



# **Cleveland Board of Zoning Appeals**

**Monday September 26, 2022**

**\*\*PLEASE MUTE YOUR MICROPHONE\*\***

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

# Cleveland Board of Zoning Appeals

September 26, 2022

## Preamble

IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF THE CITY'S OPEN MEETING LAW, AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

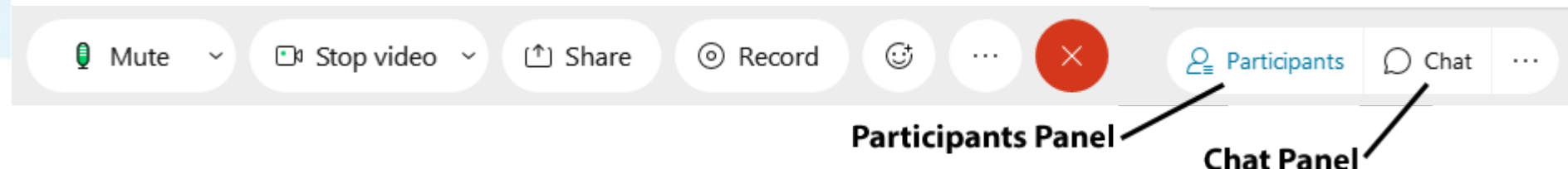
IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK.

WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.



CALL-IN USERS CAN UNMUTE BY USING \*6



# Cleveland Board of Zoning Appeals

September 26, 2022

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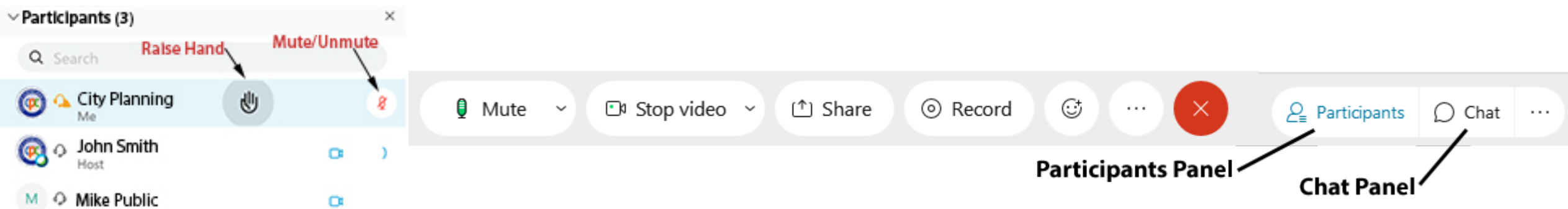
## Preamble

ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WEBEX PLATFORM.  
THESE PROCEEDINGS ARE ALSO BEING LIVE STREAMED VIA YOUTUBE FOR PUBLIC VIEW.

WE HAVE PROVIDED A LINK TO THE MEETING FOR THOSE WHO WISH TO SPEAK ON A PARTICULAR CASE VIA OUR WEBSITE AND EMAIL.

**ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER HAVE BEEN CONSIDERED.**

WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN COMMENT ON A PARTICULAR MATTER.



# Cleveland Board of Zoning Appeals

## Call to Order & Roll Call

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# Cleveland Board of Zoning Appeals

## Postponements/Withdrawals

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## Postponements

### **Calendar No. 22-115**

**1200 West 76 St.**

**Ward 15**

The Shoreway Building LLC, owner, proposes to erect an additional 10 story apartment building consisting of 73 dwelling units and 183 parking spaces on site of existing 43 dwelling unit building in a B1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states in "B" area district, maximum gross floor area is limited to one-half the lot area. 27,634 maximum gross floor area is permitted and 161,312 dwelling unit floor area is proposed.
2. Section 357.08(b)(2) which states in a use district other than a Residence District the depth of a required rear yard in connection with a building of Residential Occupancy shall be not less than one half (1/2) the height of the main building; approximately 57 feet are required and none provided.
3. Section 341.02 which states that review and approval of the Cleveland Landmarks Commission is required. (No Testimony) POSTPONED FROM JULY 25 AT THE REQUEST OF THE APPELLANT TO ALLOW TIME TO MEET WITH DESIGN REVIEW AND THE COMMUNITY.

### **Calendar No. 22-146**

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

**Ward 15**

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.

### **Calendar No. 22-73:**

**1725 Holmden Ave.**

**Ward 14**

Fisher and Payne LLC, owner, proposes to change use of existing two-family dwelling to three-family located 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 337.03(a) which states a three-family dwelling is not permitted in Two-Family District but first allowed in a Multi-Family District.
2. Section 355.04(b) which states in a "B" Area District a minimum lot area of 2,400 square feet per dwelling unit is required or in this case 7,200 square feet are required and 4,550 square feet are proposed. Maximum Gross Floor area shall not be greater than 50 percent of the lot area which in this case is 2,275 square feet and the appellant is proposing 2,332.
3. Section 349.04 which states three parking spaces required are required and no parking spaces are provided.

# Cleveland Board of Zoning Appeals

## Public Hearing

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# Public Hearing

**Calendar No. 22-158**

**17426 Eldamere Ave.**

**Ward 1**



Nicole McBride, proposes to establish use as day care for up to 12 children in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02 (g)(3)(C) which states that a day care use in a One-Family Residential District permitted if 30 feet from adjoining premises and if approved by the Board of Zoning Appeals after public notice and public hearing to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgement of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood; proposed use is 13-10 feet from adjoining premises.



# Public Hearing

Calendar No. 22-158

17426 Eldamere Ave.

Ward 1



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**



## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance from the regulations of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

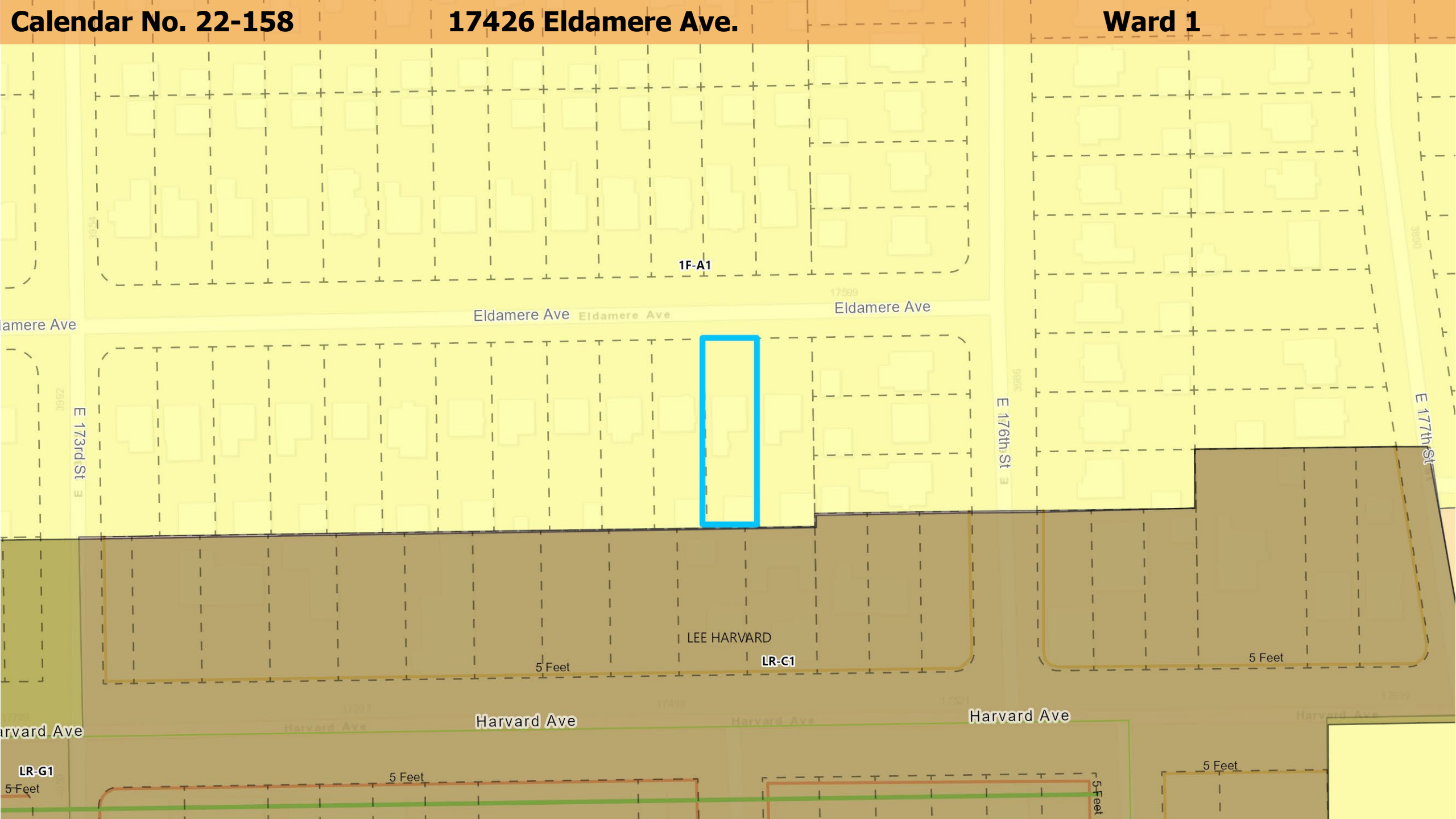
1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.





East 176th Street

Eldamere Avenue



Calendar No. 22-158

17426 Eldamere Ave.

Ward 1

1F-A1

Eldamere Ave Eldamere Ave Eldamere Ave

amere Ave

E 173rd St

E 176th St

E 177th St

LEE HARVARD

LR-G1

5 Feet

5 Feet

Harvard Ave

Harvard Ave

Harvard Ave

Harvard Ave

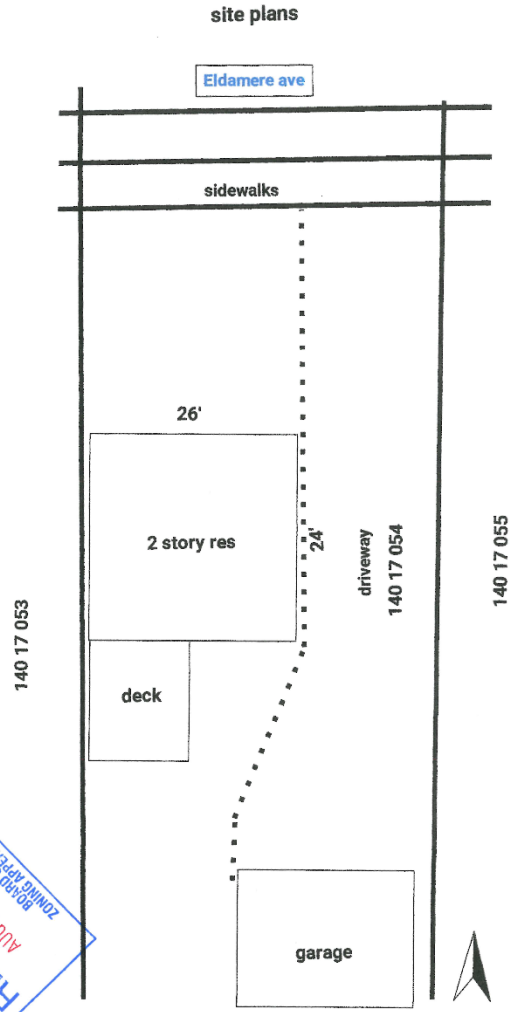
LR-G1

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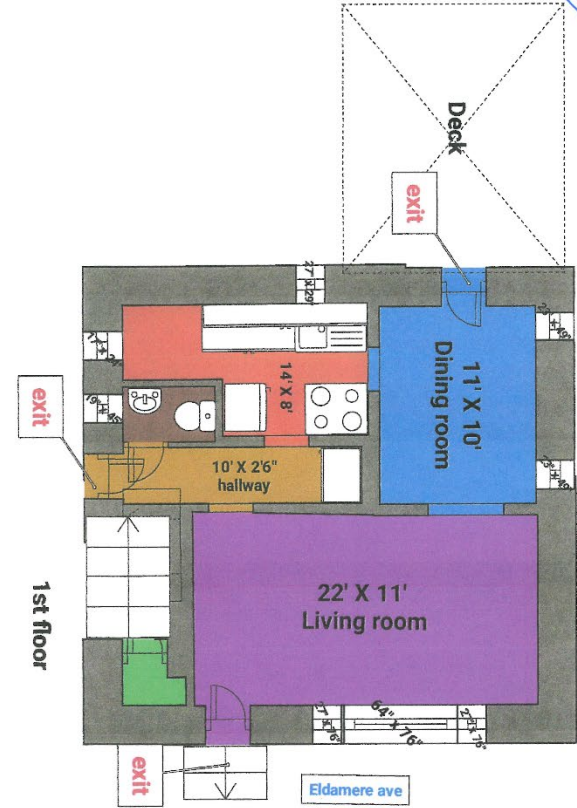
5 Feet

