



Cleveland Board of Zoning Appeals

Monday October 3, 2022

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

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

Cleveland Board of Zoning Appeals

October 3, 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.

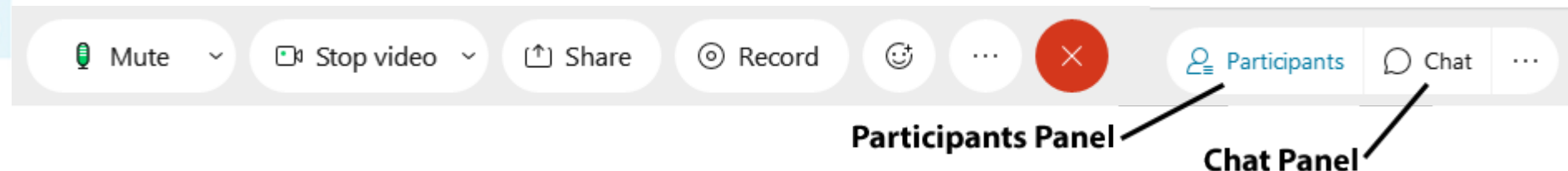
IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING 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

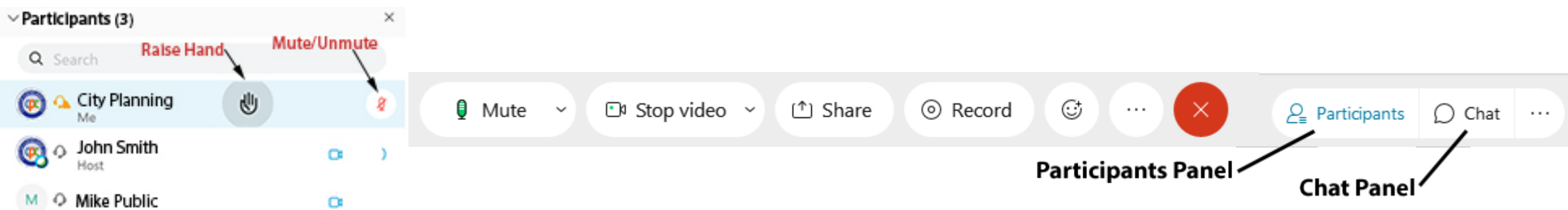
October 3, 2022

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



Cleveland Board of Zoning Appeals

Postponements/Withdrawals





NONE TODAY

Cleveland Board of Zoning Appeals

Public Hearing



Public Hearing

Calendar No. 22-160

1127 Parkwood Avenue.

Ward 9



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.



Public Hearing

Calendar No. 22-160

1127 Parkwood Avenue.

Ward 9



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.

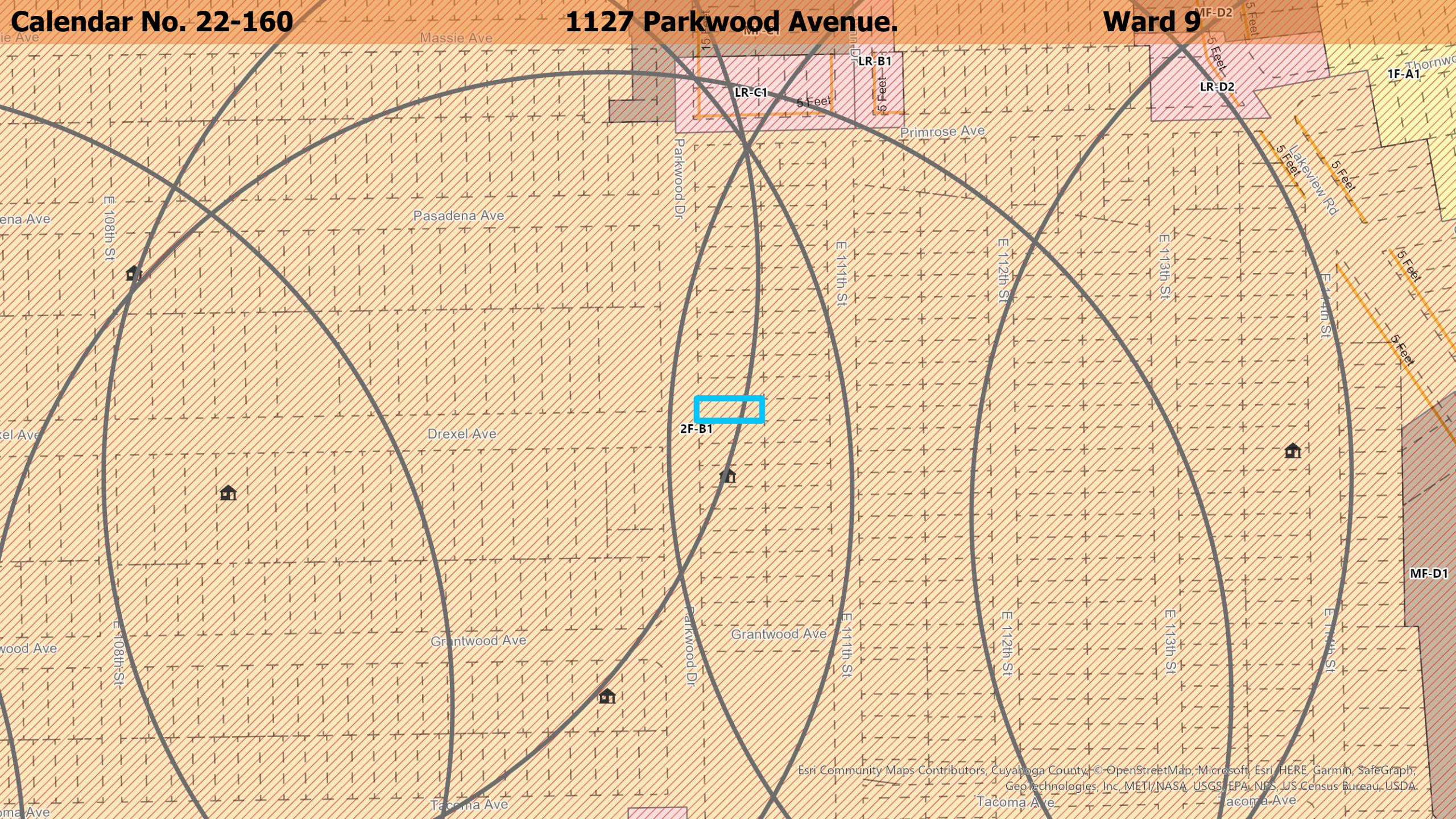
Calendar No. 22-160

1127 Parkwood Avenue.

Ward 9



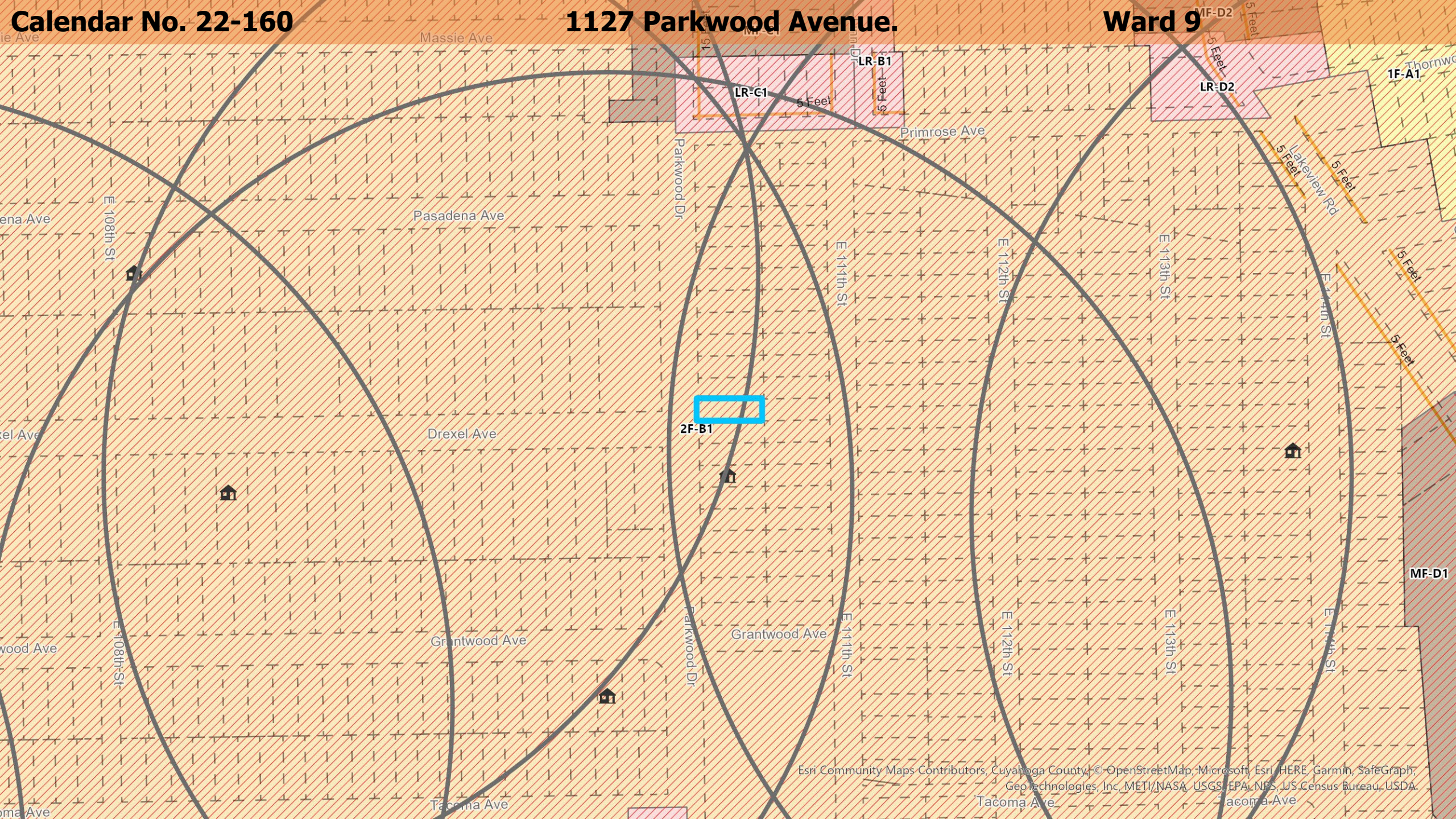




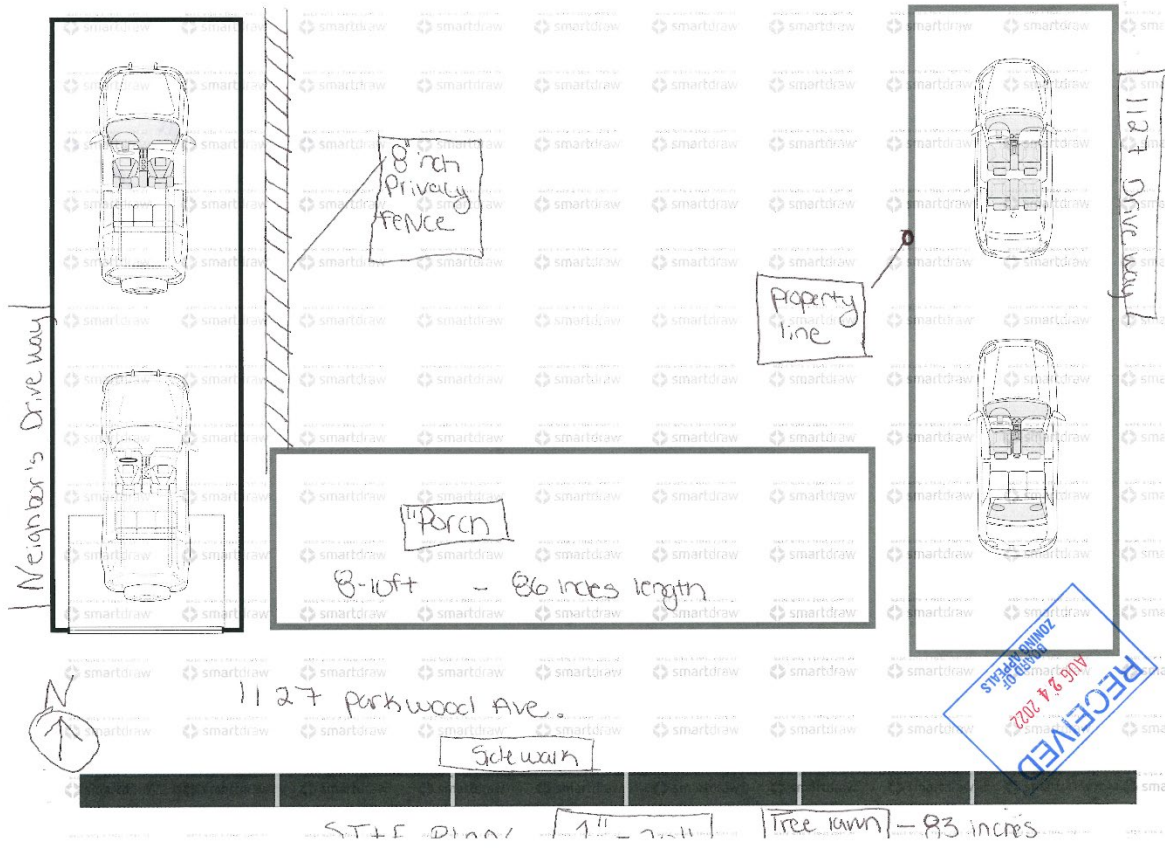
Calendar No. 22-160

1127 Parkwood Avenue.

Ward 9



BZA 22-089



Kukla, Elizabeth

From: Immanni Golphin <igolphin@clevelandcitycouncil.org>
Sent: Wednesday, August 10, 2022 1:33 PM
To: Kukla, Elizabeth
Cc: Conwell, Kevin
Subject: Hello Elizabeth!

