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CITY OF CLEVELAND  
Mayor Frank G. Jackson

**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 24, 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. 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. 20-98:**

**1854 W. 48<sup>th</sup> Street**

**Ward 3**

**Kerry McCormack**

**13 Notices**

West 48<sup>th</sup> Suites LLC., owner, proposes to construct 1,140 square foot 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. 337.23(a)(6)(C) In a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed eight hundred (800) square feet unless the lot area exceeds four thousand eight hundred (4,800) square feet in which event the floor area may be increased in the ratio of one (1) square foot for each twelve (12) square feet of additional lot area. On a 7,500 square foot lot, a maximum 1,030 square foot garage is permitted and a 1,140 square foot garage is proposed. Note: the lots must also be consolidated. (Filed June 30, 2020)

**9:30**

**Calendar No. 20-099:**

**532 E. 185<sup>th</sup> Street**

**Ward 8**

**Michael Polensek**

**25 Notices**

G. Wood Enterprises LLC, owner, proposes to expand bar use to include private offices/den and live entertainment in a C1 Local Retail Business District and Pedestrian Retail Overlay District. The owner

appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Per Section 343.01 which states that entertainment use is not permitted in Local Retail District and it is prohibited in overlay District per Code Section 346.05(b)(1) and as listed in sec. 343.11
2. Section parking space equal to 3 times the entertainment gross floor area plus parking equal to ½ the lodge gross floor area and 1 for each employee, plus one for each 100 square feet of bar floor area devoted to patron use. Total 20 parking spaces are required.
3. Section 349.07(a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, or other surfacing materials approved by the Director of Building and housing, stripped and maintained in good condition.
4. Section 352.10 which states that 6' wide landscape stripe is required between parking lot and street; none is proposed. The property is enclosed at sidewalk with 14 poles (Bollards) and continuous pavement. (former car dealership lot in front of property)
5. Section 349.15 which states that 1 bicycle parking spaces required; none proposed.
6. Section 341.02(b) which states that CPC approval is required. (Filed June 30, 2020)

**9:30**

**Calendar No. 20-0106: 5003 Herman Ave**

**Ward 15  
Matt Zone  
11 Notices**

Phillippe Bernard, owner, proposes to erect a 3 story frame single family residence with detached garage and open third floor deck area in a B1 Two-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area shall not exceed 50 percent of lot size or in this case 2,640 square feet and the appellant is proposing 4,121 square feet. (Filed June 22, 2020)

**9:30**

**Calendar No. 20-107: 3886 Lee Road**

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

Hani Alhadidi, owner, propose to establish use as a carryout restaurant in a G1 Local Retail Zoning District and an Urban Form Overlay District. The owner appeals for relief from the strict application from the following section of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, or other surfacing materials approved by the Director of Building and Housing.
2. Section 349.15 which states 1 bicycle parking spaces is required at the rate of one per twenty car parking spaces.
3. Section 352.10 which states that 6' wide landscape strip required along Lee rd. and Glendale Ave. between street and parking lot. (Filed July 28, 2020)

**9:30**

**Calendar No. 20-108: 14700 Judson Dr.**

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

Yousef Khanfar, owner, proposes to construct a new gas station with 4 pumps and convenient store in a C1 Local Retail Business District. The owner appeals for relief from the strict application from the following section of the Cleveland Codified Ordinances:

1. Section 343.01 which states that a gas station is not permitted in a Local Retail Business District but first permitted in General Retail Business per section 343.11(b)(2)(I)(1) of the Cleveland Codified Ordinances (Filed July 28, 2020)

**POSTPONED FROM JULY 27, 2020**

**9:30**

**Calendar No. 20-056: 2927 East 115<sup>th</sup> Street**

**Ward 4  
Kenneth Johnson  
16 Notices**

Porsche Dunn, owner, proposes to establish use as state licensed Residential Facility in a B1 Two-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that "Residential Facility" means a publicly operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care service 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. Sections 337.02(h) and 337.03 which state that a residential facility, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons, is permitted provided it is located not less than one thousand (1,000) feet from another residential facility. Proposed use is within 1,000 feet of two existing Residential Facilities; the Ecar House Adult Group Home at 11607 Honeydale, and the Delitha Sparks Adult Home at 11301 Parkview. (Filed March 11, 2020- TESTIMONY TAKEN) *POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW FOR TIME FOR THE APPELLANT TO MEET WITH THE CITY PLANNER AND THE COUNCILMAN.*

**POSTPONED FROM JULY 20, 2020**

**9:30**

**Calendar No. 20-054: 7715 Decker Ave.**

**Ward 7  
Basheer Jones  
12 Notices**

Tijuan Dow, owner, proposes to use existing residence for maximum of 5 people residential care facility in a B1 Two-Family Residential District. The owner appeals for relief from the strict application from the following section of the Cleveland Codified Ordinances:

1. Section 337.03(b) which states that 337.02(h) a residential facility, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons, provided it is located not less than one thousand (1,000) feet from another residential facility. Residential

facilities shall comply with area, height, yard and architectural compatibility requirements of this Zoning Code applicable to residences in One-Family Districts. (Filed March 9, 2020- TESTIMONY TAKEN) *POSTPONED BY THE BOARD TO ALLOW TIME FOR THE APPELLANT TO CONTACT THE COUNCILMAN, CDC AND CITY PLANNER; ALSO TO ALLOW FOR TIME FOR THE APPELLANT TO SUBMIT WRITTEN DOCUMENTATION THAT THE NEAREST GROUP HOME IS NO LONGER OPERATIONAL.*

**POSTPONED FROM AUGUST 3, 2020**

**9:30**

**Calendar No. 20-62:**

**Robert Ferko of 12210 Lorain Ave./ Appealing Decision of the Director of Public Safety in Property Nuisance Hearing**

**Ward 16  
Brian Kazy**

**APPELLANT IS WORKING ON A COMPLIANCE AGREEMENT WITH THE CITY.** Robert Ferko, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) and 630.02(f) of the Cleveland Codified Ordinances to dispute the adverse decision of the Director of Public Safety during a Property Nuisance Appeal Hearing regarding 12210 Lorain Ave. on February 27, 2020. (Filed March 24, 2020).