5 Feet

5 Feet



BZA 22-00158

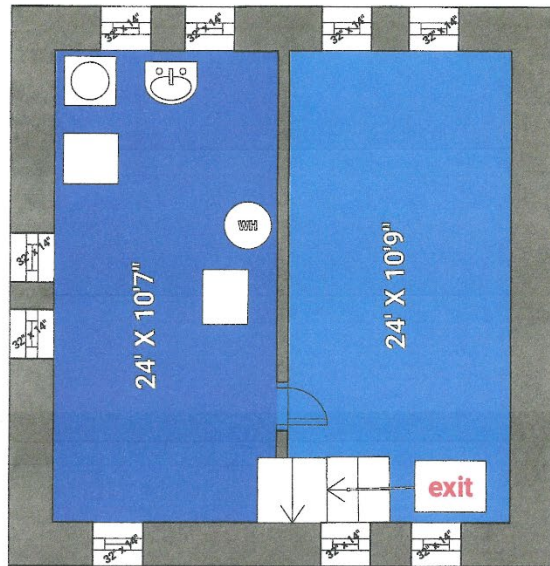


17426 Eldamere ave  
Cleveland, Ohio 44128

BZA 22-00158

BZA 22-00158

17426 Eldamere ave  
Cleveland, Ohio 44128



Eldamere ave

basement

BZA 22-00158

17426 Eldamere ave  
Cleveland, Ohio 44128



2nd floor

**From:** Janet Williams <askjanet@icloud.com>  
**Sent:** Tuesday, September 20, 2022 4:04 PM  
**To:** Kukla, Elizabeth <Ekukla@clevelandohio.gov>  
**Subject:** 17426 Eldamere variance request

Good afternoon Ms. Kukla,

The listed address has requested a variance to allow a home daycare on Eldamere Ave.. Eldamere is part of Shaker Lee block club. Our block club includes 5 streets. Eldamere, Stockbridge, Delrey, Biltmore and Glendale Aves. I am the President. Many of the residents are seniors. They have concerns of retaliation if they were to speak out against the request. So, they have asked that I contact you with there concerns.

- 1) Added traffic on the street.
- 2) Hours of operation.
- 3) The number of children.
- 4) Ages of children.
- 5) Where will they play.

There is another home daycare down the street.  
There is another daycare a few doors further. The yard has toys all over the front yard 24hrs a day. The lawn is being destroyed. The house is no longer being kept as it once was. There is another daycare further down the street. The home is well kept. This one that is requesting the variance would make a total of 3 on the street.  
Janet Williams



CITY OF CLEVELAND  
**Office of the Council**

[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

**Joseph T. Jones** COUNCIL MEMBER, WARD 1

**COMMITTEES:** Mayor's Appointments - *Chair* • Municipal Services & Properties - *Vice Chair*  
Operations • Safety • Transportation • Workforce & Community Benefits

September 14, 2022

City of Cleveland Board of Zoning Appeals  
Re: Calendar NO: BZA22-0159 17426 Eldamere Ave.  
601 Lakeside Avenue  
Cleveland, OH 44114

To Whom It May Concern:

As Councilman for Ward 1 I have been notified by Ward 1 resident Nicole McBride, who resides at 17426 Eldamere Ave. Cleveland, OH 44128 of her plans to own and operate a ODJFS Type A Family Childcare Center in her private home. I have discussed the pros and cons of this type of business with resident and she has verbalized understanding.

Nicole McBride is an upstanding resident of her community, and she has advised her surrounding neighbors of her intent to provide childcare services to children from the ages of infant to 12 years of age from the hours of 6AM-6PM Monday thru Friday. She has received written consent from neighbors stating that they have no problems with Nicole McBride and her plan to care for children in her private home. Nicole agrees to comply with all rules and regulations of ODJFS as well as city ordinances and respect to all her neighbors.

Please accept this written consent and approval from me in support of Nicole McBride and her plans to start her Family Child Care Center in her private resident.  
Please feel free to contact me with questions or concerns at (216) 664-4944, my cell phone at (216) 355-0017, or email: [jjones@clevelandcitycouncil.org](mailto:jjones@clevelandcitycouncil.org)

Best Regards,

A handwritten signature in black ink, appearing to read "Joe Jones".

Councilman Joe Jones  
City of Cleveland, Ward 1

To Whom it May Concern,

My name is Nina Turner and I am a resident of  
15516 Eldamere Ave, Cleveland, OH 44128. I have been made aware of one of the  
homeowners on Eldamere Ave. is seeking approval to start a Type A Family Child Care in her private  
resident at 17426 Eldamere Ave. Cleveland, OH 44128. Nicole McBride has formally introduced herself  
and her proposal to me and my signature on this letter is acknowledgement that I approve of her  
proposal.

Sincerely,

Signature of Eldamere Ave. Cleveland, OH Resident: Mrs. Nina Turner and Spouse  
Date: 9.10.22

To Whom it May Concern,

My name is Marilyn + Jerome Cargile and I am a resident of  
17419 Eldamere Avenue, Cleveland, OH 44128. I have been made aware of one of the  
homeowners on Eldamere Ave. is seeking approval to start a Type A Family Child Care in her private  
resident at 17426 Eldamere Ave. Cleveland, OH 44128. Nicole McBride has formally introduced herself  
and her proposal to me and my signature on this letter is acknowledgement that I approve of her  
proposal.

Sincerely,

Signature of Eldamere Ave. Cleveland, OH Resident: Marilyn L. Cargile Jerome Cargile  
Date: 9.09.2022

# Public Hearing

## Calendar No. 22-162

## 4612 Clinton Ave.

## Ward 3

Mark & Janet Wells, proposes to erect a 2-story frame single-family residence with an attached garage 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 357.06(a) which states that the required front yard setback is 22.85 feet and they are proposing 18.63 feet.
2. Section 357.08(b) (1) which states that the required rear yard is 28.8 feet; proposing 24 feet.
3. Section 357.13(c) which states that a basement window well is not a permitted side yard encroachment.
4. Section 341.02 which states City Planning Commission approval is required before issuance of permit.



# Public Hearing

Calendar No. 22-162

4612 Clinton Ave.

Ward 3



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**



## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting area variances from the front yard setback, rear yard footage, and side yard encroachment regulations of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

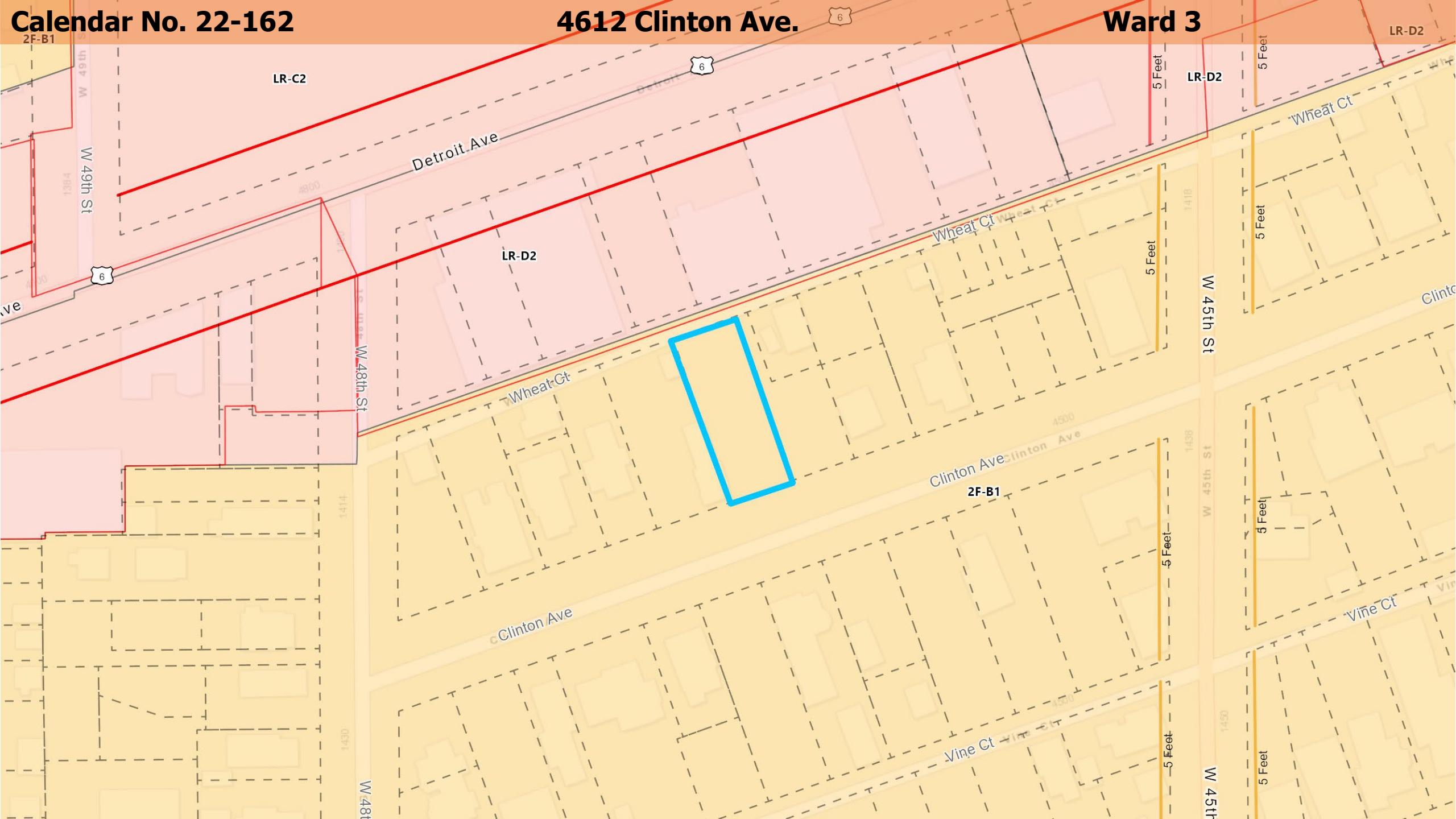
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.