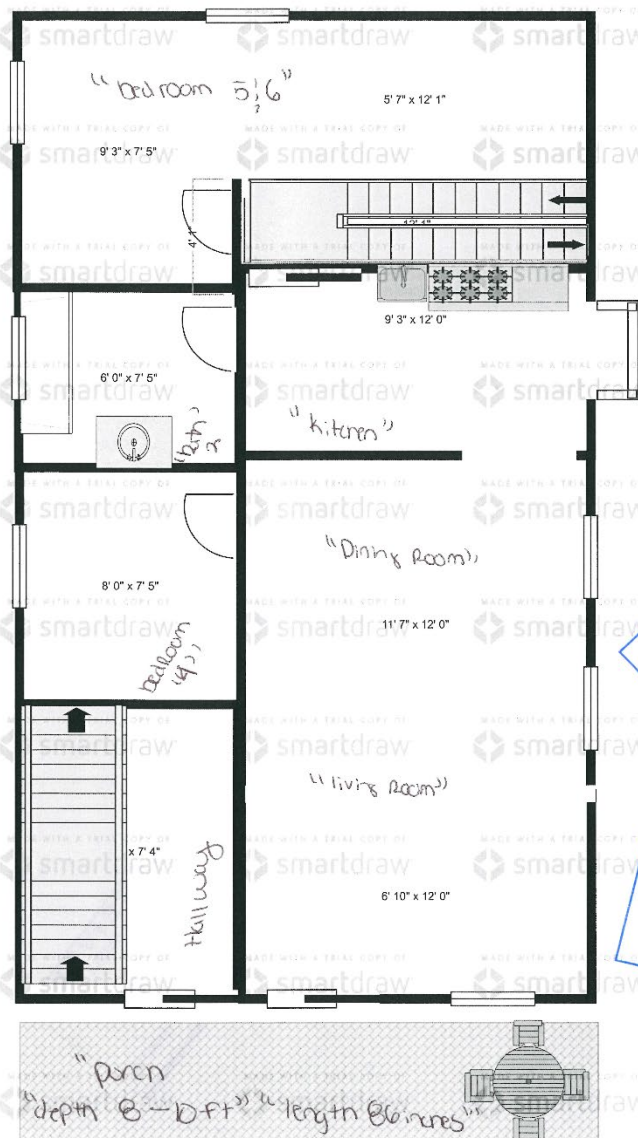
Follow Up Flag: Follow up
Flag Status: Flagged

Hello Elizabeth,
Councilman Conwell would like to give his full support for Farren White to receive her variance at 1127 Parkwood Dr. Cleveland, OH 44108. Please let me know if you need any more information regarding this matter.

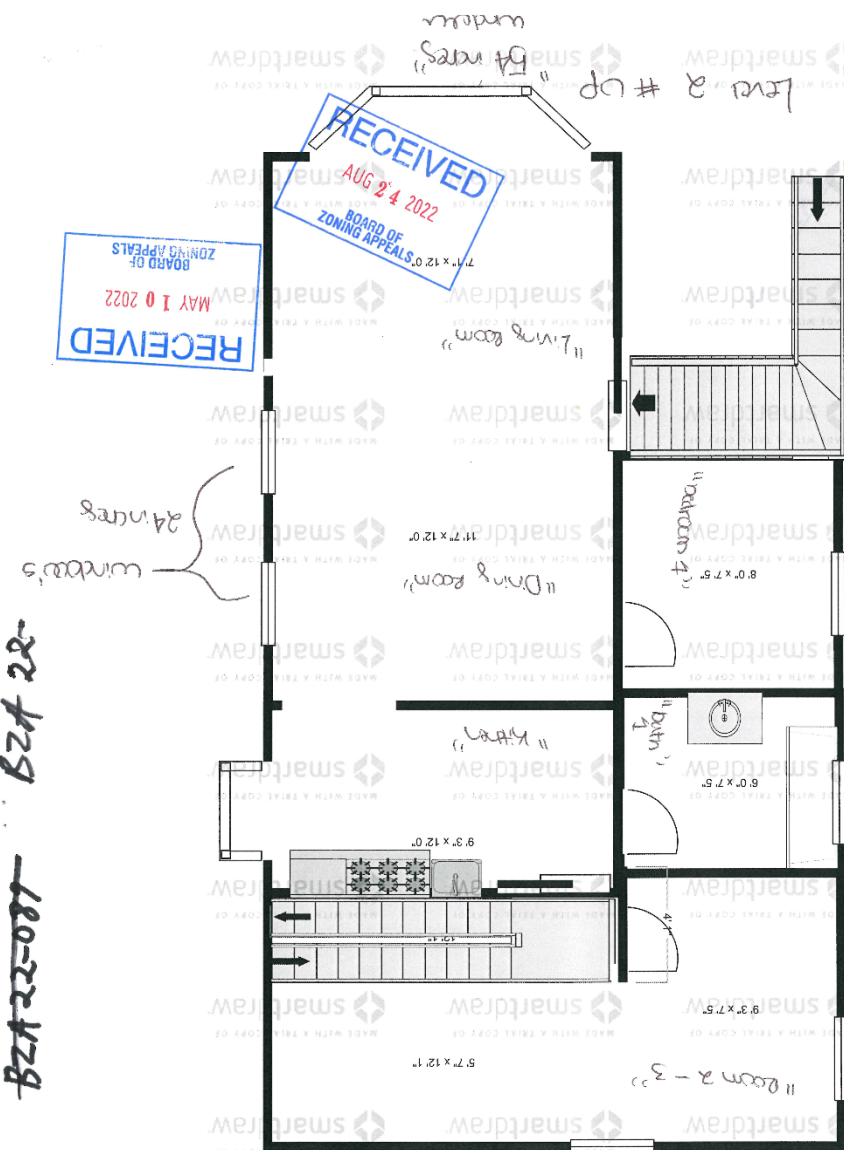
Thank you!

Immanni Golphin
Executive Assistant
Councilman Kevin Conwell's Office
Cleveland City Council
601 Lakeside Avenue
Cleveland, OH 44115
216-664-4557
igolphin@clevelandcitycouncil.org

~~B2A 22-089~~



~~BZA 22-087~~ BZA 22-



Public Hearing

Calendar No. 22-161

714 E. 140th Street.

Ward 8

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.



Public Hearing

Calendar No. 22-161

714 E. 140th Street.

Ward 8



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.
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HISTORY OF THE PROPERTY



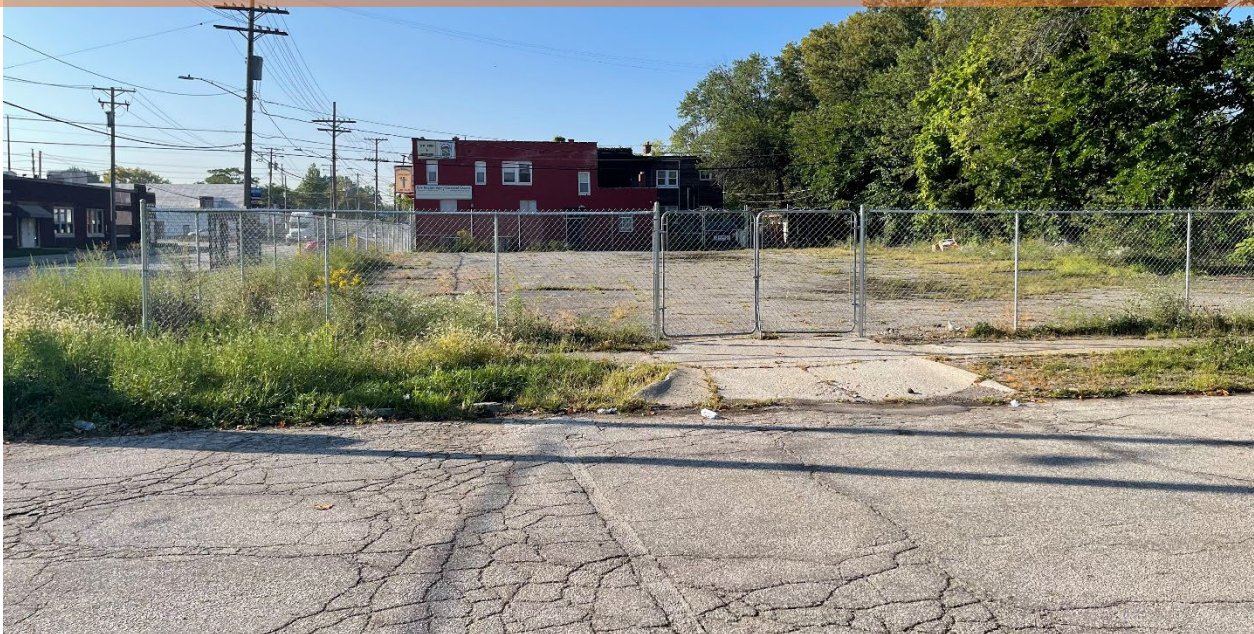


LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the fencing regulations 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.





