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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 31, 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 August 28, 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 by noon on August 28, 2020. You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

9:30

Calendar No. 20-110

3604 Siam Ave

Ward 3

Kerry McCormack

9 Notices

The Barkna Property Group LLC, owner, proposes to erect 16 x 20' 1 story frame detached gable garage. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that the detached garage shall be set back 18 feet from Side Street Line; proposing 3'. (Filed July 28, 2020)

9:30

Calendar No. 20-111:

12607 Larchmere Blvd

Ward 6

Blain Griffin

27 Notices

12607 Larchmere LLC., owner, proposes to erect a two story, 28 unit apartment building in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in the "C" area district the maximum gross floor area of a residential building cannot exceed one-half the lot area. Total floor space dimensions not given, violation for two-story structure is evident.

2. Section 349.05(a) which states that no such parking space shall be located within ten (10) feet of any wall of a residential building or structure if such wall contains ground floor opening designed to provide light or ventilation for such building or structure (Filed August 4, 2020)

9:30

Calendar No. 20-115:

10320 Yale Ave

Ward 9

Kevin Conwell

30 Notices

Shirley Cantie Riggins, owner, proposes to use an existing single family residence for a state certified adult residential care facility with a maximum of five adults 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 337.03(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 permitted 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. Proposed is within 1,000 to another facility (City Planning GIS Map). (Filed July 28, 2020)

9:30

Calendar No. 20-116:

1424 East 25th Street

Ward 7

Basheer S. Jones

16 Notices

1424 East 25, LLC owner, proposes for interior alterations and change of use to a community center in a C6 Semi-Industry District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 349.04(e) which that sixty-seven (67) parking spaces are required and twenty-six (26) spaces are proposed.
2. Section 349.07(b) which states that accessory off-street parking spaces shall be provided with wheel or bumper guards; none proposed.
3. Section 352.10 which states that a six (6) foot wide landscaped frontage strip is required. (Filed Aug. 4, 2020)

9:30

Calendar No. 20-118:

4701 W. 157th Street

Ward 16

Brian Kazy

12 Notices

Joseph & Ann Yesenko, owner, proposes to erect a 24' x 20' 1 story frame detached garage with open patio roof area 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 357.23(a)(6)A which states that a garage shall be located on rear half of lot or in this case at 122 feet back and the appellant is proposing 80 feet. (Filed July 30, 2020)

9:30

Calendar No. 20-120:

3125 W. 14th Street

Ward 12

Anthony Brancatelli

12 Notices

Franklin Deriveria, owner, proposes to enclose existing wooden open front porch of a single family residence in a D1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

2. Section 357.13(b)(4) which states that enclosed front porches shall not project more than 4 feet.(Filed August 4, 2020)

9:30

Calendar No. 20-125:

2807 Church Avenue

Ward 3

Kerry McCormack

14 Notices

2828 Clinton Avenue LLC., owner, proposes to establish temporary use as outdoor live entertainment and amusement (volleyball and "can pong") in a D2 Local Retail Business. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b)(2)(F) which states that Live entertainment and amusement use is not permitted in a Local Retail Business District but first permitted in a General Retail Business District per Section 343.11(b)(2)(L) and subject to the spacing regulations of section 347.12(a)(1) which states that the use is permitted if 500 feet from a residential district.
2. Section 349.04 which states that the total parking area equal to twice the total area devoted to such use is required. (Filed August 4, 2020)

9:30

Calendar No. 20-126:

3501 Woodbine Ave.

Ward 3

Kerry McCormack

13 Notices

Nicole E. Trombetta, owner, proposes to erect a one story frame rear kitchen addition to existing single family residence 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 355.04(b) which states that the maximum Gross Floor area shall not exceed 1,193 square feet and the appellant is proposing 1,368 square feet.
2. Section 357.08(b)(1) which states that the Required Rear Yard depth is 20' and the appellant is proposing 17 feet.
3. Section 357.09(b)(2)C which states that the minimum distance between buildings on adjacent lot shall not be less than 6 feet and the appellant is proposing 4.5 feet.(Filed August 5, 2020)

9:30

Calendar No. 20-119:

**Appeal of
Barley House from Cease and
Desist Notice dated July 21,
2020 issued by Commissioner
of Assessments and Licenses**

**Ward 3
Kerry McCormack**

Barley House 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 July 21, 2020 decision of the Commissioner of Assessments and Licenses to issue a Cease and Desist Notice due to violations of Section 638.06 at 1261 W. 6th Street. (Filed August 4, 2020).

POSTPONED FROM AUGUST 10, 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)*FOURTH POSTPONEMENT MADE AT THE REQUEST OF THE NEW ATTORNEY TO ALLOW FOR TIME TO PREPARE FOR THE HEARING. THIRD POSTPONEMENT MADE TO ALLOW TIME FOR THE APPELLANT TO SECURE 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.*