Wheat Court

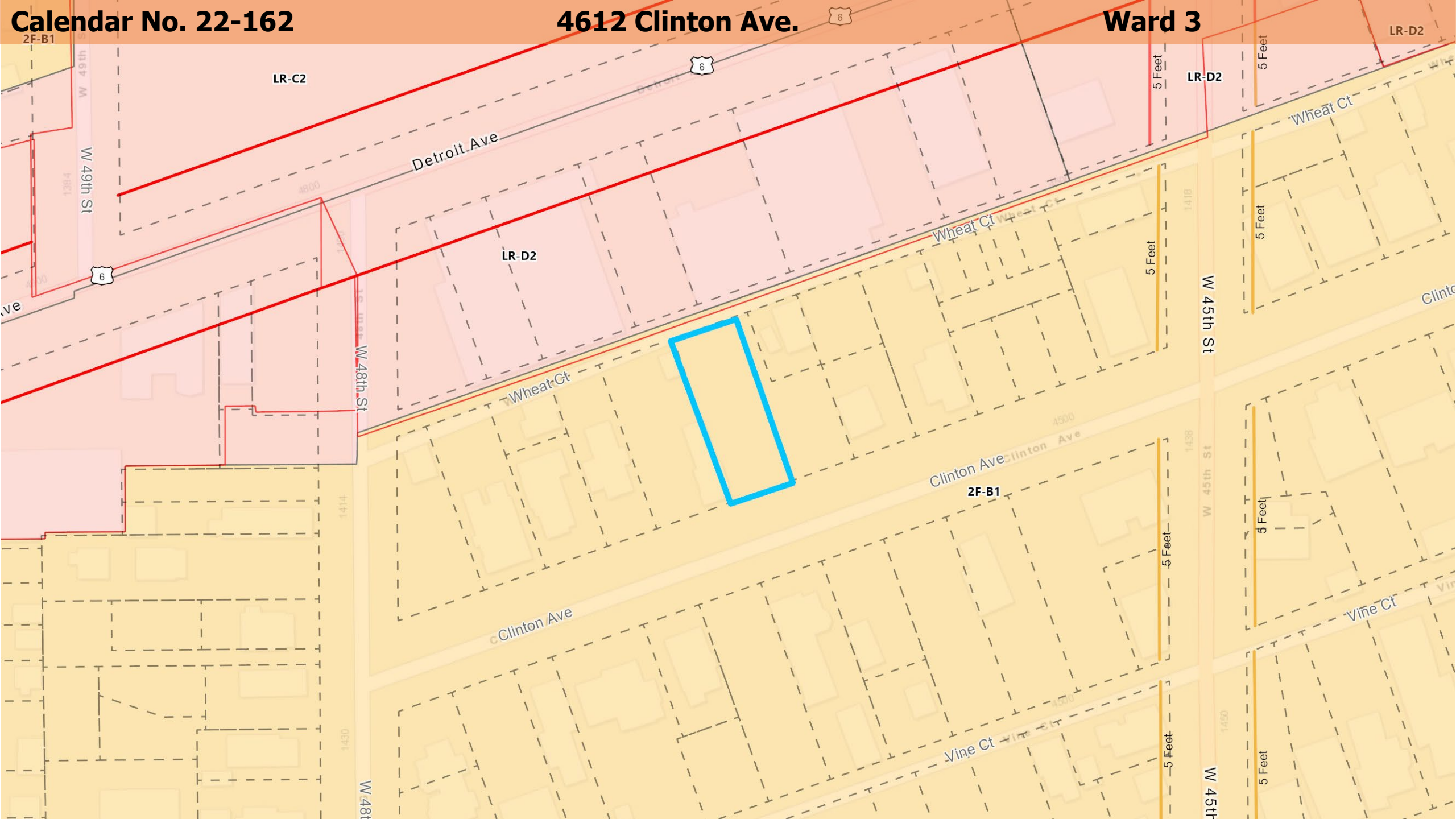
Clinton Avenue



Calendar No. 22-162

4612 Clinton Ave.

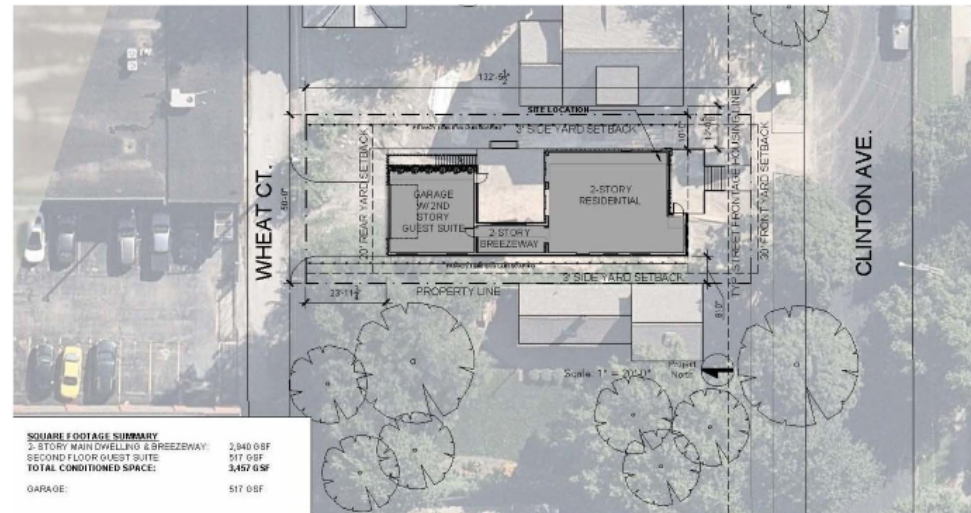
Ward 3





4612 CLINTON AVE, CLEVELAND OH 44113

## SITE PLAN



## CODE INFORMATION

GENERAL CONDITIONS OF THE PROJECT:

- ALL WORK SHALL BE PERFORMED IN COMPLIANCE WITH THE 2018 PENNSYLVANIA STATE ELECTRICAL CODE, THE 2018 PENNSYLVANIA STATE MECHANICAL CODE, AND ALL STATE AND LOCAL CODES AND REGULATIONS THAT MAY HAVE A RELEVANT EFFECT ON THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ASSOCIATION ALTERNATIVE ENERGY CODE OF NON COMPLIANCE PATH PER IFCO 600.
- CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE PRIOR TO CONSTRUCTION START. REPORT ALL DISCREPANCIES, IRREGULARITIES OR OMISSIONS TO THE ARCHITECT IMMEDIATELY.
- THE OWNER SHALL AND CONTRACTORS SHALL APPLY FOR AND PAY THE FEES FOR ALL APPROVALS THAT MAY BE REQUIRED.
- THE CONTRACTOR SHALL PROVIDE THE COMPLETE COORDINATION OF ALL SUBTRADES AND ARRANGE FOR ALL MEETINGS, INSPECTIONS, ETC. FOR A COMPLETE REVIEW OF THE PROJECT.
- THE CONTRACTOR SHALL PROVIDE FOR THE PROTECTION AND SAFETY OF ALL ADJACENT AREAS OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT AREAS DURING THE DURATION OF THE PROJECT.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CALCULATIONS. ALL DIMENSIONS ARE FOR VOLUME (PIPING) OR ROOMS (MASS) UNLESS NOTED OTHERWISE. EXTERIOR WALL THICKNESS DIMENSIONS INCLUDES 1/2" NOMINAL INSULATION. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. THE MAIN FLOOR FINISH FLOOR DIMENSIONS OF 3" FOR PAVING IF THE CONTRACTOR DETERMINES IT IS EXTENSIVE PAVING (CONCRETE OR SLOTTED) BELOW.
- CONTRACTOR ASSUMES RESPONSIBILITY TO ASSURE THAT THE BUILDING IS COMPLETED TO THE FULL REQUIREMENTS OF THE PENNSYLVANIA ELECTRICAL CODE AND CONTRACTOR ASSUMES RESPONSIBILITY FOR ADJUSTING AND VERIFYING ALL ELECTRICAL PANELS TO THE FULL REQUIREMENTS OF THE PENNSYLVANIA ELECTRICAL CODES.
- CONTRACTOR SHALL REQUIRE WALL THICKNESSES FOR THE PLUMBING AND ELECTRICAL SUBTRADES PRIOR TO CONSTRUCTION.
- PLUMB, PLUMBING AND/OR ELECTRICAL ENGINEERING DRAWINGS AND SPECIFICATIONS SHALL BE PROVIDED BY THE ARCHITECT. THE CONTRACTOR SHALL BE PROVIDED BY THE ARCHITECT AND OWNER THE SUB CONTRACTOR LIST.
- VERIFY ALL COLOR SELECTIONS AND FINISH SELECTIONS WITH OWNER. PROVIDE COLOR CHARTS AND FINISH CHARTS TO THE OWNER.
- INSTALL ALL ELECTRICAL, FINISH SYSTEMS, FINISH SYSTEMS, FIRE-ABATED DEVICES AND FINISH SYSTEMS TO THE FULL REQUIREMENTS OF THE PENNSYLVANIA ELECTRICAL CODE IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND DESIGN REQUIREMENTS.
- PROVIDE ALL NECESSARY HOOKING TO ANCHOR STRUTS OR CABLES SUCH AS ANCHOR BOLTS, ANCHOR RODS, ANCHOR PLATES, ANCHOR WELDS, ETC. TO THE FULL REQUIREMENTS OF THE PENNSYLVANIA ELECTRICAL CODE AND ALL OTHER INTERIOR SPECIFICATIONS, DESIGN AND DETAILING ETC. FIXTURES, HOLDINGS, RAILINGS, CLOSET LAYOUTS, FLOOR, CEILING AND WALL FINISHES, FIRE-ABATED DEVICES AND FINISH SYSTEMS TO THE FULL REQUIREMENTS OF THE PENNSYLVANIA ELECTRICAL CODE.
- VERIFY ALL DIMENSIONS AND CALCULATIONS. THE CONTRACTOR AND ARE NOT COVERED BY THE CONTRACT.

CARPENTRY

- [illegible]

STRUCTURAL DESIGN CRITERIA:

- DESIGN: DESIGN CATEGORY = B  
DESIGN SPEED 1 = 100 MPH  
VAND LOAD = 18 PSF  
2. GROUND SNOW LOAD = 20 PSF  
EXPLOSION CATEGORY = B  
2ND AND 3RD FLOOR LIVE LOADING = 16 PSF  
2ND AND 3RD FLOOR LIVE LOADING + 40 PSF  
L1: LOSS DEFLECTION TOTAL LOAD  
ROOF DEAD LOAD = 15 PSF  
ROOF LIVE LOAD = 20 PSF  
ROOF SNOW LOAD = 30 PSF  
L1: LOSS DEFLECTION TOTAL LOAD  
11 STAIRS = 40 PSF  
12 DECKS = 40 PSF  
13. 200 LBS. IN ANY DIRECTION AT ANY POINT ALONG THE TOP
- FOOTNOTES:**  
ALL FOOTNOTES SHALL EXCEED TO MINIMUM OF 42" BEFORE ADJACENT EXISTING WALLS OR FLOORING UNLESS NOTED OTHERWISE.  
FOOTNOTES ARE DESIGNED FOR 1,500 PSF MINIMUM SOIL BEARING CAPACITY.  
DESIGNER SHALL BE RESPONSIBLE FOR PROVIDING OBJECTS AND RESPONSIBILITY TO DETERMINE ACCURATE PSF, AIRFLOW ANALYSIS, SET DOWN FOOTNOTES AS NECESSARY WHERE ANY UNUSUAL VIBRATION OR EXCESSIVE DEFLECTION MAY OCCUR.  
BATCHOFF FOR SLAB AREA IS TO BE LAD DOWN IN 8" LISTS AND MECHANICAL

STORM DRAINAGE.

2. FILTER FABRIC SHALL BE INSTALLED OVER ALL FOUNDATION DRAIN TILES.

**ELECTRICAL:**

3. ALL ROOMS, INCLUDING 20 AMPERE CIRCUIT BREAKERS SUPPLYING OUTLETS OR LIGHTS, SHALL BE PROTECTED BY A GROUND-Fault CIRCUIT INTERRUPTER (GFI) OR EQUIVALENT TYPE DEVICES. PROTECT ALL BATHS, BEDROOMS, SLEEPING PORCHES, KITCHENS, BATHS, BREAKFAST ROOMS, LIVING ROOMS, RECREATION ROOMS, CLOSETS, LAUNDRIES, LAUNDRY AREAS, OR SIMILAR ROOMS OR SPACES.
4. SMOKE ALARMS UTILIZING PHOTOELECTRIC AND IONIZATION TECHNOLOGIES SHALL BE INSTALLED IN EACH SLEEPING ROOM AND OUTSIDE THE BEDROOM INTO THE SLEEPING ROOM OR ADJACENT TO THE SLEEPING ROOM.
5. SMOKE DETECTORS SHALL BE HARD WIRED WITH BATTERY BACK-UP AND INTERCONNECTED.
6. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED OUTSIDE OF EACH SEPARATE SLEEPING AREA OR THE IMMEDIATE VICINITY OF THE BEDROOMS IN EACH SLEEPING UNIT WITH A BATTERY BACK-UP. CARBON MONOXIDE ALARMS SHALL BE OVERVOLTING UNITS THAT HAVE ATTACHED CABLES.
7. ALL TYPES OF SMOKE DETECTORS, INCLUDING INTERCONNECTED WIRELESS TYPES, SHALL BE PROHIBITED VULCANIS.
8. RECESSED LUMINAIRES INSTALLED IN THE BUILDING FRAMEWORK SHALL BE RECESSED INTO A FLASKET OF THE BUILDING FRAMEWORK TO PREVENT DAMAGE UNDER COMBINED AND UNCOMBINED SITUATIONS.

## THERMAL, MOISTURE, AND SOUND CONTROL

- [illegible]

HVAC AND PLUMBING:

- [illegible]

WINDOWS AND DOORS:

- WINDOWS AND GLASS SHALL PROVIDE THE REQUIRED U-VALUES, SHGC, LIGHT TRANSMITTANCE AND AIR LEAKAGE REQUIREMENTS OF THE SELECTED ENERGY COMPLIANCE PATH
- AT LEAST ONE WINDOW IN EACH SLEEPING ROOM SHALL PROVIDE THE MINIMUM ENERGY REQUIREMENTS OF RCO SECTION 510 INCLUDING OPENABLE AREA, HEIGHT AND WIDTH OF THE OPENING.
- PROVIDE TEMPERED GLASS IN ALL HAZARDOUS AREAS AS REQUIRED BY RCO SECTION 306.4.
- THE FLOOR BETWEEN A DWELLING UNIT AND A GARAGE SHALL BE FIRE RATED, OR A SOLID CONCRETE OR METAL FLOOR WITH A FIRE STRIPPING AND A THRESHOLD.

PROPOSED NEW  
CONSTRUCTION FOR:

WELLS  
RESIDENCE

4612 CLINTON AVE,  
CLEVELAND OH 44113

I hereby certify that this drawing, specification, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Architect (or Engineer, respectively) under the laws of the state in which given this project. DATE 10/20/2010 Further, no person may alter these documents without my permission or in violation of the direct supervision of the Licensed Architect (or Engineer, as applicable).