Eaglesmere Avenue

Argus Avenue

East 140th Street



Eaglesmere Avenue

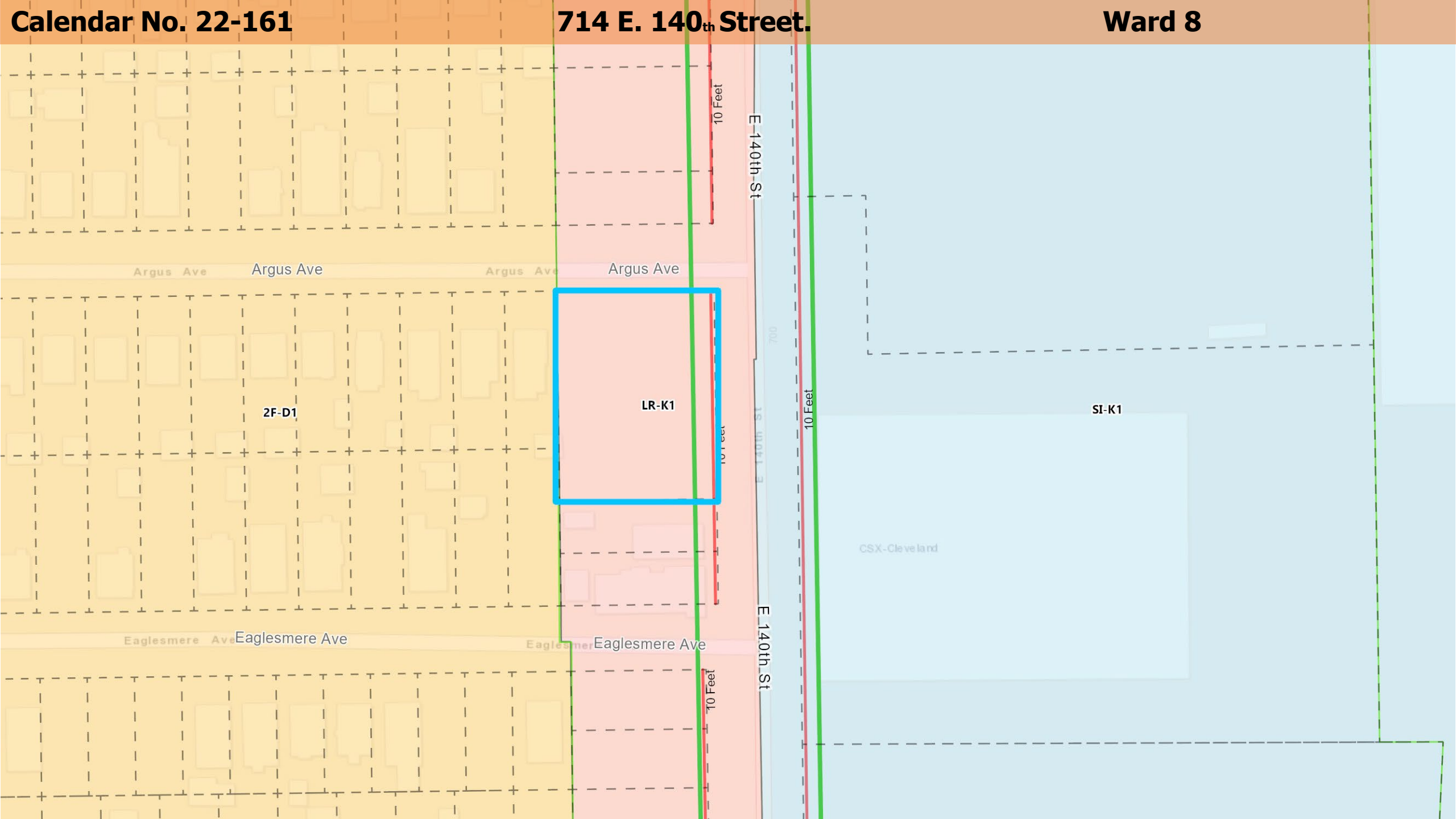
Argus Avenue

Kelso Avenue

East 140th Street

Workspaces v

AUTO







Pre existing Fence 6FT Chain Link
↓

Pre existing Fence (Neighbors)
8FT Tall Chain Link
↓

714 E. 140th ST.

Empty Lot

Proposed Fence
6FT. Tall
Chain Link

52 FT

10 FT Gate

New Fence Line

Property Line

Sidewalk

Argus AVE.

12 Gate

171 FT

9 FT

New Fence Line

23 FT

1 FT

12 FT

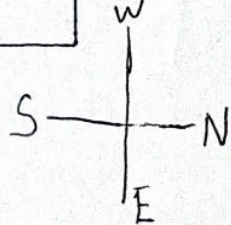
Property Line

Sidewalk

RTA
Bus Stop

Sidewalk

E 140th ST.





CITY OF CLEVELAND

Office of the Council

www.clevelandcitycouncil.org

Michael D. Polensek COUNCIL MEMBER, WARD 8

COMMITTEES: Safety - Chair • Finance, Diversity, Equity & Inclusion • Utilities • Rules

September 26, 2022

Ms. Elizabeth Kukla
Board of Zoning Appeals
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Ms. Kukla and Board of Zoning Appeals:

As Councilman representing Cleveland's 8th Ward, I am writing about the BZA case Calendar No. 22-161 scheduled for Monday, October 3, 2022 with Cross Cay LLC for the property located at 714 East 140th Street.

According to the official notice I received the property owner proposes to install a 6' high chain link fence in this Local Retail Business District and which, amongst other issues, is in opposition to Section 358.05 (a)(2) of the codified ordinances.

Here are the issues:

- 1) The property is a vacant parking lot which has never been developed but worse, has never been maintained and currently has high grass and weeds in the parking lot along East 140th Street.
- 2) The owner has already erected this chain link fence around the property illegally in opposition to the Codified Ordinances without any landscaping, let alone paying heed to the character of the community.
- 3) Were permits pulled for the erection of the fence or are they in BZA because of being cited for the fence?

In addition:

- 4) Legislation has passed Cleveland City Council for the East 140th Street streetscape project to begin next year in the spring.
- 5) There is major multi-million dollar project being built on the street at Darley and Diana at the former Longfellow School as it is being transformed into a Senior Citizen's Complex.

Because of this, ***I am not in support of granting an approval for the erection of a fence on this property at this time.*** Whereby I might understand the need for the fence to protect the lot from illegal dumping etc., no one has ever talked with me or our development corporation as to the disposition of this property, as we encourage so often. Regardless of the possible need, a 6' high chain link fence around this property does not fit well in the potential streetscape of East 140th Street which we have worked so hard to accomplish and which will be in opposition to the streetscape plan beginning next spring.

Furthermore, I would request that the BZA Order that the fence be taken down from the property within a reasonable amount of time and that the property be cleaned up of all weeds and high grass and any other debris that may be on the lot until which time the owner presents a development plan including the proper and accepted fencing and landscaping that would enhance the property along with being in sync with the streetscape plans.

In fact, I would urge Cross Cay, LLC to withdraw until such a time a landscape plan can be created and reviewed along with this application.

If there are any questions as to this project and/or my lack of support of it, please feel free to contact me. I may best be reached at my office at (216) 664-4236.

Sincerely,

Michael D. Polensek

Michael D. Polensek
Councilman, Ward 8

CC: Cross Cay, LLC
Greater Collinwood Development Corporation

Public Hearing

Calendar No. 22-163

7902 Bessemer Avenue.

Ward 6

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.



Public Hearing

Calendar No. 22-163

7902 Bessemer Avenue.

Ward 6



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 scrap metal yard and parking regulations of the zoning code.

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

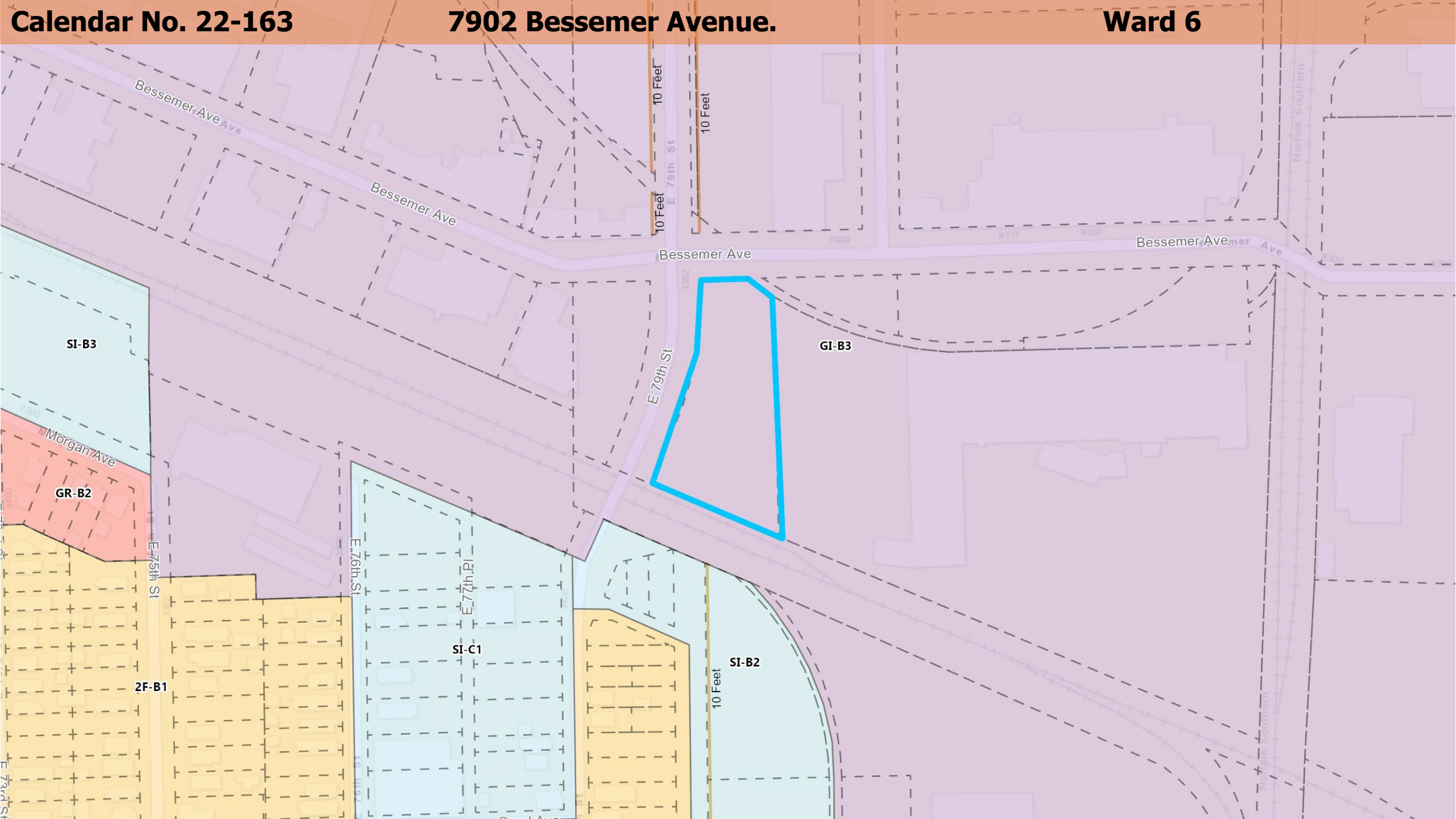
1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent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







3. DO NOT USE THIS DRAWING FOR ANY OTHER THAN DESIGNATED PROJECT.
4. DO NOT SCALE DRAWINGS IN ORDER TO OBTAIN ANY DIMENSIONS.

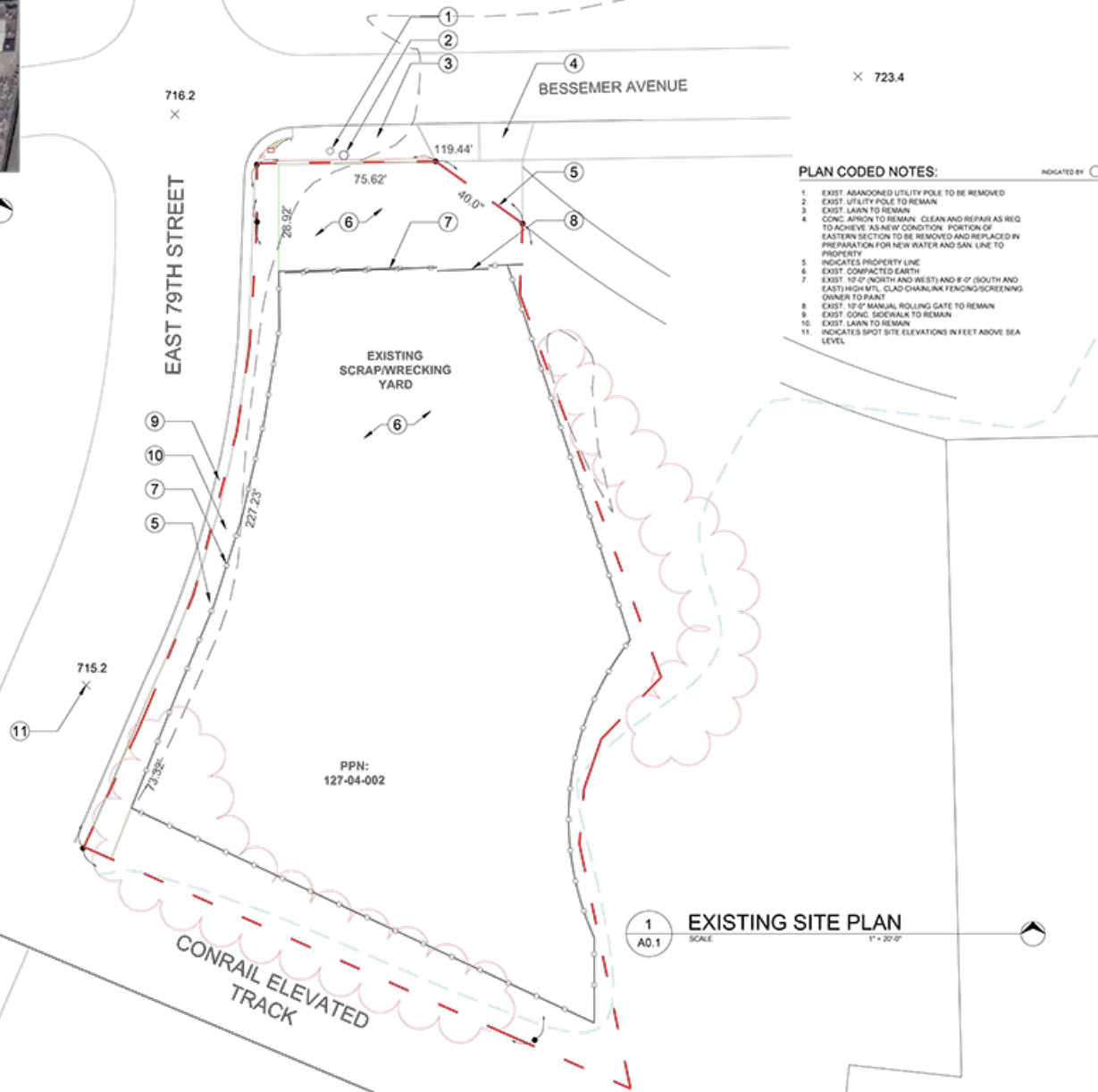
8. PRIOR TO COMMENCING ANY CONSTRUCTION WORK, OR ORDERING ANY MATERIALS AND EQUIPMENT FOR THIS PROJECT, CHECK EXISTING CONDITIONS ON BELLING SITE, AND VERIFY DATA AND INFORMATION IN THIS DRAWING.

