



## Board of Zoning Appeals

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

**AUGUST 10, 2020**

**Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings in a limited capacity using the WebEx Platform. This will include limited agenda items to initiate the process to ensure we can appropriately evaluate the process.**

**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>

**In order to keep the WebEx session to a manageable size we are asking individuals that wish to participate in the meeting to contact the City Planning office by phone or email BY NOON ON FRIDAY AUGUST 7, 2020. 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 City Planning office and request access to the WebEx Board of Zoning Appeals Meeting please call 216.664.3826 or email us at [cityplanning@clevelandohio.gov](mailto:cityplanning@clevelandohio.gov).**

**9:30**

**Calendar No. 20-67: 4870 W. 12<sup>th</sup> Street**

**Ward 13  
Kevin J. Kelley  
10 Notices**

Rick Mikesell, owner, proposes to erect a 2 story frame reverse gable detached garage in an A1 One-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 337.23A which states that an accessory garage shall not exceed 650 square feet and the appellant is proposing 981.2 square feet.
2. Section 353.05 which states that a maximum height of 15 feet is allowed and the appellant is proposing 15'-6" mean height and an overall height of 20'-9". (Filed June 9, 2020)

**9:30**

**Calendar No. 20-070: 17410 Harvard Ave**

**Ward 1  
Joseph T. Jones  
15 Notices**

JSD, MAC, LLC., owner, proposes to build a parking lot in a C1 Local Retail Business/Urban Form Overlay District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Per Section 327.04(e) which states that a site plan should be to a standard scale and should include property lines, dimensions, fence and all other features of the property.
2. Section 348.03(c)(4) which states that a parking lot as a main use is prohibited in the Urban Form Overlay District. (Filed June 9, 2020)

**9:30**

**Calendar No. 20-071:** United Towing Service Inc./  
Appealing Decision of the  
Commissioner of Assessments and  
Licenses

United Towing Services appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances to dispute the adverse decision of the Commissioner of the Division of Assessments and Licenses in the denial of #LUOU20-00044. (Filed June 9, 2020).

**Postponed from July 20, 2020**

**9:30**

**Calendar No. 20-047:** 3135 E. 116 Street  
Ward 4  
Kenneth L. Johnson  
17 Notices

WG Realty LLC., owner, propose to establish a child care facility 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 which states that a daycare is permitted in a Two-Family District (by reference, per section (337.02(f)(3)(C), if said daycare use is located less than 30 feet from a residential district and is subject to Board of Zoning Appeals approval (Filed February 26, 2020-Testimony Taken) *POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLANT TO UPDATE THE SITE PLAN TO SHOW PLAYGROUND SURFACE AS WELL AS FENCING AND TO GET A LETTER OF SUPPORT FROM COUNCILMAN.*

**POSTPONED FROM JULY 13, 2020**

**9:30**

**Calendar No. 20-072:** 5909 Cable Avenue  
Ward 5  
Phyllis E. Cleveland  
19 Notices

ABA Enterprise Connect LLC., owner, proposes to establish use as a children's boarding home for ages 10-17 in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. 337.03 which states that the use is not permitted in a Two-Family Residential District, first permitted in a Multi-Family Residential District and only when at least 15 feet from other premises, per Section 337.08(e)(3)(Filed June 29, 2020-Testimony Taken) *POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLATN TO MEET WITH THE COUNCILWOMAN, SLAVIC VILLAGE CDC AND NYCOLE CALHOUN FROM THE CITY PLANNING COMMISSION.*

**POSTPONED FROM JULY 27, 2020**

**9:30**

**Calendar No.19-301: Appeal of Hug-John/dba  
Midway Parking Inc. from decision of  
Commissioner of Licenses and  
Assessments regarding Notice of  
Deficiency**

Hug-John Inc./dba Midway Parking Inc., appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) and 196.71(b)(1) of the Cleveland Codified Ordinances to dispute the November 4, 2019 decision of the Commissioner of Assessments and Licenses to affirm a Notice of Deficiency that was issued on August 23, 2019. (Filed November 25, 2019-No Testimony)  
*THIRD POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW TIME FOR HIM TO RETAIN A NEW ATTORNEY. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A PERSONAL MEDICAL ISSUE. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT'S ATTORNEY DUE TO A SCHEDULING CONFLICT.*