PROPOSED NEW  
CONSTRUCTION FOR:

WELLS RESIDENCE

4612 CLINTON AVE,  
CLEVELAND OH 44113

JOB NUMBER: 120

## DRAWING RELEASE:

[illegible]

SHEET TITLE:

SITE PLAN AND GENERAL INFORMATION

SHEET NUMBER:

A001

WELLS  
RESIDENCE

PROPOSED NEW  
CONSTRUCTION FOR:

WELLS RESIDENCE

JOB NUMBER: 120

DRAWING RELEASE:

[illegible]

SHEET TITLE

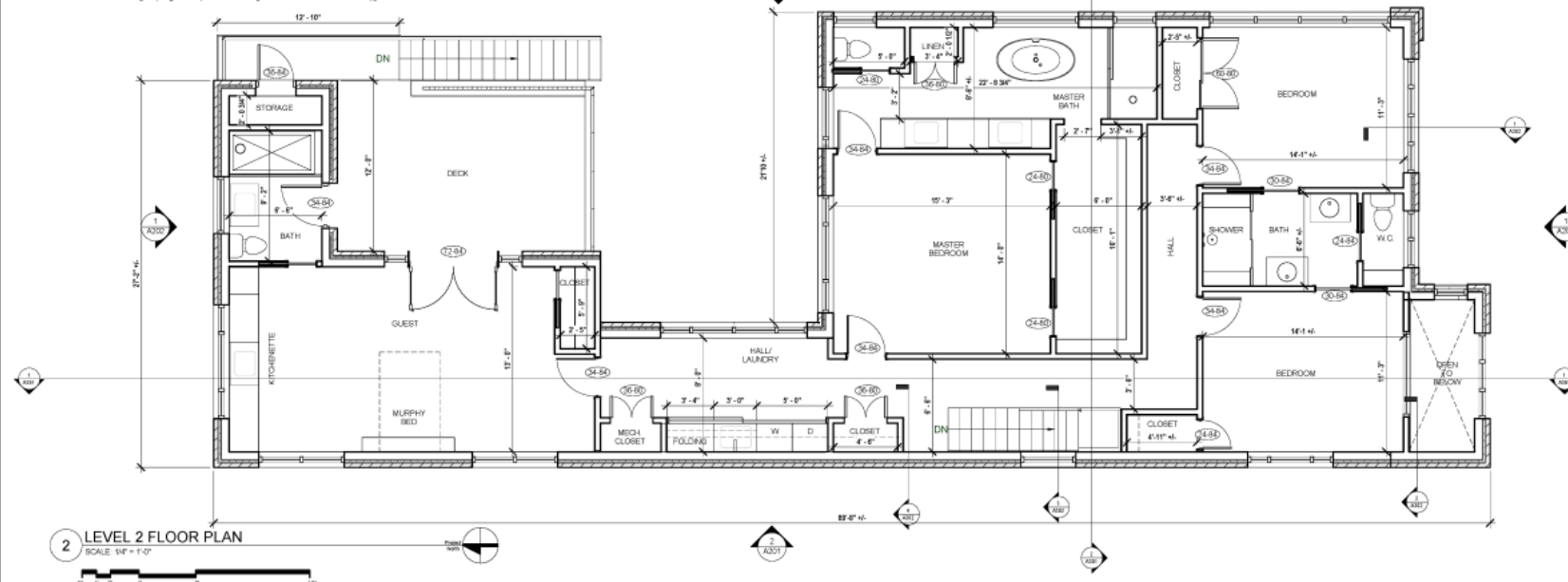
## LEVEL ONE AND LEVEL TWO FLOOR PLANS

SHEET NUMBER

A101



SCALE: 1/4" = 1'-0"



2 LEVEL 2 FLOOR PLAN

SCALE: 1/4" = 1'-0"







*Main Office*  
4625 Detroit Ave  
Cleveland, OH 44102  
(216) 651-7788

September 21, 2022

City of Cleveland  
Board of Zoning Appeals  
601 Lakeside Avenue  
Cleveland, OH 44114

Dear Board of Zoning Appeals

My name is Robert Leimkuehler. I am the property owner of Leimkuehler, Inc. located at 4625 Detroit Avenue, Cleveland, OH 44102. My phone number is 216-319-1767.

I am writing this letter of support for the variance applied for by Mark and Janet Wells for their property at 4612 Clinton Avenue.

Building this house will only improve the neighborhood of which we have been a part of since 1962.

If you have any questions, please contact me.

Regards,

Robert V. Leimkuehler  
Leimkuehler, Inc.  
President

*South Office*  
6478 Royalton Rd.  
North Royalton, OH 44133  
(440) 582-8000

Fax (216) 651-4057  
[www.leimkuehlerinc.com](http://www.leimkuehlerinc.com)  
[leimkuehler@leimkuehlerinc.com](mailto:leimkuehler@leimkuehlerinc.com)

*East Office*  
5403 Mayfield Rd.  
Lyndhurst, OH 44124  
(440) 442-0454

# Public Hearing

## Calendar No. 22-165

## 694 E 92<sup>nd</sup> Street.

## Ward 10

Terrance Wilkinson, proposes to erect a 1 story frame detached gable garage and deck 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 accessory buildings shall not occupy more than 40 percent of required rear yard area.
2. Section 349.07(c)(1) which states only one driveway allowed for every 100 feet of frontage is permitted and the appellant is proposing two driveways.
3. Section 353.05 which states the distance of accessory building to a main building on adjoining lot shall not be less than height of accessory building; proposing 14 feet.
4. Section 341.02(b) which states City Planning approval is required before issuance of building permit.



# Public Hearing

Calendar No. 22-165

694 E 92<sup>nd</sup> Street.

Ward 10



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**



## HISTORY OF THE PROPERTY





## LEGAL STANDARD

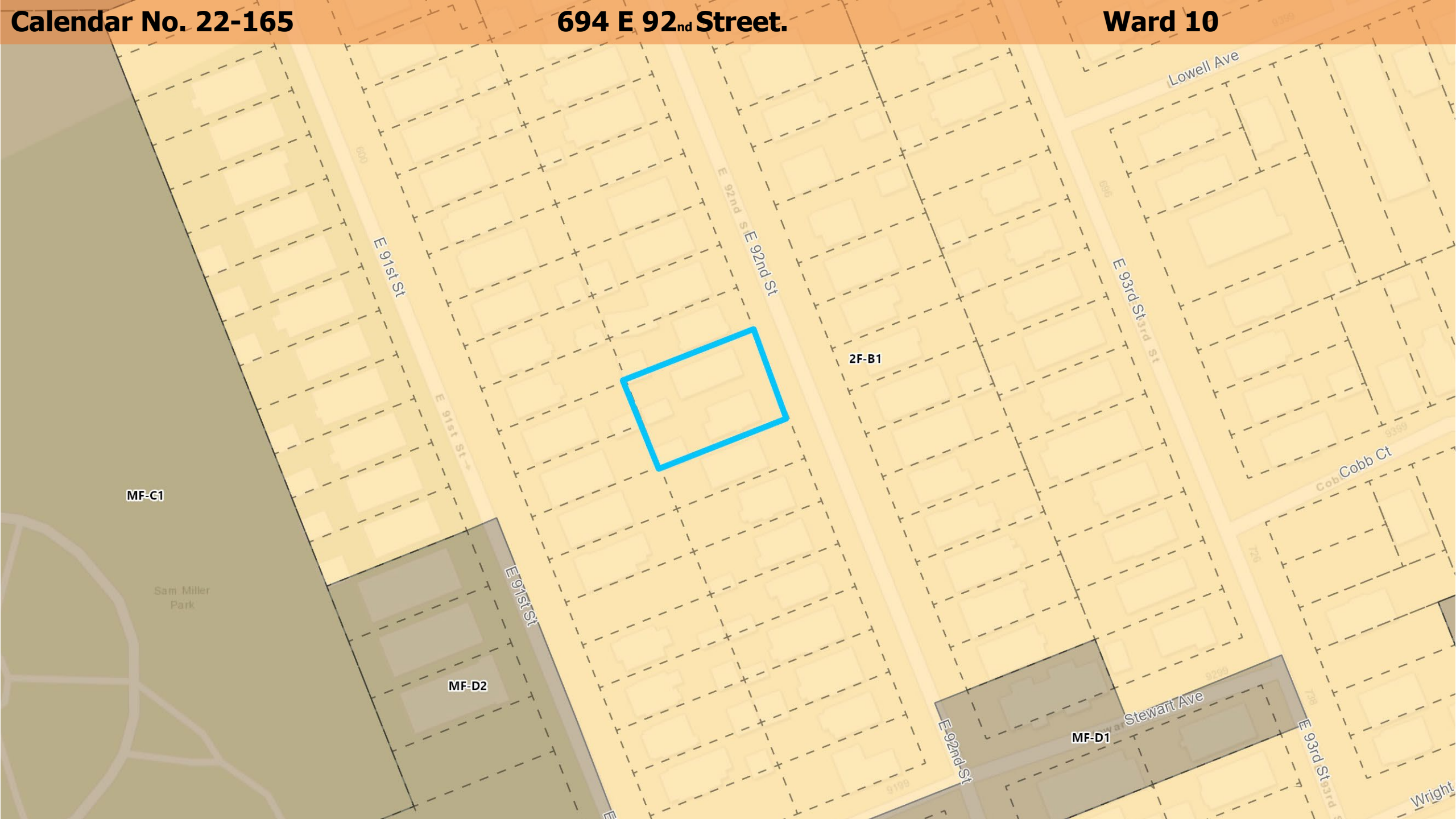
Madam Chair, Members of the Board, Appellant is requesting area variances from the rear yard area, driveway, and accessory building distance regulations of the zoning code.

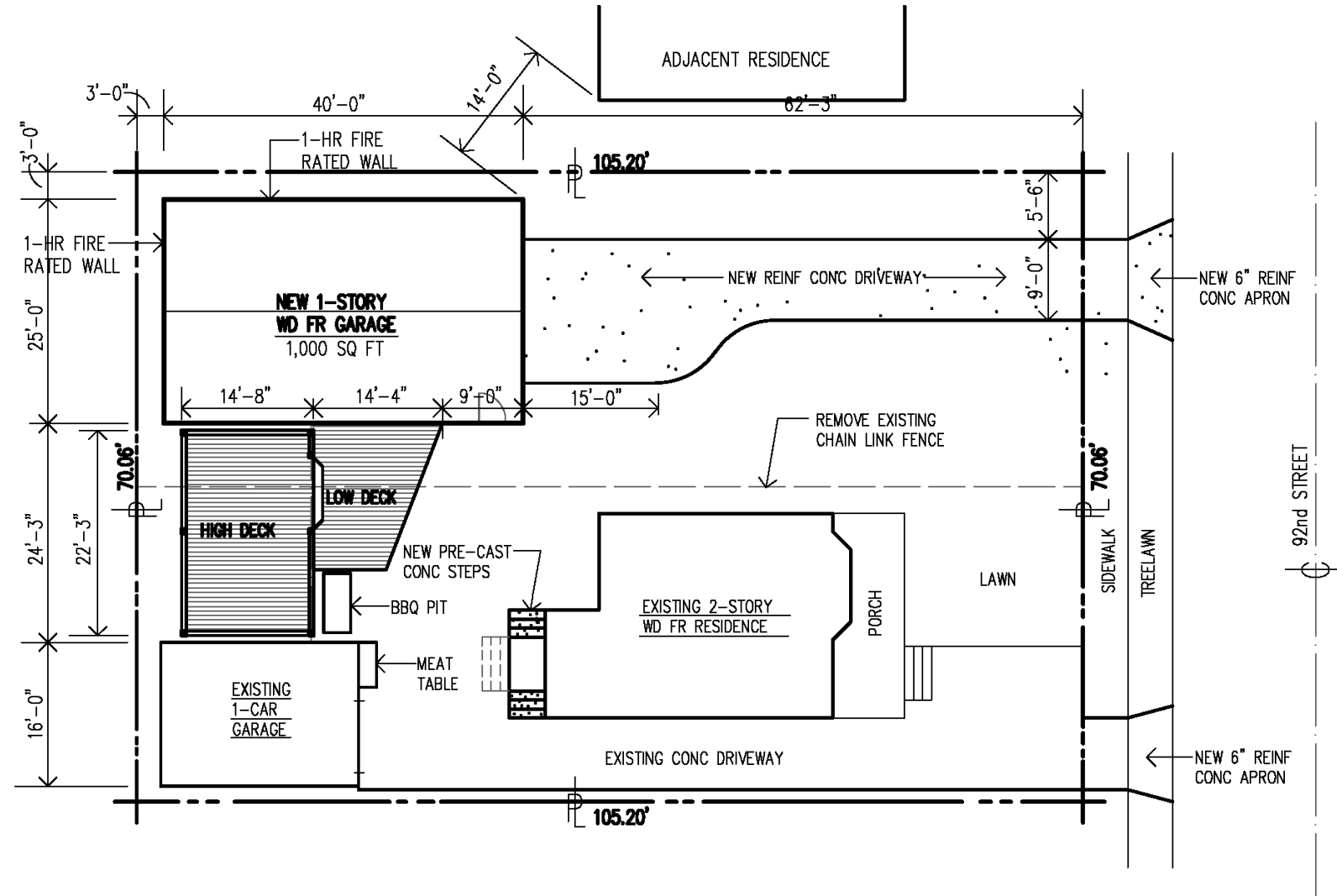
To obtain the area variances, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.



