



## 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

**FEBRUARY 3, 2020**

**9:30**

**Calendar No. 19-290: 2283 W.30<sup>th</sup> Street**

**Ward 3  
Kerry McCormack  
11 Notices**

Elmhurst Homes, owner, proposes to construct a 2 story 1,598 square foot single family residence with attached garage on a 2,226 square foot lot 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(a) which states that maximum gross floor area in a "B" district shall not exceed ½ the lot area and 1,598 square feet are proposed.
2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building or in this case 28 feet and the appellant is proposing a 3 foot rear yard.
3. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed November 13, 2019)

**9:30**

**Calendar No. 19-314: 8901 Detroit Ave**

**Ward 15  
Matt Zone  
12 Notices**

Aids Housing Council Dev. Corp, owner, proposes to install new 94 linear feet of 6' high ornamental fence in a Multi-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 358.04 which states that a fence in the actual front yard shall be ornamental, shall not exceed 4 feet in height, shall be at least 50% open and finished side shall face the neighbor's or public property. In this case a 6 foot high ornamental fence is proposed in the actual front yard. (Filed December 9, 2019)

**9:30**

**Calendar No. 19-315: 5209 Franklin Blvd.**

**Ward 15  
Matt Zone  
17 Notices**

Geoffrey Michalek, owner, and Elmhurst Homes, prospective purchaser propose to construct a new 2 story 1,938 square foot single family residence with detached garage on a 4,003 square foot lot 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:

1. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "D" Area District is 40 feet and a 35 foot wide lot is proposed. The minimum lot area for a single family dwelling in a "D" area district is 4,800 square feet and the proposed lot area is 4,003 square feet.
2. Section 341.02(b) states that City Planning approval is required prior to the issuance of a building permit. (Filed December 9, 2019)

**9:30**

**Calendar No. 19-316: 5215 Franklin Blvd**

**Ward 15  
Matt Zone  
17 Notices**

Geoffrey Michalek, owner, and Elmhurst Homes, prospective purchaser propose to erect a 2 story, 1,938 square foot single family residence with detached garage on a 3,759.45 square foot lot 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:

1. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "D" Area District is 40 feet; a 35 foot wide lot is proposed. The minimum lot area for a single family dwelling in a "D" area district is 4,800 square feet and the proposed lot area is 3,579 square feet.
2. Section 337.23 which states that accessory building (garage) shall be at least 10 feet to any main building on an adjoining lot. The proposed garage is 7 feet to a main building on the adjoining lot.
3. Section 341.02(b) which states that review and approval of the City Planning Dept., is required. (Filed December 9, 2019)

**9:30**

**Calendar No. 19-320: 1868 E. 85<sup>th</sup> Street**

**Ward 7  
Basheer S. Jones  
10 Notices**

Hough at Home LLC, owner, proposes to erect a 1 ½ story single family residence with attached garage in an E2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that the required rear yard is 11.3 feet and the appellant is proposing 8.67 feet.
2. Section 341.02 which states that City Planning approval is required prior to issuance of building permit. (Filed December 17, 2019)

**9:30**

**Calendar No. 20-021: 1874 E. 85<sup>th</sup> Street**

**Ward 7  
Basheer S. Jones  
10 Notices**

Hough at Home LLC, owner, proposes to erect a 1 ½ story single family residence with attached garage in an E2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that the required rear yard is 20 feet and the appellant is proposing 9 feet.
2. Section 341.02 which states that City Planning approval is required prior to issuance of building permit. (Filed January 21, 2020)

**9:30**

**Calendar No. 19-321: 2481 Tremont Ave**

**Ward 3**

**Kerry McCormack**  
**14 Notices**

2481 Tremont LLC, owner, proposes to erect 20' x 20' 1 story detached gable garage. 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 that the accessory building shall be minimum of 18 inches from all property lines; proposing 1'.
2. Section 335.05 which states that an accessory building must be as far away from main building on adjacent lot as its height: 12' tall proposed garage must be 12' from adjacent main building, 1' is proposed. (Filed December 17, 2019)

**9:30**

**Calendar No. 19-322: 10601 Union Ave**

**Ward 4**  
**Kenneth L. Johnson**  
**16 Notices**

Samuel Portis, owner, and Nafisah Alim, tenant, propose to establish use a residential recovery home for substance abuse and mental health patients in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 334.01(b)(1) which states that in a Local retail Business District, all uses as regulated in the Multi-Family District, are permitted. Per section 337.08(d)(5), rest or convalescent houses primarily for drug or liquor patients are specifically prohibited. (Filed December 23, 2019)

**9:30**

**Calendar No. 19-324: 1588 Hazel Drive**

**Ward 9**  
**Kevin Conwell**  
**15 Notices**

Hazel-Magnolia LLC., owner, and Ohio RHO Chapter House LLC., tenant, propose to establish use as a fraternity house in an AA1 Limited One Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.01 which states that a Fraternity house is not permitted in a Limited One Family District but first permitted in a One Family District per Section 337.02(g)(1) if approved by the Board of Zoning Appeals after public notice and public hearing, and 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. (Filed December 26, 2019)

**POSTPONED FROM DECEMBER 9, 2019**

**9:30**

**Calendar No. 19-280: 3355 East 145<sup>th</sup> Street**

**Ward 1  
Joseph Jones  
21 Notices**

Gregory L. Jones, owner, proposes to establish a state licensed Residential facility for 10 residents at premises 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 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 which states that a residential facility for more than five persons is not permitted in a Two Family zoning district but first permitted in a Multi-Family zoning district per 337.08(g). Use of premises as Residential Facility in either zoning district is permitted only if parcel is more than 1,000 feet away from existing residential Facility. Proposed use is within 1,000 feet of 3 existing Residential facilities. (Close to Home Adult Group Home at 3427 E. 147<sup>th</sup> Street, Simmons Adult Group Home at 3274 E. 143<sup>rd</sup> Street and Wright Adult Family Home at 3324 East 140<sup>th</sup> Street). (Filed November 4, 2019-Testimony Taken) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW FOR TIME FOR THE APPELLANT TO MEET WITH THE COUNCILMAN.*

**POSTPONED FROM JANUARY 13, 2020**

**9:30**

**Calendar No. 19-300: 2193 Cornell Rd**

**Ward 6  
Blaine A. Griffin  
38 Notices**

Hemingway Development, prospective purchaser, (owners: Minnillo Family Partners, Mike Iammarino Investment Properties and Carmen Petrello) proposes to construct a new three story, 44 unit apartment building on five parcels to be consolidated in a C1 Multi-Family Residential Zoning District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b) states that depth of a rear yard in a Residence District shall not be less than 15% of the depth of the lot. In this case a 43 foot rear yard is required and a rear yard of 10 feet for the building and 21 feet 4 inches from the top floor is proposed.
2. Section 355.04 which states that the maximum gross floor area of a residential building in a "C" area district is limited to ½ the total lot area or in this case 17,281 square feet are permitted and 60,126 square feet are proposed. (Filed November 22, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO RESPOND TO FRONT SETBACK ISSUE. REVISED DRAWINGS WERE RECEIVED ON JANUARY 15, 2020 WHICH ELIMINATED FRONT YARD SETBACK, INTERIOR SIDE YARD, AND HEIGHT VARIANCES PER FINAL NOTICE OF NONCONFORMANCE ISSUED JANUARY 21, 2020.*