NOTES:
1. REFER TO GENERAL NOTES AND SPECIFICATIONS AND TO OTHER DRAWINGS IN THIS SET OF PLANS FOR DIMENSIONS, MATERIALS AND SUPPLEMENTARY INFORMATION.



2 EXISTING AERIAL
A1.0 SCALE NTS

EXISTING SITE PLAN



- PLAN CODED NOTES: INDICATED BY ○
- EXIST. ABANDONED UTILITY POLE TO BE REMOVED
 - EXIST. UTILITY POLE TO REMAIN
 - EXIST. LAWN TO REMAIN
 - CONC. ASPH/TO REMAIN. CLEAN AND REPAIR AS REQ. TO ACHIEVE AS-NEW CONDITION. PORTION OF EASTERN SECTION TO BE REMOVED AND REPLACED IN PREPARATION FOR NEW WATER AND SAN. LINE TO PROPERTY
 - INDICATES PROPERTY LINE
 - EXIST. COMPACTED EARTH
 - EXIST. 12" 0" (NORTH AND WEST) AND 8" 0" (SOUTH AND EAST) HIGH S/L. CLAD CHAINLINK FENCING/SCREENING. OWNER TO PAINT
 - EXIST. 12" 0" MANUAL ROLLING GATE TO REMAIN
 - EXIST. CONC. SIDEWALK TO REMAIN
 - EXIST. LAWN TO REMAIN
 - INDICATES SPOT SITE ELEVATIONS IN FEET ABOVE SEA LEVEL



Project Team:

Architect



UBIQUITOUS DESIGN, LTD.

ARCHITECTS

1000 E. 12th St., Suite 100, Cleveland, OH 44115
Tel: (216) 521-1234 Fax: (216) 521-1235 Email: info@ubiquitousdesign.com



W. Daniel Bokerfart
Professional Engineer, License No. 12208
Expiration Date: December 31, 2021

PERMIT SOURCE: N/A
SHEET: 1 OF 1
DATE: 08-11-2021

CITY AUTO
WRECKING

BUILDING ADDITION
AND SITE
DEVELOPMENT

7902 BESSEMER AVENUE
CLEVELAND, OHIO 44127

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DATE: 08-11-2021
DRAWN BY: [Signature]
CHECKED BY: [Signature]

EXISTING
SITE PLAN

02-28-2022 A0.0

NOTES:

1. REFER TO GENERAL NOTES AND SPECIFICATIONS AND TO OTHER DRAWINGS IN THIS SET OF PLANS FOR DIMENSIONS, MATERIALS AND SUPPLEMENTARY INFORMATION.

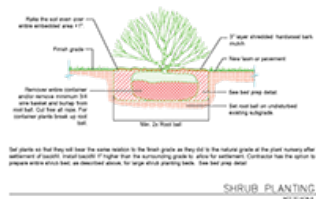
2. PRIOR TO COMMENCING ANY CONSTRUCTION WORK, OR ORDERING MATERIALS AND EQUIPMENT FOR THIS PROJECT, CHECK EXISTING CONDITIONS ON BELLING SITE, AND VERIFY DATA AND INFORMATION IN THIS DRAWING.

3. DO NOT USE THIS DRAWING FOR ANY OTHER THAN DESIGNATED PROJECT.

4. DO NOT SCALE DIMENSIONS IN ORDER TO OBTAIN ANY DIMENSIONS.



2 EXISTING AERIAL
SCALE
N.T.S.



1 PROPOSED SITE PLAN
SCALE
1" = 20'-0"

East 79th Street 80.0'
(A PUBLIC RIGHT-OF-WAY)

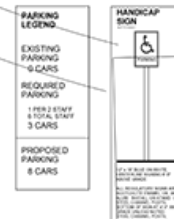
Erie-Lackawanna Rail Road
Company
Elevated Track

Bessemer Avenue 70'
(A PUBLIC RIGHT-OF-WAY)

PLAN CODED NOTES:

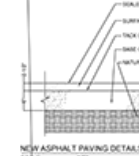
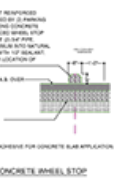
1. EXIST. W/O UTILITY POLE
2. INDICATES AREA OF EXIST. CONC. APRON TO BE REPAIRED OUTSIDE OF NEW PLUMB. CONNECTION
3. NEW BRUSHES. SELECTION BY OWNER. SPACED 8'-0"
4. NEW ADA ACCESS AISLE. SEE DETAIL
5. NEW PARKING LOT STRIPING
6. NEW 3'-0" ADA WALKWAY
7. NEW BRUSHES. SELECTION BY OWNER. SPACED 12'-0"
8. O.C. ALONG EAST 79TH STREET
9. INDICATES NEW INTERNAL SITE GRADING TO INTERNAL TRENCH DRAIN. INTERNAL PROPERTY TRENCH DRAIN SHALL CONNECT TO NEW TRENCH DRAIN LOCATED AT CONC. APRON
10. NEW CONC. ENCASED TRENCH DRAIN

INDICATED BY



HANDICAPPED PARKING

SCALE: NONE



Project Team:

Architect



UBIQUITOUS DESIGN, LTD.

ARCHITECTS

1200 E. 12TH STREET, SUITE 100, CLEVELAND, OH 44115

TEL: 216.763.1200 FAX: 216.763.1201

WWW.UBIQUITOUSDESIGN.COM

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FOR: [Signature]

PROJECT: [Signature]

DATE: 02/28/2022

BY: [Signature]

FOR: [Signature]

PROJECT: [Signature]

DATE: 02/28/2022

Public Hearing

Calendar No. 22-164

15006 Westropp Avenue.

Ward 8



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). ****It has been determined that the lot is smaller (less deep) than other lots on the same block.**
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.



Public Hearing

Calendar No. 22-164

15006 Westropp Avenue.

Ward 8



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 agricultural, fencing, minimum front yard, front yard encroachment, and driveway 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.