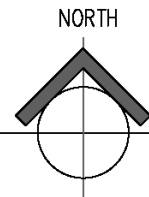






# KEY PLAN

1/16" = 1'-0"



# THE WILKINSON RESIDENCE

694 EAST 92nd STREET  
CLEVELAND, OHIO

## SCOPE OF WORK

CONSTRUCTION OF A NEW 1-STORY  
WOOD FRAME 4-CAR GARAGE - APPROX 1,000 SQ. FT.

## DESIGN LIVE LOADS

FLOOR LIVE LOAD = 60 PSF

WIND LIVE LOAD = 115 MPH BASIC WIND SPEED

ROOF LIVE LOAD = 30 PSF

## MATERIALS

WOOD shall be southern pine #2 E= 1,600,000 or douglass fir

CONCRETE shall develop a compressive strength of 3,000 psi in 28 days

WELDED WIRE FABRIC shall conform to ASTM - 185

ASSUMED SOIL BRG CAPACITY = 2,000 PSF

## BUILDING CODE CLASSIFICATION

CONSTRUCTION CLASS = Vb

USE GROUP CLASS = R-3 (single - family)

This structure has been designed  
in accordance with the 2019 RCO & Revisions.

## TRIBE ARCHITECTS

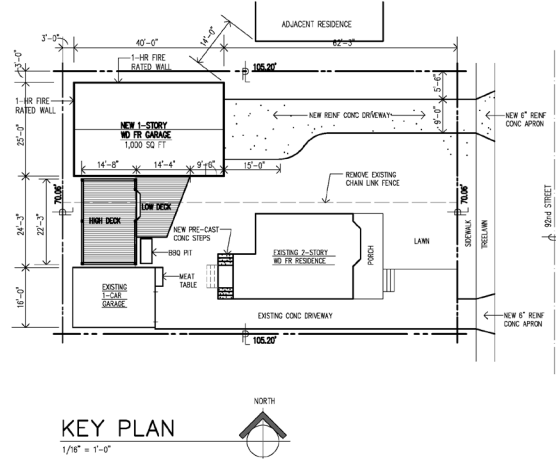
ARCHITECTURE & VILLAGE PLANNING

1300 E. 187th STREET

CLEVELAND, OHIO

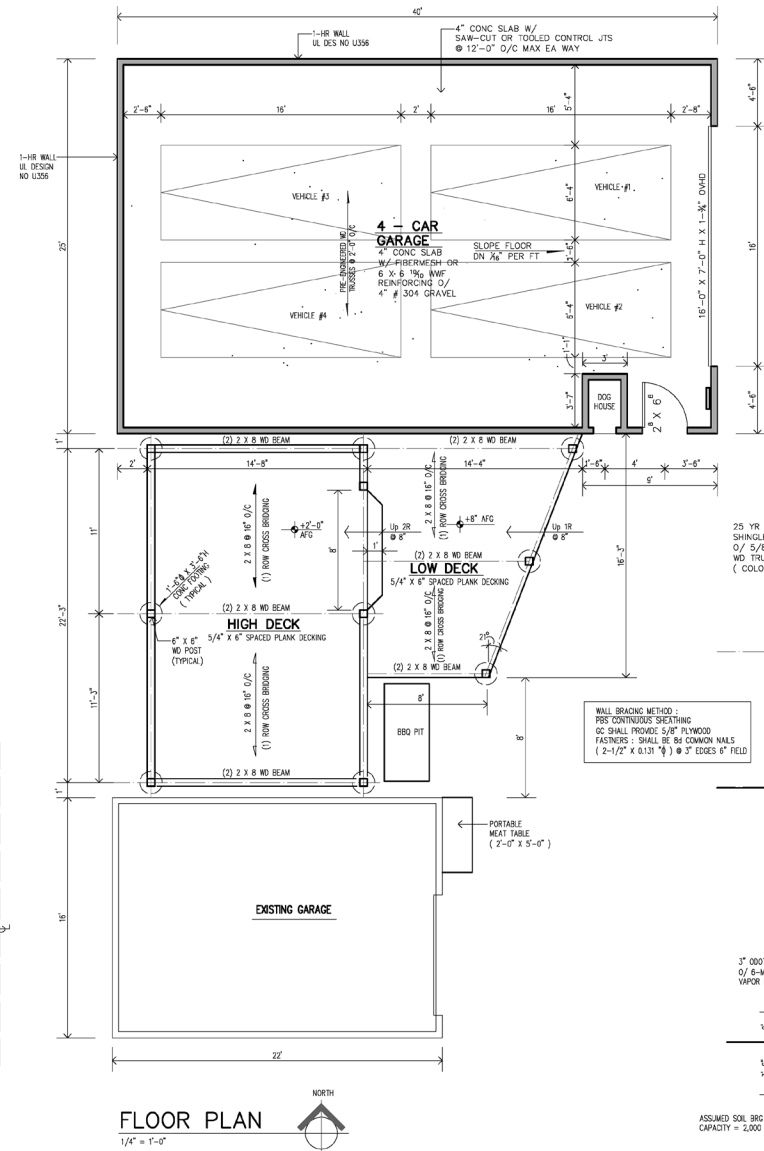
216-205-5259

E-MAIL: daryl.mapson@gmail.com



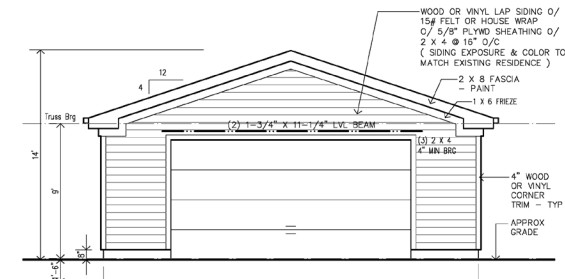
KEY PLAN

1/16" = 1'-0"



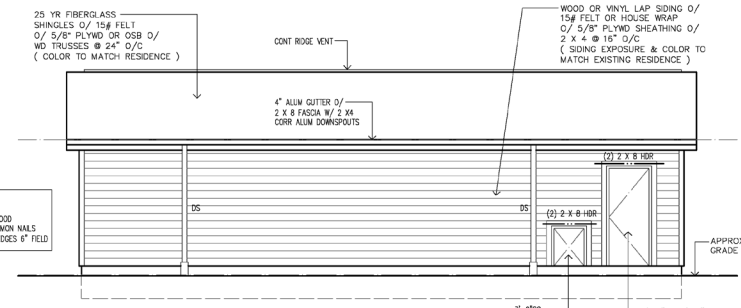
FLOOR PLAN

1/4" = 1'-0"



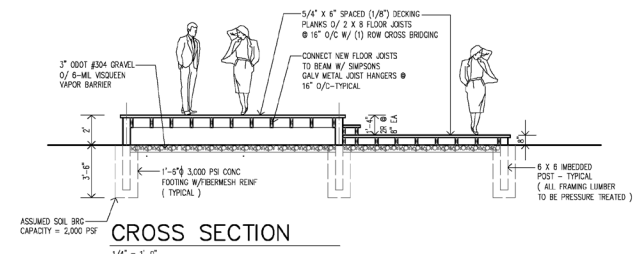
EAST ELEVATION / WEST SIMILAR

1/4" = 1'-0"



SOUTH ELEVATION / NORTH SIMILAR

1/4" = 1'-0"



CROSS SECTION

1/4" = 1'-0"

## REVISIONS


## TRIBE ARCHITECTS

1300 E. 187th STREET

CLEVELAND, OHIO 44110

216-205-5259

E-MAIL: daryl.mapson@gmail.com

## THE WILKINSON RESIDENCE

694 EAST 92nd STREET

CLEVELAND, OHIO

DATE: 5-25-22

CHECKED: D.M.

SCALE: AS NOTED

DRAWN BY: H.E.J.R.

A-1

## GARAGE PLAN/DECK PLAN

# Public Hearing

**Calendar No. 22-73:**

**1725 Holmden Ave.**

**Ward 14**



Fisher and Payne LLC, owner, proposes to change use of existing two-family dwelling to three-family located 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 337.03(a) which states a three-family dwelling is not permitted in Two-Family District but first allowed in a Multi-Family District.
2. Section 355.04(b) which states in a "B" Area District a minimum lot area of 2,400 square feet per dwelling unit is required or in this case 7,200 square feet are required and 4,550 square feet are proposed. Maximum Gross Floor area shall not be greater than 50 percent of the lot area which in this case is 2,275 square feet and the appellant is proposing 2,332.
3. Section 349.04 which states three parking spaces required are required and no parking spaces are provided.



# Public Hearing

Calendar No. 22-73:

1725 Holmden Ave.

Ward 14



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**



## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and area variances from the minimum lot area, maximum gross floor area, and parking regulations of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.



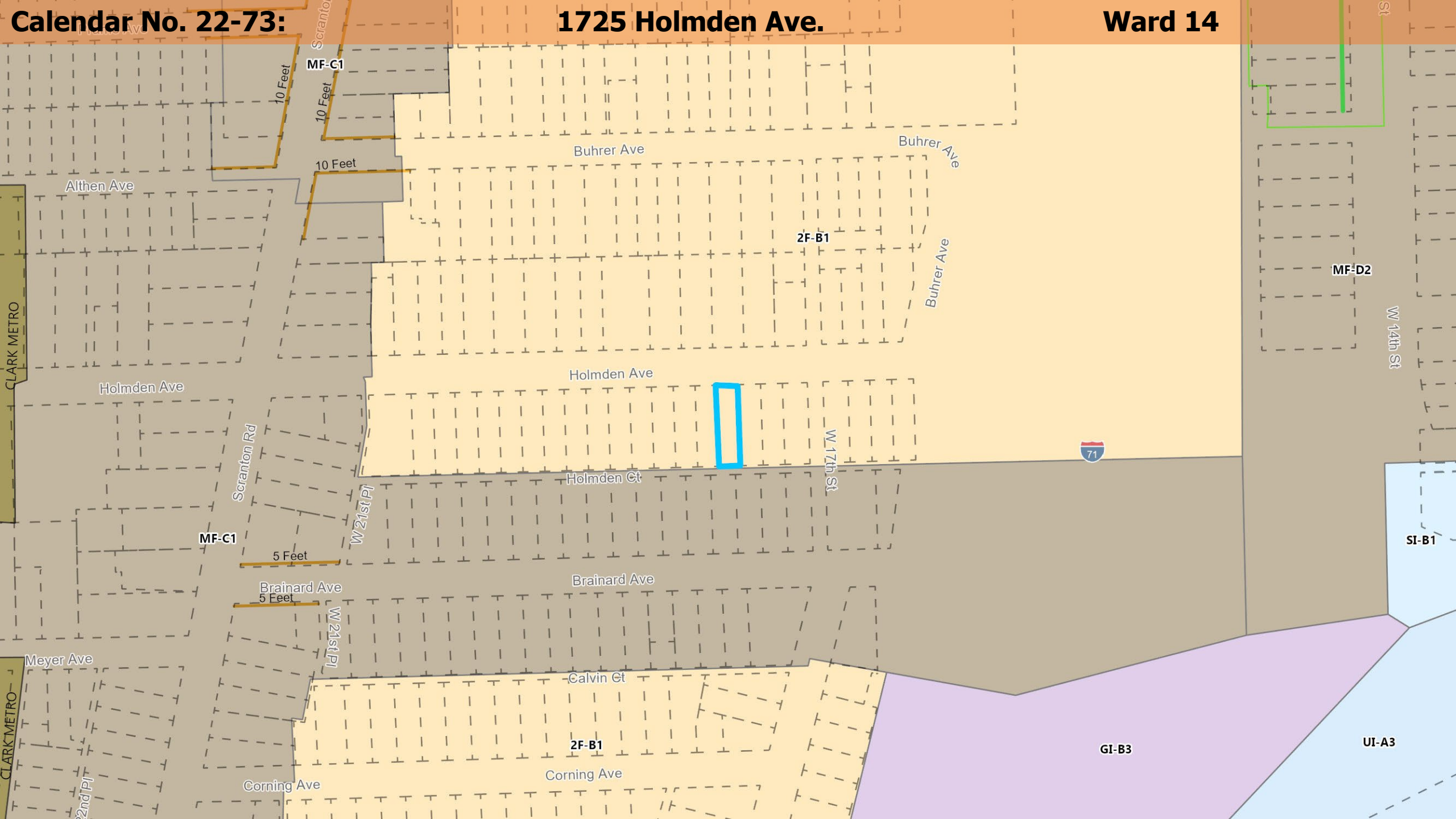
**ZN**  
ZONING  
NOTICE











Calendar No. 22-73:

