: (1.) No such use shall be establishes within one thousand (1,000) feet of a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center. (2.) No such use shall be established within one thousand (1,000) feet of another such use.

POSTPONED FROM NOVEMBER 14 AT THE REQUEST OF THE APPELLANT TO ALLOW TIME FOR HIM TO MEET WITH THE COMMUNITY.

**POSTPONED FROM NOVEMBER 14, 2022**

**Calendar No. 22-193:**

**15736 Lorain Avenue.  
(Aka 15722 Lorain Avenue)**

**Ward 17**

**Charles Slife**

Annette Pakis, proposes to establish use as assembly/meeting/party venue in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

3. Section 343.01 which states assembly/meeting/party venue is not permitted in Local Retail Business District, first permitted in General Retail Business District.
4. Section 349.04 (e) which states parking area in the amount of three times the gross floor area, or a parking area of 7,335 square feet would ordinarily be required, however: due to location in a Pedestrian Retail Overlay District, per Section 343.23(i), parking area may be reduced by 33%, resulting in a required parking area of 4,841 square feet. No parking details are provided on non-scaled, non-dimensioned site plan.

POSTPONED FROM NOVEMBER 14 AT THE REQUEST OF THE COUNCILMAN TO ALLOW TIME FOR FURTHER COMMUNITY REVIEW.