Waterloo Road

Westropp Avenue

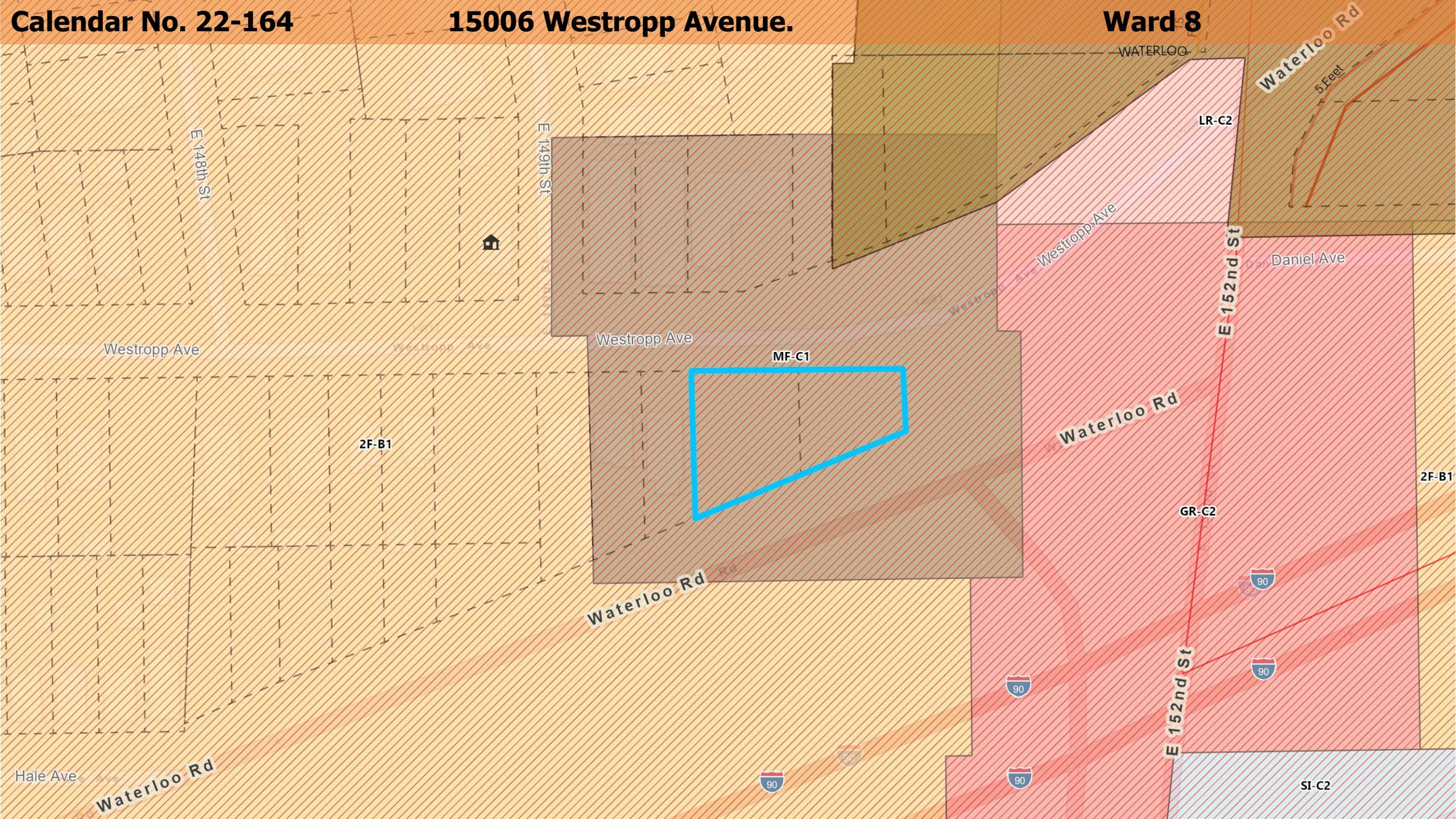
East 14th



Calendar No. 22-164

15006 Westropp Avenue.

Ward 8

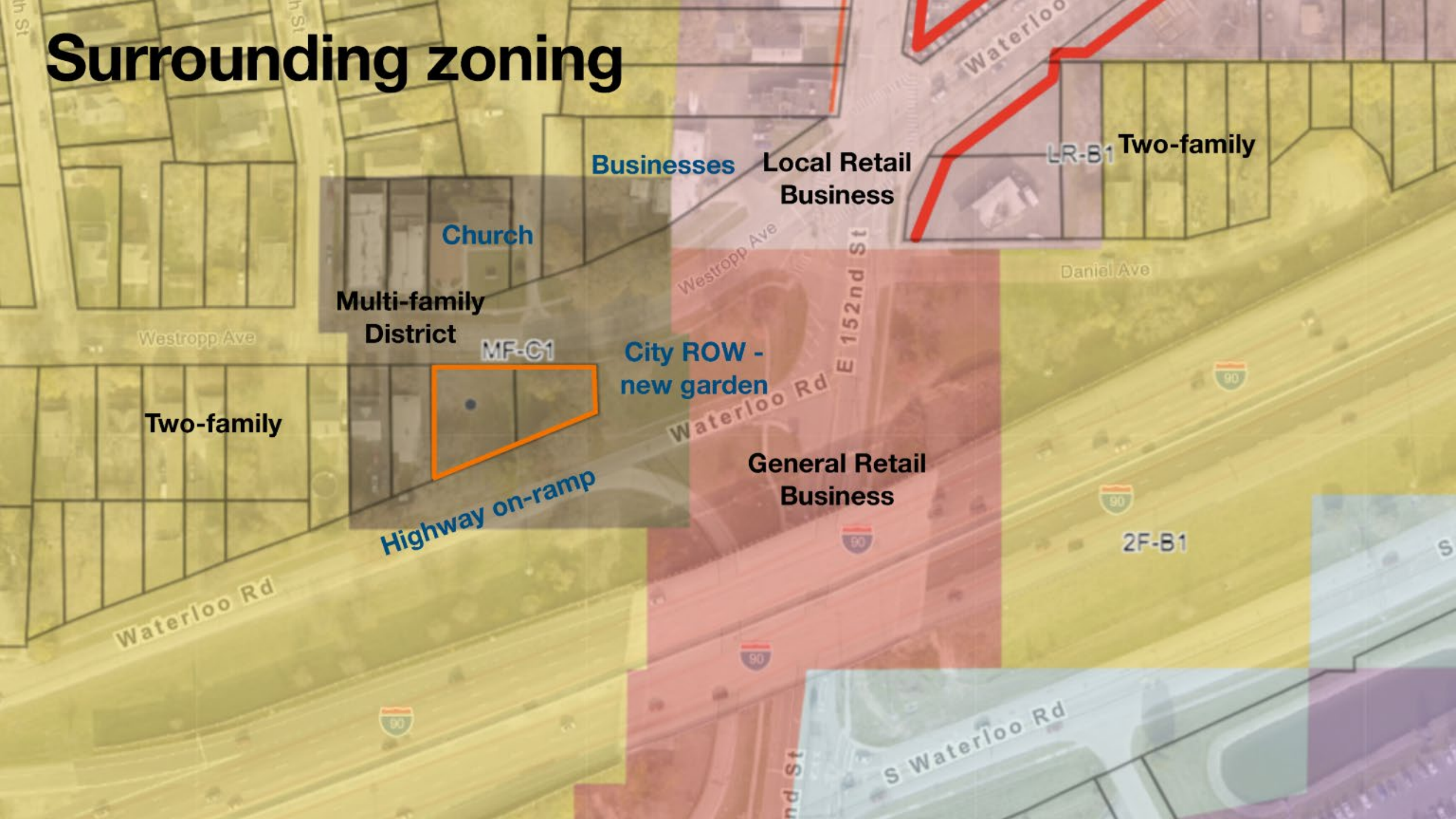


Meadow City Native Plant Nursery

It's our first year in operation. We grow wildflowers, trees, and shrubs in pots for use in gardening and ecological restoration.



Surrounding zoning



Lot size

WESTROPP AVE

E 149TH

Depth
139 feet

11225009

11225010

11225011

11225012

6' rise over 80'
(1:13)

11225162

11225013

Min depth
46 feet

City ROW -
streetscapes
permit for
garden

Legal/avg
depth
63 feet

11225151

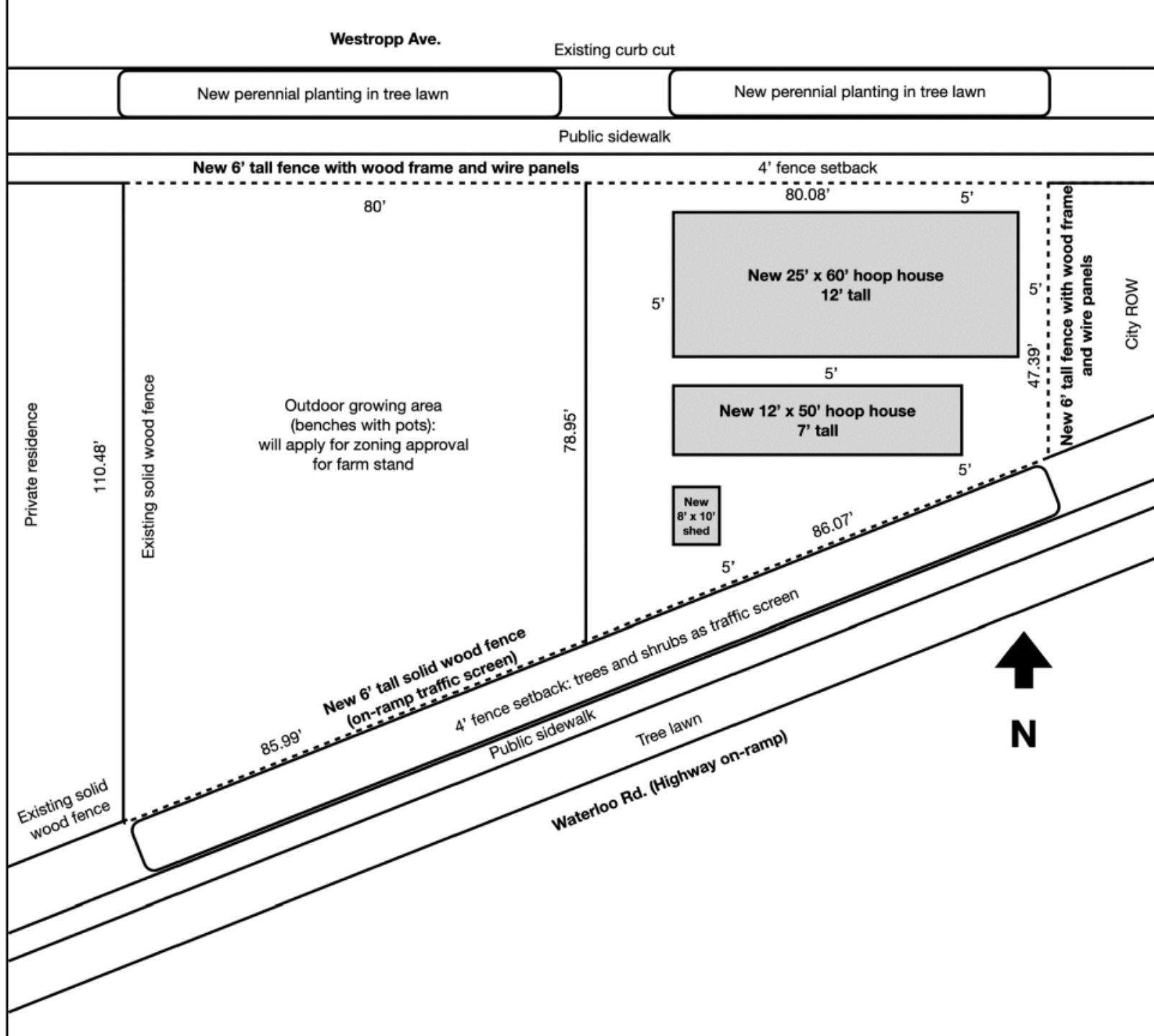
11225007

11225008

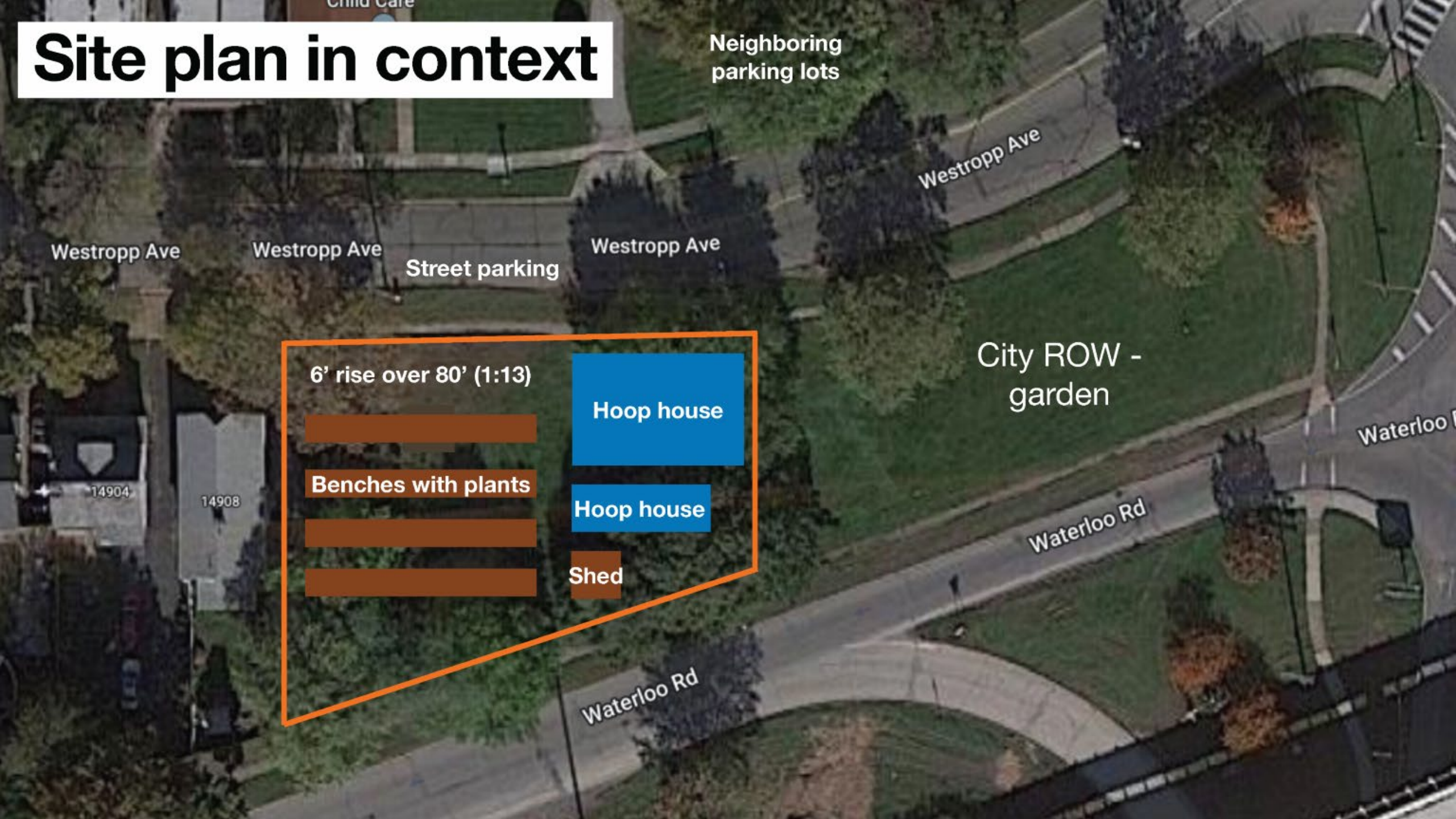
11225153

11225152

Site plan



Site plan in context



Neighboring
parking lots

Westropp Ave

Westropp Ave

Westropp Ave

Street parking

Westropp Ave

6' rise over 80' (1:13)

Hoop house

Benches with plants

Hoop house

Shed

City ROW -
garden

Waterloo Rd

Waterloo Rd

Waterloo Rd

14904

14908

Child Care

View from Westropp



Hoop house

City ROW -
garden

Street parking

Westropp Ave

View from 152nd



Proposed park/garden

152nd Street



CITY OF CLEVELAND

Office of the Council

www.clevelandcitycouncil.org

Michael D. Polensek COUNCIL MEMBER, WARD 8

COMMITTEES: Safety - Chair • Finance, Diversity, Equity & Inclusion • Utilities • Rules

September 20, 2022

Ms. Elizabeth Kukla
Board of Zoning Appeals
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Ms. Kukla and Board of Zoning Appeals:

As Councilman representing Cleveland's 8th Ward, I am writing to express my total support for Ms. Julie Slater and her proposed business, Meadow City, which she is proposing for 15006 Westropp Avenue, at their upcoming zoning variance appeal on October 3, 2022, Calendar No. 22-164. It is my understanding the Meadow City is applying for zoning variances for the following four features of their building plan:

- A 6 foot tall fence located in the designated 30-foot front yard area, in order to exclude and deter deer
- A Hoop house located in the designated 30-foot front yard area
- A Market garden stand for on-site sale of native plants
- A Gravel driveway into the site (for more permeable surface)

Meadow City is planning to establish a native plant nursery on an oddly-shaped vacant lot, which was originally a farmstead and a residential site that is unlikely to be used for another purpose or other development in the future. If successful, this property will yield a reasonable return in the form of income and sales taxes to Cuyahoga County and the City of Cleveland, as well as employment opportunities to neighboring residents.