1725 Holmden Ave.

Ward 14

CLARK METRO

CLARK METRO

MF-C1

MF-C1

2F-B1

MF-D2

SI-B1

2F-B1

GI-B3

UI-A3

Brainard Ave

Brainard Ave

Meyer Ave

Corning Ave

Corning Ave

Calvin Ct

Holmden Ct

Holmden Ave

Holmden Ave

Buhrer Ave

Buhrer Ave

Buhrer Ave

W 14th St

W 17th St

W 21st Pl

W 21st Pl

Scranton Rd

Scranton Rd

10 Feet

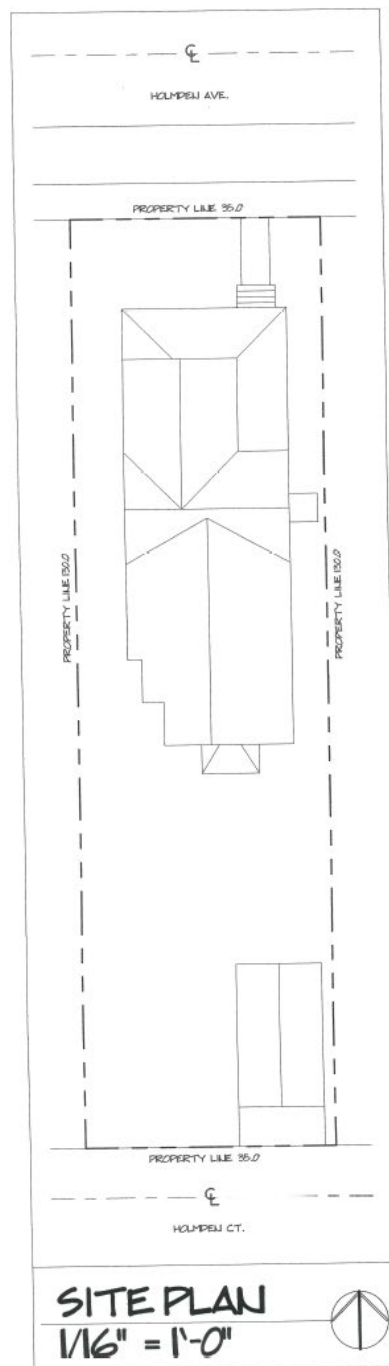
10 Feet

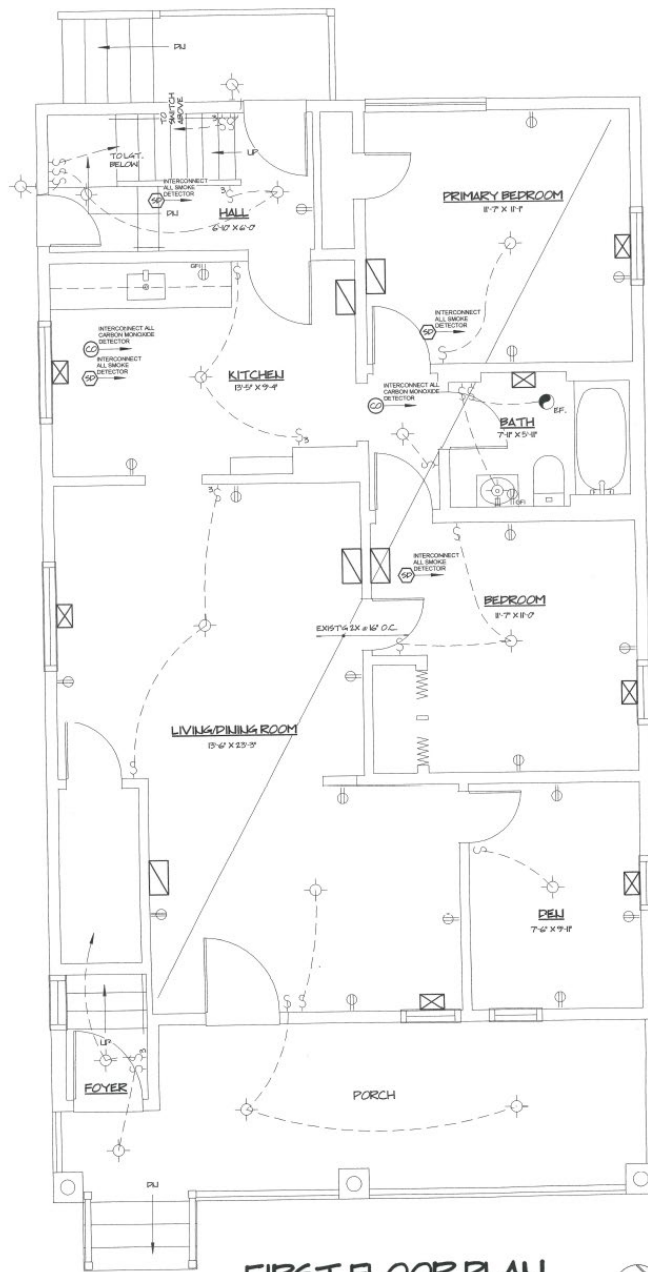
10 Feet

5 Feet

5 Feet







FIRST FLOOR PLAN  
1/4" = 1'-0"

**KEY:**

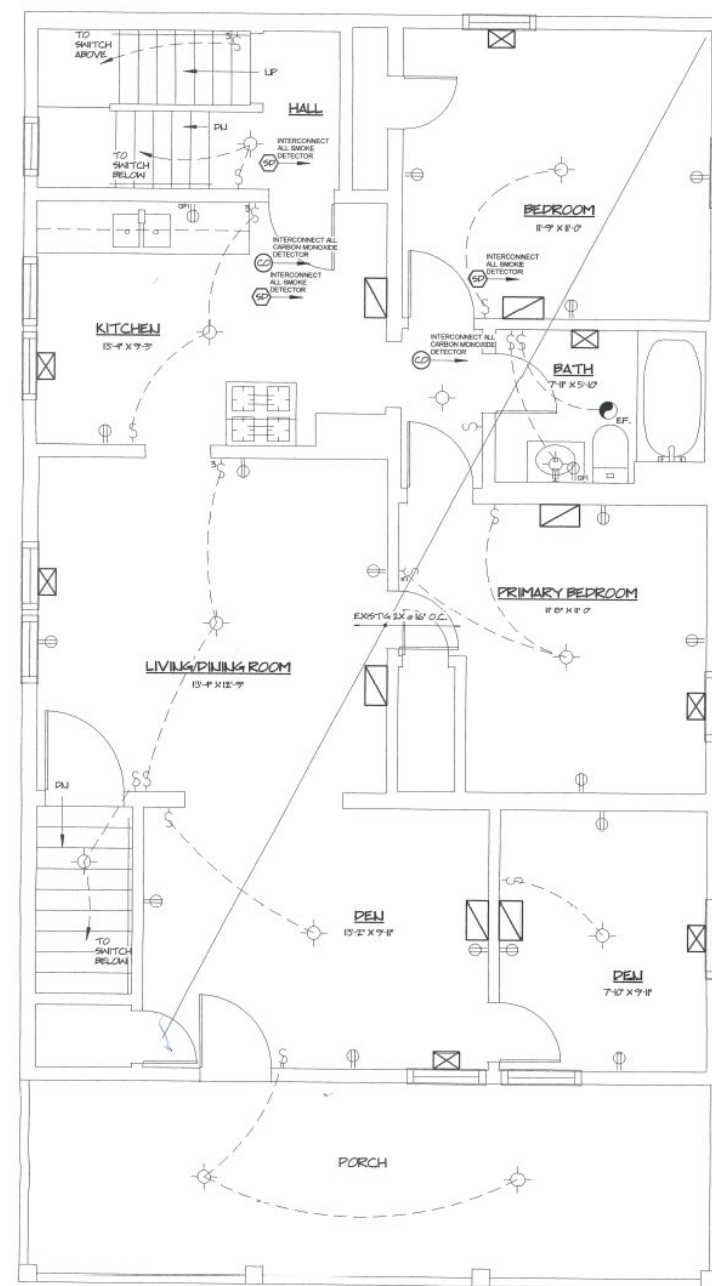
- : SUPPLY AIR
- : RETURN AIR

**LIGHT FIXTURE SCHEDULE:**

- : DUPLEX RECEPTACLE
- : SWITCH
- : SMOKE DETECTOR
- : CARBON MONOXIDE DETECTOR
- : EXHAUST FAN

**NOTES:**

- PLANS REPRESENT EXIST'G CONDITIONS



SECOND FLOOR PLAN  
1/4" = 1'-0"

August 4 TWDC Economic Development Meeting BOZA - No.22-73 1725 Holmden Ave.

krobrand@stratos.net <krobrand@stratos.net>

Tue 8/2/2022 2:32 PM

To: jaime.decllet@cpl.org <jaime.decllet@cpl.org>; coryriordan@tremontwest.org <coryriordan@tremontwest.org>  
Cc: ariley@altercareonline.net <ariley@altercareonline.net>; scottrosenstein@tremontwest.org <scottrosenstein@tremontwest.org>

TWDC Economic Development meeting August 4, 2022

RE: BOZA No. 22-73 1725 Holmden (rescheduled for BOZA August 15)

Letter of non-support for variance request

The Metro North block club met on July 26, 2022. T. Fischer of Fischer and Payne LLC, owners of 1725 Holmden, agreed to the request of the TWDC Econ Dev (July 14) to present (re-present) the need for variances for this property to the Metro North block club. S. Rosenstein(TWDC) sent email(s) asking for any add'l info to provide to the members. No add'l info was received and no representative was available to provide any info. The letter of non-conformance was available as it had initially been available for the block club June 28 meeting.

There was discussion on the meetings of July 14 TWDC Econ Dev and July 18 BOZA. The block club members and residents of Holmden decided to vote a second time on this request. It was unanimous to NOT SUPPORT the granting of these variances.

For section 337.03(a), it was felt that changing the zoning to multi-family would allow the possibility of more than 3 units being at that address (i.e. the attic being used and the garage already being used for a 'haircutting business' re: T. Fischer at Boza 7/18).

For section 355.04(b), it was felt that there is already too little green space and more units would increase the over-crowdedness.

For section 349.04, it was felt that there are too many parking issues on Holmden and current residents are having difficulty finding a parking space. The odd address side of Holmden was configured to have accessible parking from an alleyway Homden Ct and that 1725 Holmden has an existing garage and area next to the garage to park car(s). This does impact the green space re:section 355.04(b).

Again, the Metro North block club voting members and residents of Holmden affected, voted unanimously to NOT SUPPPORT the granting of these variances. Thank you for understanding the concerns.

Sincerely,

Susan Krosel, Metro North Block Club chair

**From:** Jasmin Santana <jsantana@clevelandcitycouncil.org>

**Sent:** Wednesday, August 10, 2022 2:54 PM

**To:** Kukla, Elizabeth <Ekukla@clevelandohio.gov>; Riordan Cory <coryriordan@tremontwest.org>

**Cc:** Miranda, Maranyeliz <mmiranda@clevelandcitycouncil.org>; Maria Agosto <magostoward14@gmail.com>

**Subject:** Fw: August 15, 2022 BOZA - No.22-73 1725 Holmden Ave.

Hello Elizabeth,

Please read below!

Can you add to the record that as the Council representative I do not support the granting of the variances based on my residents concerns expressed below?

Let me know if you need any additional information from me!

Jasmin Santana

Cleveland City Councilwoman, Ward 14

Maranyeliz Miranda, Executive Assistant

City Hall (216) 664-4238 Fax (216) 664-3837

[www.clevelandcitycouncil.org/ward-14](http://www.clevelandcitycouncil.org/ward-14)

*"I alone cannot change the world, but I can cast a stone across the waters to create many ripples" Mother Teresa*

# Public Hearing

**Calendar No. 22-142:**

**3605-07 Denison Avenue.**

**Ward 12**

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

1. Section 325.571 which states "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 Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.03(h) which states that 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 (1,000) feet from another residential facility. Proposed Residential Facility use is within one thousand (1,000) feet from another Residential Facility at 3611 Denison Avenue.



# Public Hearing

Calendar No. 22-142:

3605-07 Denison Avenue.

Ward 12



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**



## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and an area variance from the minimum distance regulations of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.



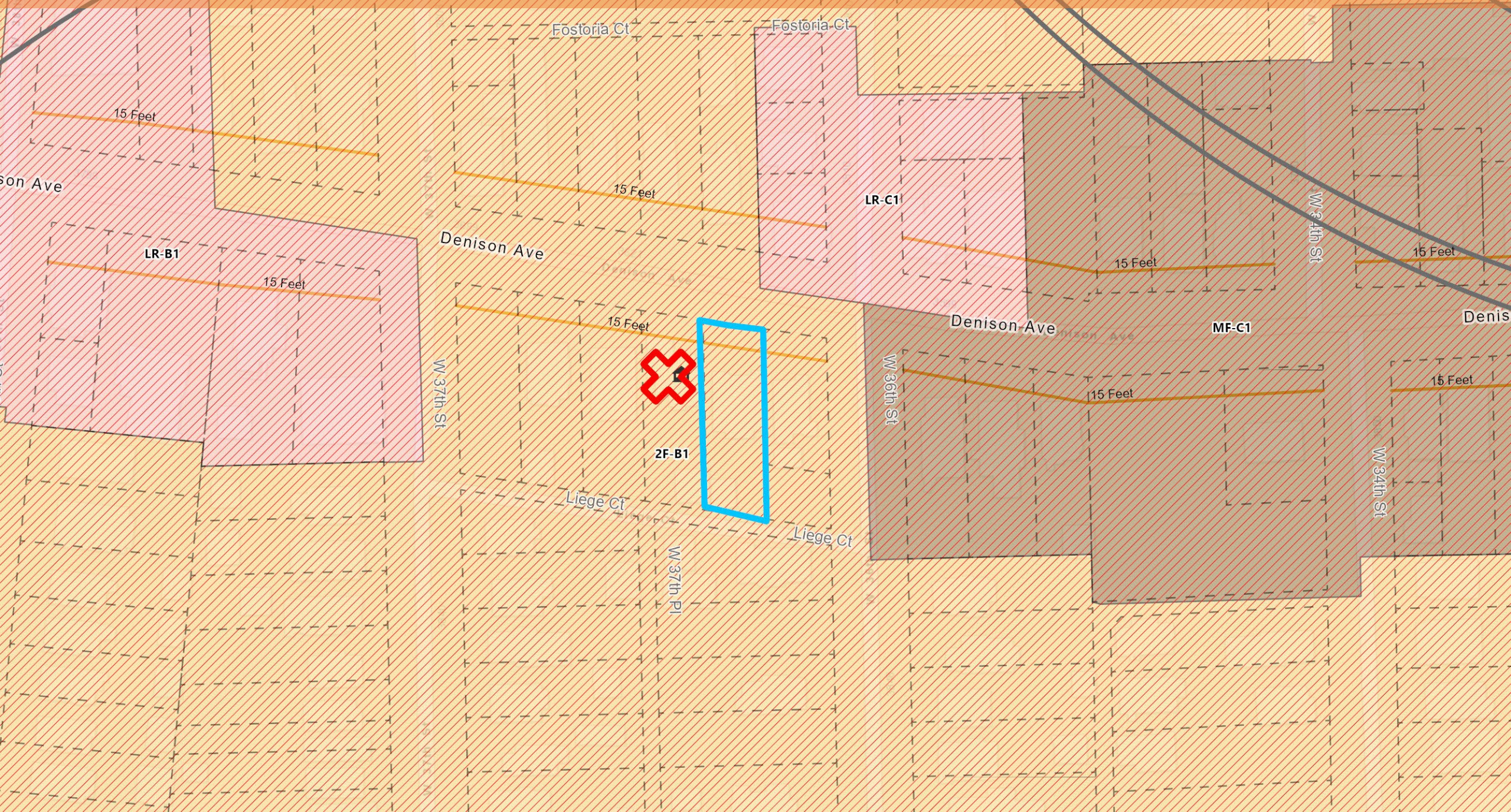


Liege Court

West 36th Street

West 37th Street

Denison Avenue

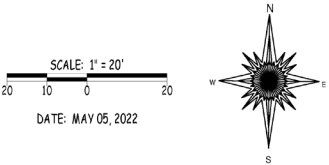


PLAT OF CONSOLIDATION

PREPARED FOR

ELENA BADEA

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO AND KNOW AS BEING ALL OF SUBLOT NO. 17 IN THE ALCOTT ALLOTMENT OF PART OF ORIGINAL BROOKLYN TOWNSHIP LOT NO. 56, AS SHOWN BY THE RECORDED PLAT IN VOLUME 13 OF MAPS, PAGE 44 OF CUYAHOGA COUNTY RECORDS.



DATE: MAY 05, 2022

THIS PLAT WAS PREPARED FROM A FIELD SURVEY DONE UNDER MY DIRECTION AND CONFORMS TO THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO (OAC 4733-37). ALL IRON PINS SET BEAR CAPS INSCRIBED "D.J.B. PS 6939". BEARINGS SHOWN HEREON ARE TO AN ASSUMED MERIDIAN AND ARE INTENDED TO DENOTE ANGLES ONLY. DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. ALL OF WHICH I ACKNOWLEDGE TO BE CORRECT.

DAVID J. BRUCKNER, P.S.  
REGISTERED OHIO PROFESSIONAL  
SURVEYOR NO. 6939



DAVID J. BRUCKNER  
4270 WEST 182ND ST.  
CLEVELAND, OHIO 44135  
216-941-0720

OWNERS ACCEPTANCE:

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN HEREON, DO HEREBY ACCEPT THIS PLAT AND CONSOLIDATION OF THE SAME.

ELENA BADEA

NOTARY:

STATE OF OHIO } S.S.  
COUNTY OF CUYAHOGA }

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED OWNER WHO ACKNOWLEDGED THAT SHE DID SIGN THE FOREGOING INSTRUMENT AND THAT IT WAS HER OWN FREE ACT AND DEED.

IN WITNESS WHEREOF I HAVE HEREONTO SET MY HAND AND OFFICIAL SEAL AT \_\_\_\_\_, OHIO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVALS:

THIS PLAT AND CONSOLIDATION IS ACCEPTED AND APPROVED BY THE PLATTING COMMISSIONER OF THE CITY OF CLEVELAND, OHIO.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

RICHARD SWITALSKI, PLATTING COMMISSIONER

THIS PLAT AND CONSOLIDATION IS ACCEPTED AND APPROVED BY THE PLANNING DIRECTOR OF THE CITY OF CLEVELAND, OHIO.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

JOYCE PAN HUANG, PLANNING DIRECTOR

LEGEND:

Dd. = DEED  
Fnd. = FOUND  
Rec. = RECORD  
Obs. = OBSERVED  
Calc. = CALCULATED  
S/L = SUB-LOT  
I.P. = IRON PIN  
D.H. = DRILL HOLE  
Mon. = MONUMENT  
S = SURVEY MONUMENT  
C.S.R. = CITY SURVEY RECORDS  
A.F.N. = AUTOMATIC FILE NUMBER  
P.P.N. = PERMANENT PARCEL NUMBER

DOCUMENTS OF RECORD:

P.P.N.: 014-02-001  
NOEL CONTRERAS  
A.F.N.: 202204060419

P.P.N.: 014-02-002 & 003  
ELENA BADEA  
A.F.N.: 201307120805

P.P.N.: 014-02-004  
ELENA BADEA  
A.F.N.: 201103310059

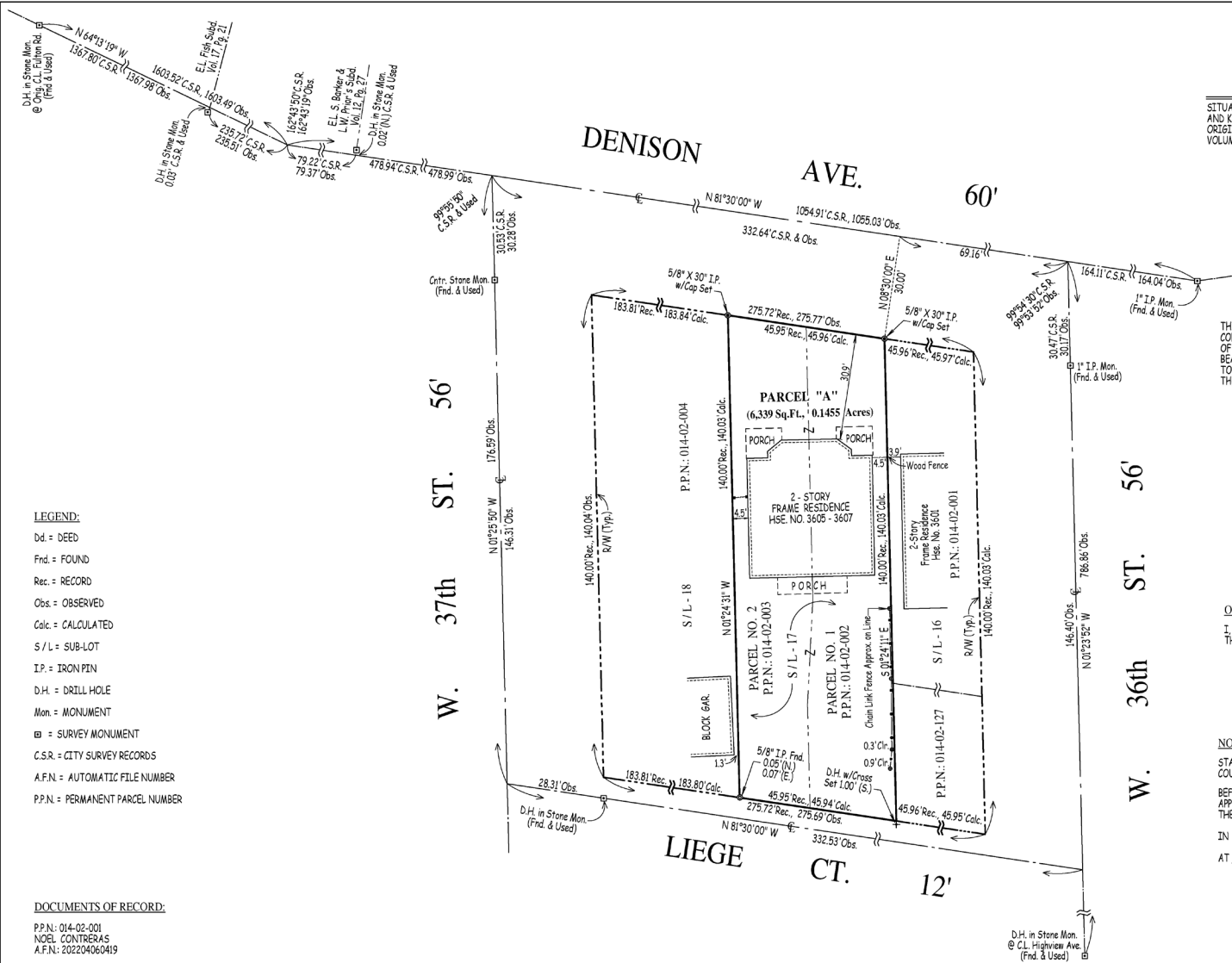
P.P.N.: 014-02-127  
CITY OF CLEVELAND LAND  
REUTILIZATION PROGRAM  
DEED DATED: 01/25/1991  
VOL. 91-0397, PG. 50

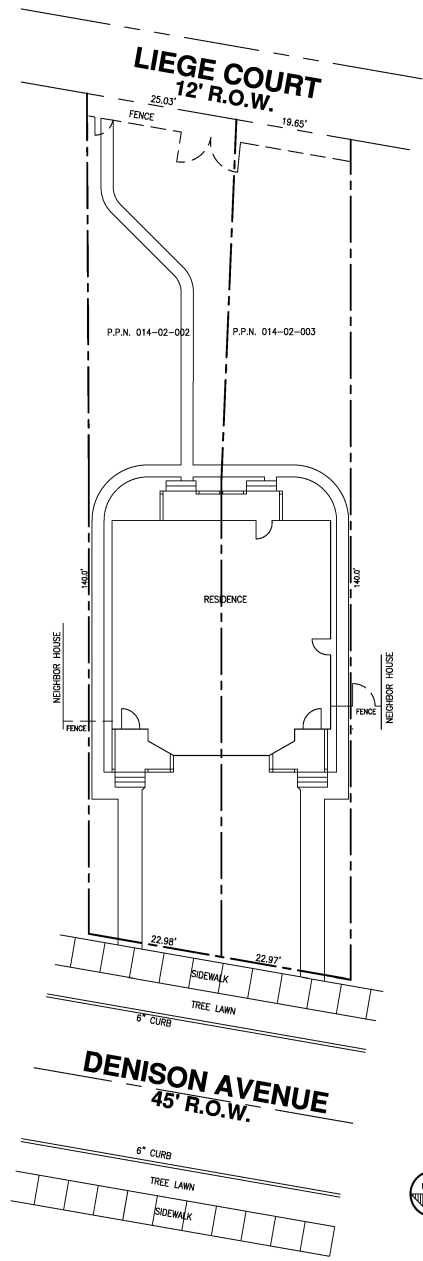
E.H. FOSTER'S ALLOTMENT,  
VOL. 14, PG. 43