Because of its location on a busy street corner of East 152 Street abutting a commercial district, these four variances will not substantially alter the character of the neighborhood or be a detriment to the adjoining residential properties. The four features above were described in the land bank application which was recently reviewed and approved by multiple city departments.

City Hall 601 Lakeside Avenue N. E., Room 220, Cleveland, OH 44114 • Phone (216) 664-4236 • Fax (216) 664-3837

Email mpolensek@clevelandcitycouncil.org

Modifications to the site pertaining to discussions on these points were made to accommodate zoning restrictions as much as possible while making reasonable use of his triangle piece of historical property.

I have been in discussion with Ms. Slater regarding her dreams and plans since the beginning and I am impressed by the thought and reasons behind her endeavors here. This is an historical site and development along these lines harkens to that history while being innovative and complimentary to the needs of the community today. In addition, I was impressed by her display at the recent Waterloo Arts Festival; she was well received by those in attendance.

If there are any questions as to this project and/or my support of it, please feel free to contact me. I may best be reached at my office at (216) 664-4236.

Sincerely,

Michael D. Polensek

Michael D. Polensek
Councilman, Ward 8

CC: Ms. Julie Slater
Ms. Peggy Kearsey, Greater Collinwood Development Corporation
Ms. Amy Callahan, Executive Director, Waterloo Arts
Ms. Cindy Barber, Waterloo Merchant
Raddell's Sausage Shoppe, 478 East 152 Street
New Greater Canaan Ministries Church, 14909 Westropp Avenue

Public Hearing

Calendar No. 22-166

17213 Deforest Avenue.

Ward 1

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'.



Public Hearing

Calendar No. 22-166

17213 Deforest Avenue.

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

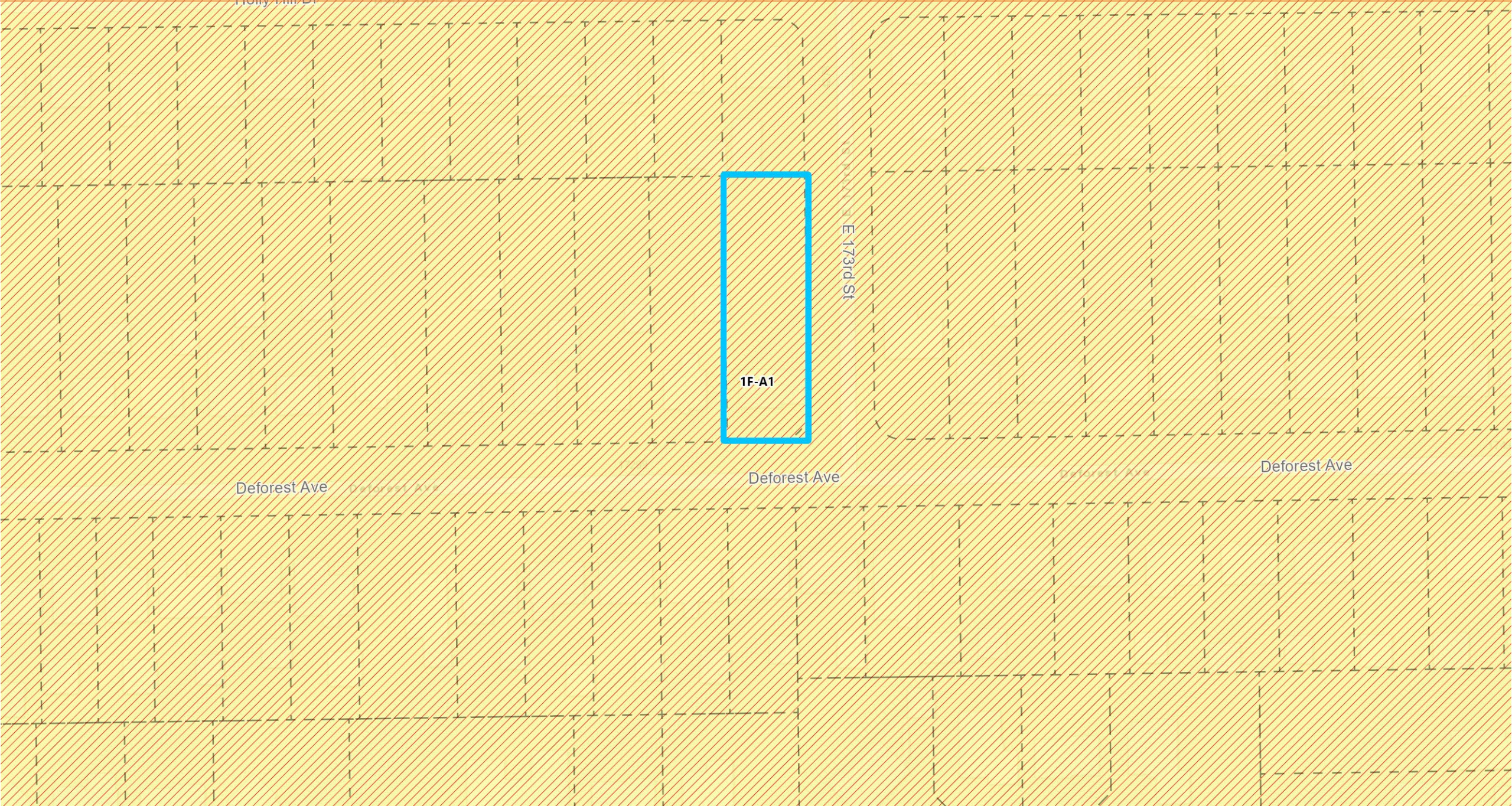
Madam Chair, Members of the Board, Appellant is requesting an area variance from the interior side yard regulation of the zoning code.

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.







Holly Hill Dr

Holly Hill Dr

Holly Hill Dr

Holly Hill Dr

Holly Hill Dr

E 173rd St

1F-A1

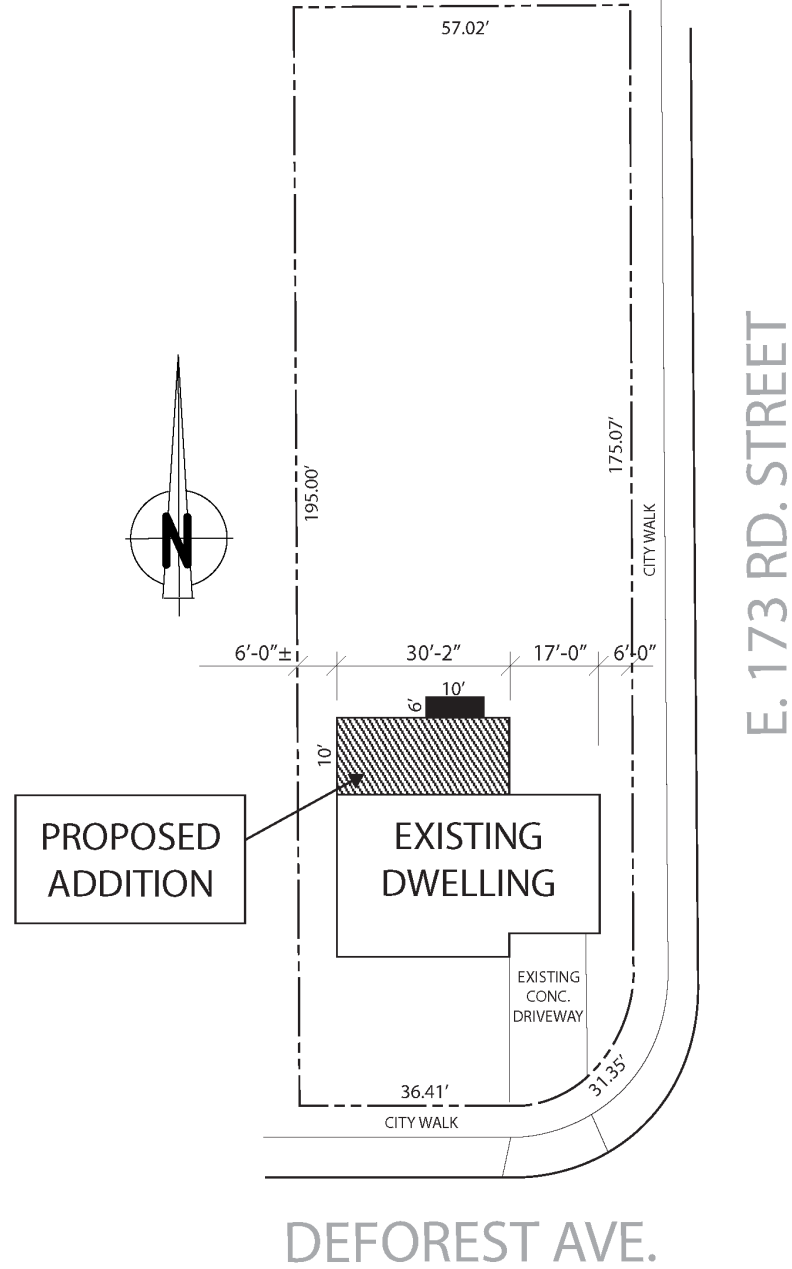
Deforest Ave

Deforest Ave

Deforest Ave

Deforest Ave

Deforest Ave



SITE PLAN

1" = 20'-0"



PROPOSED ADDITION

17213 DEFOREST AVE.
CLEVELAND, OHIO 44128

GENERAL NOTES:

IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE AND TO CROSS-CHECK DETAILS AND DIMENSIONS ON THE STRUCTURAL DRAWINGS WITH RELATED REQUIREMENTS ON THE ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS. FLOOR AND WALL OPENINGS, SLEEVES AND OTHER ARCHITECTURAL, MECHANICAL AND ELECTRICAL REQUIREMENTS MUST BE COORDINATED BEFORE THE CONTRACTOR PROCEEDS WITH CONSTRUCTION.

ELECTRICAL:

ALL ELECTRICAL IS TO BE PERFORMED BY A QUALIFIED CONTRACTOR AND TO CONFORM TO THE MOST RECENT NATIONAL, STATE AND LOCAL ELECTRICAL CODES. CONTRACTOR IS RESPONSIBLE FOR USABILITY AND UPGRADE ABILITY OF CURRENT SERVICE PANEL. CONTRACTOR AND CLIENT TO DETERMINE EXACT LOCATION OF OUTLETS, FIXTURES AND SMOKE, CO DETECTORS.

HVAC:

ALL HVAC IS TO BE PERFORMED BY A QUALIFIED CONTRACTOR AND TO CONFORM TO THE MOST RECENT NATIONAL, STATE AND LOCAL CODES. CONTRACTOR IS RESPONSIBLE FOR DETERMINING THAT THE CAPACITY OF CURRENT SYSTEM IS ADEQUATE OR AN UPGRADE IS NECESSARY. CONTRACTOR IS ALSO RESPONSIBLE FOR PLACEMENT AND SIZING OF ALL DUCTS AND AIR RETURNS.

PLUMBING:

ALL PLUMBING IS TO BE PERFORMED BY A QUALIFIED CONTRACTOR AND TO CONFORM TO THE MOST RECENT NATIONAL, STATE AND LOCAL CODES. CONTRACTOR IS RESPONSIBLE FOR SIZING ALL DRAINS AND VENT PIPES.