C.S.R.'s:

Bk 44, Pg 70-71  
Bk 63, Pg 41-44  
Bk 76, Pg 48  
Bk 79, Pg 37

Denison Ave Reconstruction Plans 2013:  
Phase II-Fulton to Pearl; Pg 4,5,9, & 10 of 44



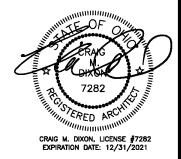


**SITE PLAN**  
NORTH  
SCALE 1" = 10'-0"

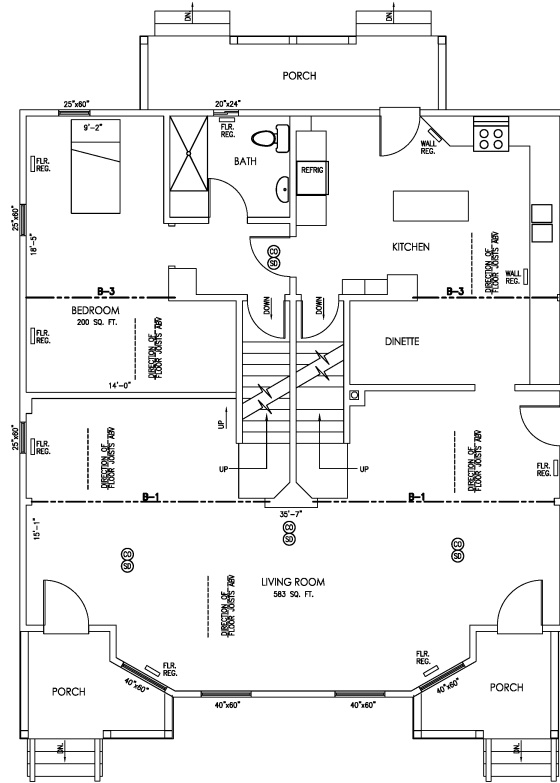
### DRAWING INDEX

- CVR** COVER SHEET - SITE PLAN, DRAWING INDEX
- A1.1** BASEMENT LEVEL PLAN  
FIRST FLOOR PLAN
- A2.1** SECOND FLOOR PLAN  
ATTIC PLAN

SQUARE FOOTAGE:	
BASEMENT:	979 SQ. FT.
FIRST FLOOR:	1,362 SQ. FT.
SECOND FLOOR:	1,261 SQ. FT.
<hr/>	
TOTAL:	3,602 SQ. FT.



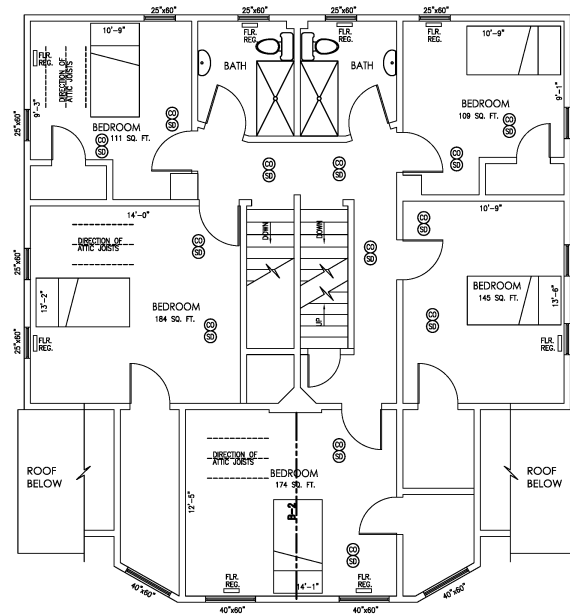
REVISIONS	
craig m. dixon & associates architects	
28871 center ridge road suite #102 westlake, ohio 44145 telephone: 440-938-5555 fax: 440-938-7445	
<b>COVER SHEET - SITE PLAN, DRAWING INDEX</b>	
<b>DENISON HOME CARE ADULT CARE FACILITY 3605, 3607 DENISON AVENUE CLEVELAND, OHIO</b>	
DATE	2-3-22
SCALE:	AS NOTED
DRAWN BY:	JP
JOB No.	2206
<b>CVR</b>	



**FIRST FLOOR PLAN**  
SCALE 1/4" = 1'-0"

**SYMBOL LEGEND**

- ⊙ DUAL SMOKE DETECTOR
- ⊙ CATCH MONITOR DETECTOR
- ⊙ IONIZATION & PHOTOELECTRIC



**SECOND FLOOR PLAN**  
SCALE 1/4" = 1'-0"

LABEL	DESIGN	FREE SPAN	SPAN CARRIED	BEAM SIZE	BEAM WIDTH	END REACTION	POST SIZE
B-1	LP-LVL-2900Fb-2.0E	15'-8"	24'-5"	14"	5 1/4"	5260#	DOUBLE 2"x6"
B-2	LP-LVL-2900Fb-2.0E	12'-7"	23'-4"	11 7/8"	5 1/4"	2570#	DOUBLE 2"x6"
B-3	LP-LVL-2650Fb-1.9E	9'-6"	25'-3"	9 1/4"	3 1/2"	3298#	DOUBLE 2"x4"

NOTE:  
POSTS SHALL BE LATERALLY STABILIZED THEIR FULL LENGTH ON ONE SIDE BY SECURING TO THE EXISTING STUDS OR MASONRY  
LVS SHALL BE JOINED TOGETHER FOLLOWING MANUFACTURERS GUIDELINES  
DESIGN LOADS ARE 40 PSF FLOOR, 20 PSF ATTIC,  
EXISTING FLOOR JOISTS ARE 2"x4" @ 16" CENTERS  
EXISTING ATTIC JOISTS ARE 2"x4" @ 16" CENTERS  
EXISTING FRAMING UNDER THE NEW POSTS HAVE BEEN FIELD VERIFIED TO BE ADEQUATE TO CARRY THE NEW LOADING

**REVISIONS**

craig m. dixon  
& associates  
architects



28871 center ridge road  
suite #102  
westlake, ohio 44145  
telephone: 440-808-5555  
fax: 440-808-9445

**FIRST AND SECOND FLOOR PLANS**

**DENISON HOME CARE  
ADULT CARE FACILITY**  
3605, 3607 DENISON AVENUE  
CLEVELAND, OHIO

DATE 2-3-22  
SCALE: AS NOTED  
DRAWN BY: JP  
JOB No. 2206

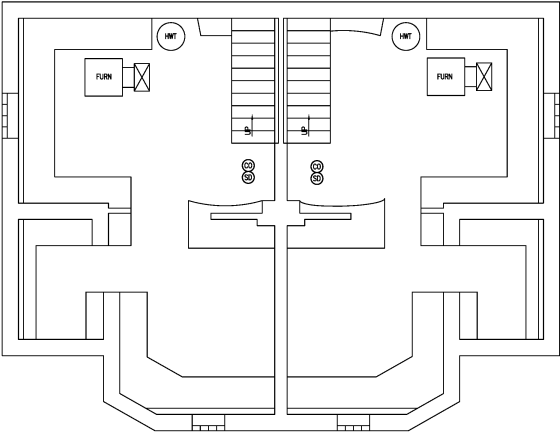
**A1.1**



CRAIG M. DIXON, LICENSE #7282  
EXPIRATION DATE: 12/31/2021

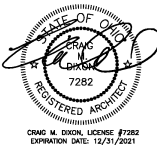
SYMBOL LEGEND

- ⊗ DUAL SMOKE DETECTOR
- ⊗ CARBON MONOXIDE DETECTOR
- ⊗ ILLUMINATION & PHOTOELECTRIC



BASEMENT PLAN

SCALE 1/4" = 1'-0"



REVISIONS

craig m. dixon  
& associates  
architects



28871 center ridge road  
suite # 102  
westlake, ohio 44145  
telephone: 440.938.5555  
fax: 440.938.7445

BASEMENT PLAN

DENISON HOME CARE  
ADULT CARE FACILITY  
3605 DENISON AVENUE  
CLEVELAND, OHIO

DATE 2-3-22  
SCALE: AS NOTED  
DRAWN BY: JP  
JOB No. 2206

A2.1

**Re: BZA hearing for 3605 Denison**

Rebecca Maurer <rmaurer@clevelandcitycouncil.org>

Fri 9/23/2022 4:00 PM

To:

Ruelens, Maurice <MRuelens@clevelandohio.gov>;  
Anthony Peterson <APeterson@metrowestcle.org>;  
Moss, Matthew <MMoss@clevelandohio.gov>;  
Nick De Leon <NDeLeon@metrowestcle.org>;  
Moser, Kathleen <kmoser@clevelandcitycouncil.org>

Cc:

Leonard, Shannan <SLeonard@clevelandohio.gov>;  
Britany Pabon <Bpabon@metrowestcle.org>

Hi Maurice --

Thank you so much for these additional details.

Kathleen was on-site with the owner and **after** seeing the facility and talking with the operator and reading over this additional information, we will **support** this application at BZA.

The facilities are very well maintained. We haven't met any neighbors with concerns. The owner came across as very diligent and engaged. Additionally this is for a shared facility next door to the same operator, so it doesn't seem in conflict with the spirit of this rule, which is to prevent too many operators having group homes too close to each other.

Thank you all,

**Rebecca Maurer**

Councilwoman | Ward 12

# Cleveland Board of Zoning Appeals

## Old Business

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# Public Hearing



1. Cal. No. 22-134:	6015 Linwood Ave.	(KB,TB,NH,AF)*
2. Cal. No. 22-154:	6501 Denison Ave.	(KB,TB,NH,AF)
3. Cal. No. 22-157:	4351 West 191 St.	(KB,TB,NH,AF)
4. Cal. No. 22-035:	5807 Detroit Ave.	(KB,TB,AF, MB)*** req. rules.
5. Cal. No. 22-022:	1010 E. 146 St.	(KB, TB, AF, MB)*
6. Cal. No. 22-068:	3195 E. 65 St.	(KB, TB, AF, MB)*
7. Cal. No. 22-058:	2504 Thurman	(KB,TB, AF, MB) *
8. Cal. No. 22-059:	2502 Thurman	(KB, TB, AF, MB)*
9. Cal. No. 22-41:	1453 W. 116 St.	(KB, TB, AF, MB)*
10. Cal. No. 22-014:	1250 Riverbed St.	(KB, TB, AF, MB)*
11. Cal. No. 21-203:	8502 Hough Ave.	(KB, TB, AF, MB)*
12. Cal. No. 21-202:	5001 Memphis	(KB, MB,. AF)*
13. Cal. No. 21-177:	18403 Euclid Ave.	(KB, MB, AF)*
14. Cal. No. 21-141:	7202 Hague Ave.	(KB, AF, MB)*
15. Cal. No. 21-091:	4157 Lorain Ave.	(D,KB,AF,MB)*
16. Cal. No. 21-006:	9501 Pierpoint Ave.	(J,D,KB,AF,MB)* <sup>5/3/21</sup>

## AFFIRMATION: NONE

## REQUESTS FOR RE-INSTATEMENT:

On September 12 the following case was dismissed due to the appellant's unexplained absence;  
**Calendar Number 22-148: 12503 Kinsman Ave.;** Davi & King. LLC, proposed to establish use as a carryout restaurant in a B1 Two-Family Residential District. Last week staff received a letter stating that the appellant had the date mixed up.

Last week, September 19, the following case was dismissed due to the appellant's unexplained absence;  
**Calendar Number 22-155 : 17617 Sedalia Ave:** Cassiemarie Leighton-Callahn, owner, proposed to erect approximately 15 linear feet of 5 feet 6 inch tall wood fence, and gate, in a A1 One-Family Residential District. The day after the hearing the appellant contacted us to state that her phone was damaged and she was not able to log in.

## MISC-

- ~ Items received
- \* Pending the receipt of requested information by the Board.
- \*\*\* Request for Rehearing/Reconsideration.

# Cleveland Board of Zoning Appeals

## Adjournment

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