CONTENTS:

- CV COVER
- A1 NORTH ELEVATION
- A2 WEST ELEVATION
- A3 EAST ELEVATION
- A4 FOUNDATION PLAN / HVAC
- A5 FLOOR PLAN
- A6 DECK BUILD PRATICES
- S1 SECTION VIEW / SITE PLAN
- E1 MAIN FLOOR ELECTRICAL / HVAC

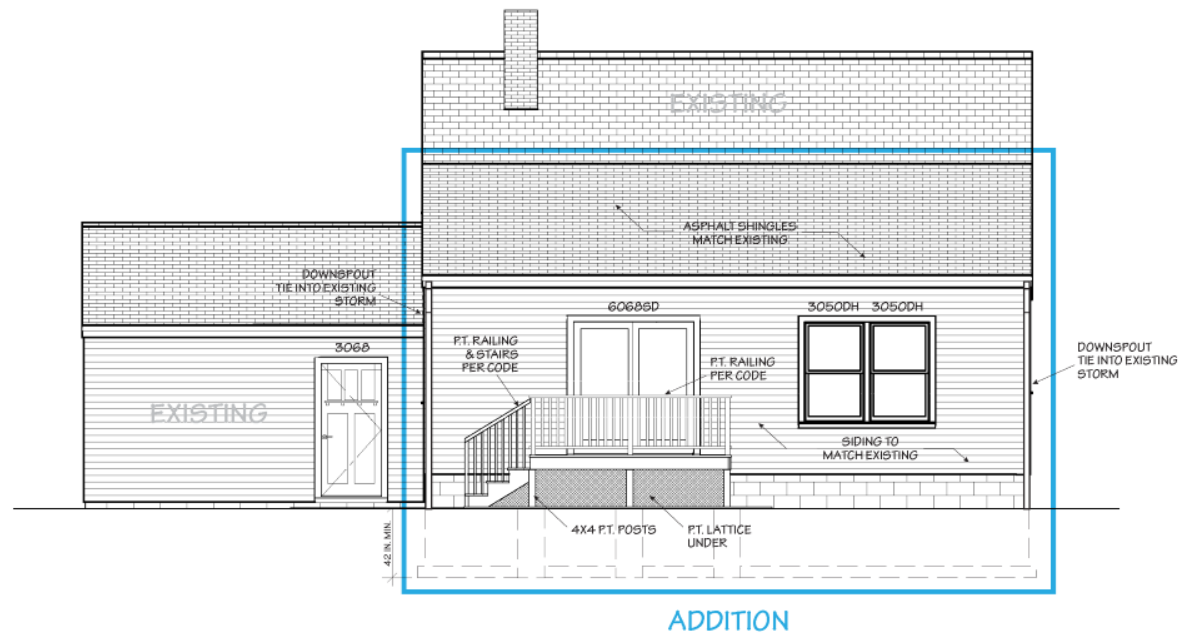
DESKPREP

Solutions For Your Drafting And Design Needs
SHEFFIELD VILLAGE, OHIO 44054
PHONE: 440.308.9727

DISCLAIMER:
DeskPrep is not responsible for the construction specifications and details or any other matter relating to the design, development or construction of the project.
DeskPrep assumes no responsibility for any damage, including structural failure, due to any deficiencies, omissions or errors in the design of these plans. Each contractor must review the plans and are responsible for his or her own codes and are to conform with all national, state and local codes.
DeskPrep makes no warranties, express or implied, under this agreement or otherwise, in connection with these services.
DeskPrep's liability, if any, is strictly limited to the amount paid for drawings under this agreement and no other damages, whether in the contract or in tort, in law or in equity are available to you.
By using or submitting these drawings to a municipality for construction permits, in whole or in part, constitute your agreement with the contents of this disclaimer.

ADDITION PLANS FOR:
RESIDENCE
17213 DEFOREST AVE.
CLEVELAND, OHIO 44128

CV



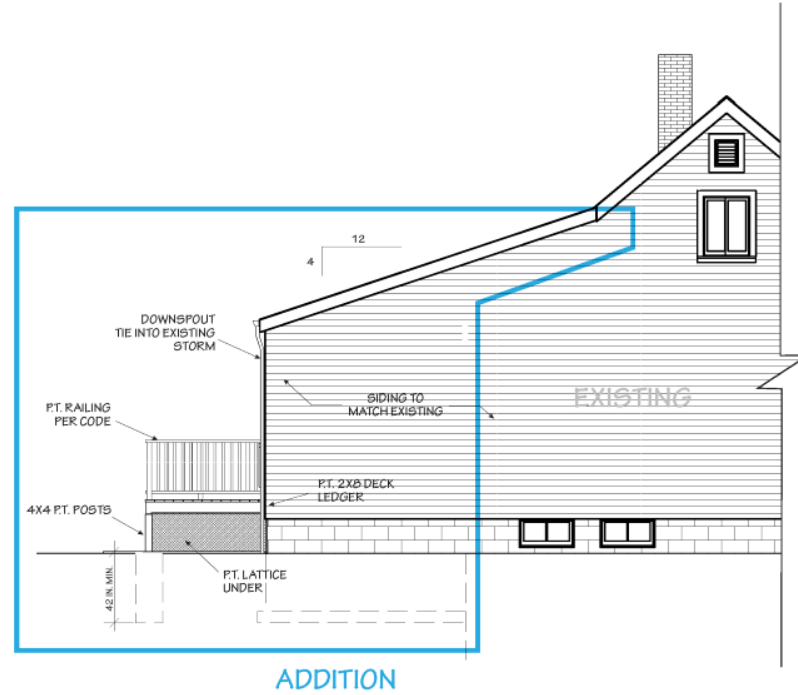
NORTH ELEVATION
1/4" = 1'-0"

WINDOW AND DOOR SIZE KEY:

PT	IN	PT	IN
2840DH			
WIDTH	HEIGHT	TYPE	
DH	DOUBLE HUNG		
SH	SINGLE HUNG		
SC	SINGLE CASEMENT		
DC	DOUBLE CASEMENT		
TC	TRIPLE CASEMENT		
RS	RIGHT SLIDING		
LS	LEFT SLIDING		
AW	AWNING		
SD	SLIDING DOOR		
FD	FRENCH DOOR		

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ADDITION PLANS FOR:
RESIDENCE
17213 DEFOREST AVE.
CLEVELAND, OHIO 44128



WEST ELEVATION
1/4" = 1'-0"

**WINDOW AND DOOR
SIZE KEY:**

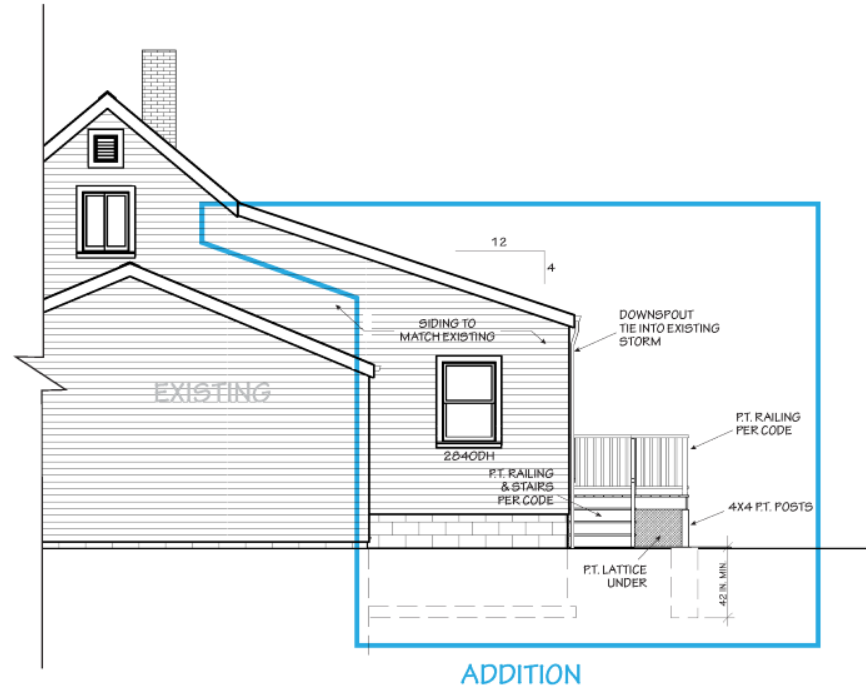
FT. IN. FT. IN.
2840DH
WIDTH HEIGHT TYPE

DH	DOUBLE HUNG
SH	SINGLE HUNG
SC	SINGLE CASEMENT
DC	DOUBLE CASEMENT
TC	TRIPLE CASEMENT
RS	RIGHT SLIDING
LS	LEFT SLIDING
AW	AWNING
SD	SLIDING DOOR
FD	FRENCH DOOR

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ADDITION PLANS FOR:
RESIDENCE
17213 DEFOREST AVE.
CLEVELAND, OHIO 44128

A2



EAST ELEVATION
1/4" = 1'-0"

WINDOW AND DOOR
SIZE KEY:

FT. IN. FT. IN.
2840DH
WIDTH HEIGHT TYPE

- DH DOUBLE HUNG
- SH SINGLE HUNG
- SC SINGLE CASEMENT
- DC DOUBLE CASEMENT
- TC TRIPLE CASEMENT
- RS RIGHT SLIDING
- LS LEFT SLIDING
- AW AWNING
- SD SLIDING DOOR
- FD FRENCH DOOR

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ADDITION PLANS FOR:
RESIDENCE
17213 DEFOREST AVE.
CLEVELAND, OHIO 44128

A3

A5

Public Hearing



Calendar No. 22-145:

2147 W 20th Street.

Ward 3

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 side yard encroachment.



Public Hearing

Calendar No. 22-145:

2147 W 20th Street.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

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HISTORY OF THE PROPERTY





LEGAL STANDARD

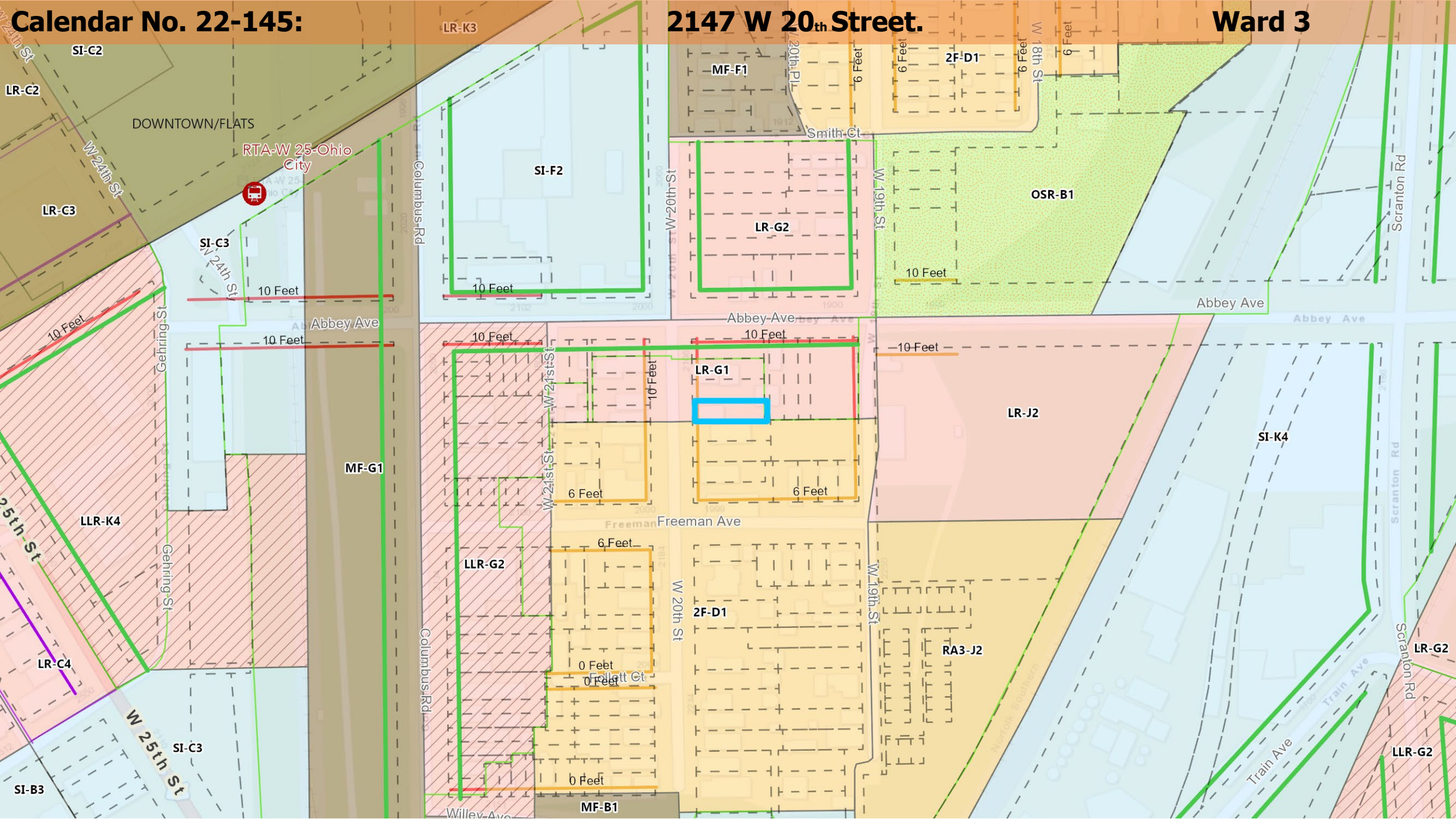
Madam Chair, Members of the Board, Appellant is requesting area variances from the minimum required distance, maximum gross floor area, and interior sideyard encroachment regulations of the zoning code.

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.





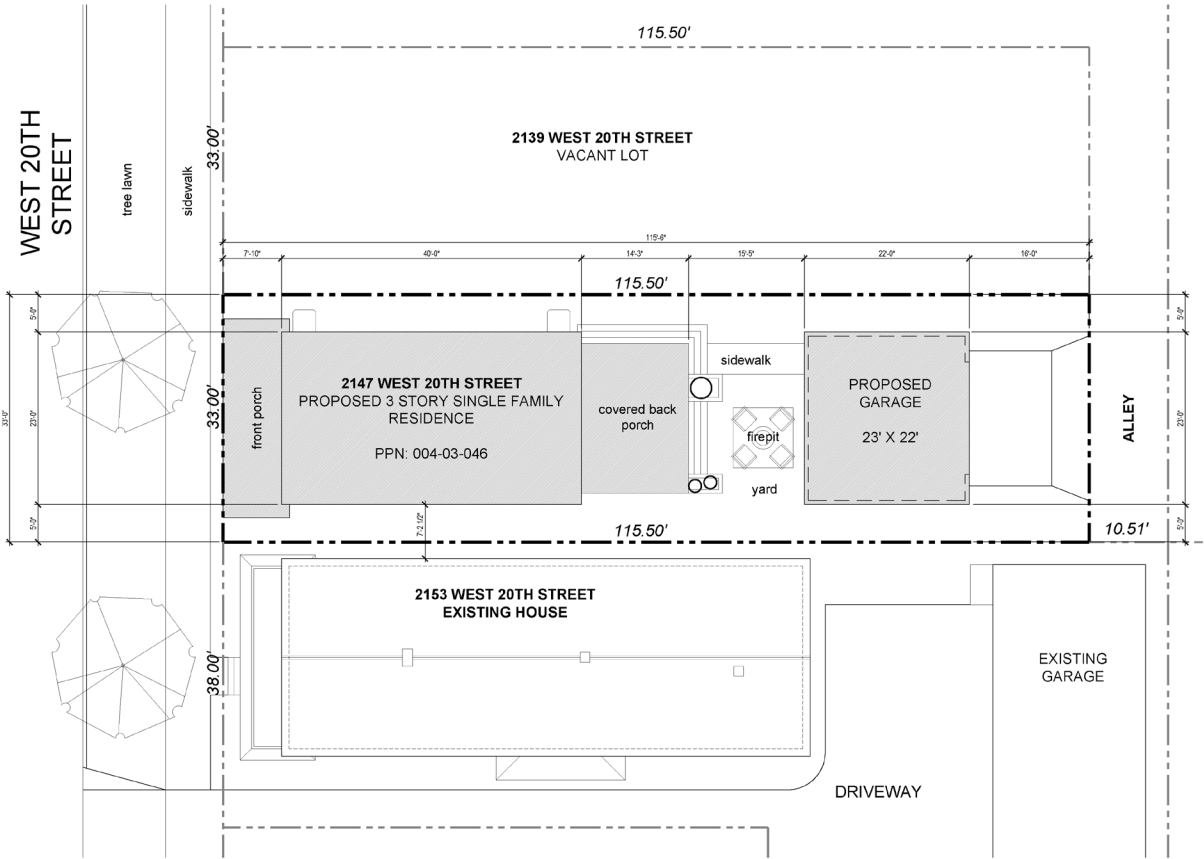


2147 W20TH RESIDENCE

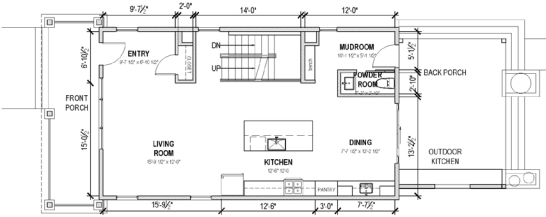
2147 W 20TH ST. CLEVELAND, OHIO 44113

Building Areas

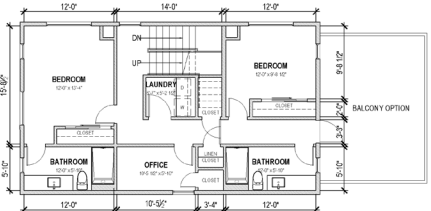
Parcel:	3600 SF
Basement:	650 SF
Above Grade:	2290 SF
Garage:	506 SF



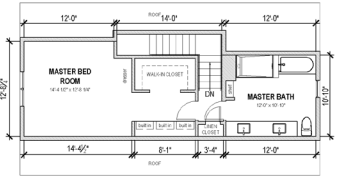
1 - Architectural Site Plan
Scale: 1/8" = 1'-0" North ↑



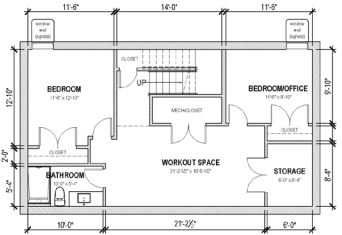
2 - First Floor Plan
Scale: 1/8" = 1'-0" North ↑



3 - Second Floor Plan
Scale: 1/8" = 1'-0" North ↑



4 - Third Floor Plan
Scale: 1/8" = 1'-0" North ↑



5 - Basement Floor Plan
Scale: 1/8" = 1'-0" North ↑

Stamp

Client

BERGES LLC

2030 W. 19th St.
Cleveland, Ohio 44113

Project

2147 W20TH
RESIDENCE
2147 W20th St.
Cleveland, Ohio 44113

Revisions

Original Permit Sub. Date 00/00/00

- Submission
- ☐ Progress
 - ☐ Design Review
 - ☐ Lot Split
 - ☐ Planning
 - ☐ Zoning
 - ☒ Schematic Design
 - ☐ Design Development
 - ☐ Building Permit
 - ☐ Bidding
 - ☐ Construction

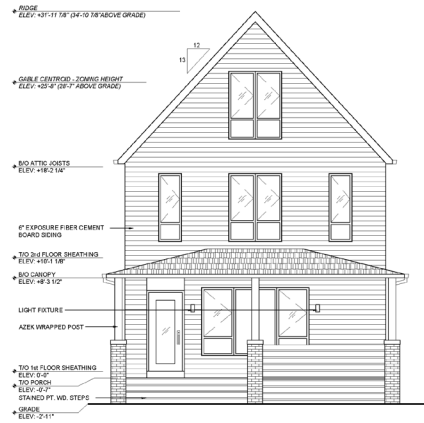
Current Date 06/01/22
Drawn By FW
Checked By WH
Job Number 20024
Sheet

ARCHITECTURAL SITE
PLAN & FLOOR PLANS

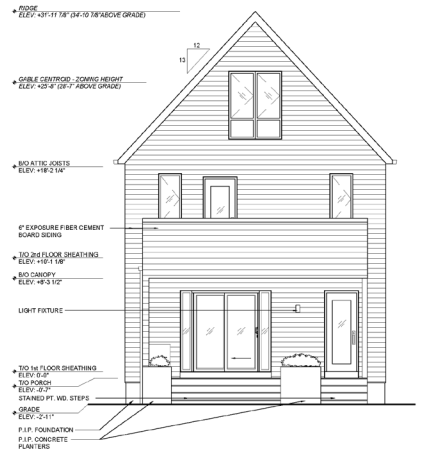
Discipline & Number

Z1.01

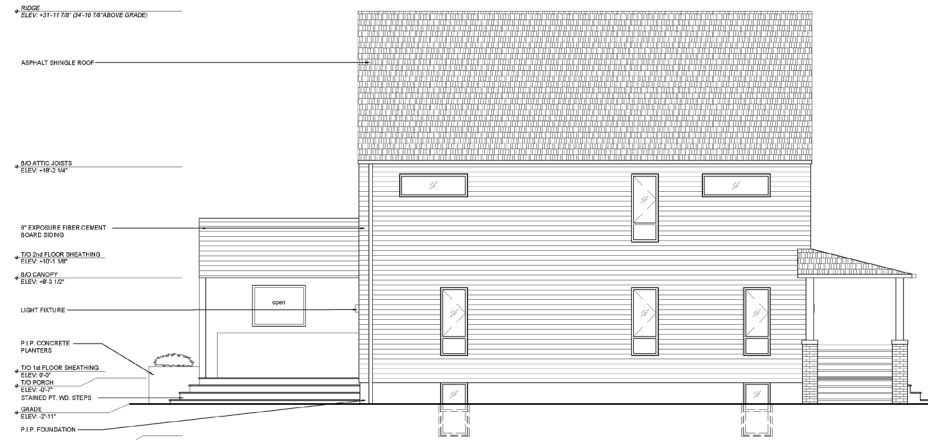
Stamp



1 - West Elevation
Scale: 3/16" = 1'-0"



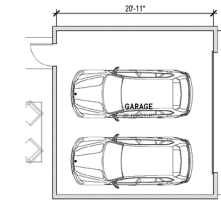
3 - East Elevation
Scale: 3/16" = 1'-0"



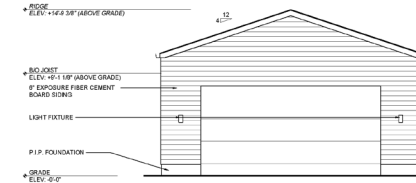
2 - North Elevation
Scale: 3/16" = 1'-0"



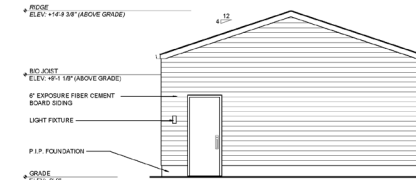
4 - South Elevation
Scale: 3/16" = 1'-0"



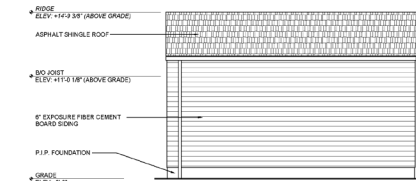
5 - Garage Plan
Scale: 1/8" = 1'-0"



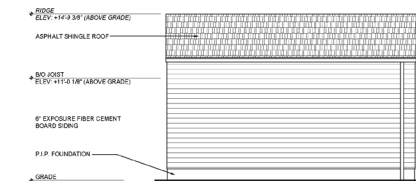
6 - East Elevation
Scale: 3/16" = 1'-0"



7 - West Elevation
Scale: 3/16" = 1'-0"



8 - North Elevation
Scale: 3/16" = 1'-0"



9 - South Elevation
Scale: 3/16" = 1'-0"

Client

BERGES LLC

2030 W. 19th St.
Cleveland, Ohio 44113

Project

2147 W20TH
RESIDENCE
2147 W20th St.
Cleveland, Ohio 44113

Revisions

Original Permit Sub. Date 00/00/00

Submission
☐ Progress
☐ Design Review
☐ Lot Split
☐ Planning
☒ Zoning
☐ Schematic Design
☐ Design Development
☐ Building Permit
☐ Bidding
☐ Construction

Current Date 06/01/22

Drawn By FW

Checked By WH

Job Number 20024

Sheet

ARCHITECTURAL
ELEVATIONS

GARAGE PLAN AND
ELEVATIONS

Discipline & Number

Z1.02

Cleveland Board of Zoning Appeals

Old Business



Public Hearing



1. Cal. No. 22-142:	3605-07 Denison Ave.	(KB,TB,NH,AF)
2. Cal. No. 22-158:	17426 Eldamere Ave.	(KB,TB,NH,AF)*
3. Cal. No. 22-165:	694 E 92 nd Street.	(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)* ^{5/3/21}

AFFIRMATION: NONE

REQUESTS FOR RE-INSTATEMENT: - REGARDING THE CASE BELOW: THE APPELLANT'S CONTRACTOR MISSED THE HEARING LAST WEEK DUE TO A FAMILY SITUATION (SEE EMAIL ATTACHED) AND IS NOW ASKING TO BE REINSTATED.

Calendar No. 22-162 4612 Clinton Ave. Ward 3
Kerry McCormack
19 Notices

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 sideyard encroachment.
4. Section 341.02 which states City Planning Commission approval is required before issuance of permit.

MISC-

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

Cleveland Board of Zoning Appeals

Adjournment

