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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

MARCH 9, 2020

9:30

Calendar No. 20-029: 15432 St. Clair Avenue Ward 8
Michael D. Polensek
23 Notices

Demetrious Davis, owner, proposes to establish use as contractor storage of tools, materials and equipment in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.01 which states that the contractor's storage building is not permitted in a Local Retail Business District, first permitted in a Semi-Industry District. (Filed January 30, 2020)

9:30

Calendar No. 20-030: 573 E. 117 Street Ward 10
Anthony T. Hairston
15 Notices

MEGA City LLC, owner, proposes to change the use from a 4 dwelling unit apartment to an 8 dwelling unit apartment in a C3 Multi-Family Residential Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04(a) which states that 8 parking spaces are required at the rate of one per unit and 4 spaces are proposed.
2. Section 337.17 which states that each accessory off-street parking space shall have a minimum unobstructed area of three hundred (300) square feet. Where driveways are required to provide accessibility to the parking spaces, they shall have an unobstructed width of at least twenty (20) feet; the proposed parking spaces are only accessible from rear of property through another lot own by Pentecostal Temple.
3. Section 337.18 which states that accessory parking spaces, driveways and maneuvering shall be properly graded for drainage for water to drain within the lot and shall be hard surfaced.
4. Section 327.02(e) which states that a separate permit is required for fence; proposed fence extended beyond lot property line; type of fence and height not included.
5. Section 349.15 which states that 1 bicycle parking space required; none proposed. (Filed January 30, 2020)

9:30

Calendar No. 20-031: 2270 W. 19 Street Ward 3
Kerry McCormack
9 Notices

Chad Shultz and Reecha Kampani, owners, propose to install an air conditioning unit in the interior side yard of a residence in a D1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.09(b)(2)(B) of the Cleveland Codified Ordinances which states that air conditioning units are not permitted interior side yard encroachments. (Filed February 3, 2020)

9:30

Calendar No. 20-032: 9808-18 Cedar Ave.

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

Cleveland Clinic, owner, and Brooks Life Sciences, lessee, propose to erect a freezer storage building in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that a storage building is not permitted in a Local Retail Business but is first permitted in Semi-Industry 345.03(c)(33).
2. Section 349.04(j) which states that 1 parking space is required for each 2 employees expected to be on the premises during the largest work shift period or total parking area equivalent to 10% of the gross floor area whichever is greater.
3. Section 349.15 which states that bicycle parking spaces are required at the rate of one per twenty car parking spaces for the required additional parking; none proposed (Filed February 3, 2020)

9:30

Calendar No. 20-033: 3331-3343 W. 25th Street

**Ward 14
Jasmine Santana
25 Notices**

CCH Development, owner, and NRP Properties propose to erect a 4 story 72 unit apartment building in a C1 Industrial Research Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that a 60' setback is required; 10' setback is proposed.
2. Section 349.04 which states that 72 parking spaces are required at the rate of one per unit; 38 spaces proposed.
3. Section 349.15 which states that 4 bicycle parking spaces required; none proposed.
4. Section 341.02(b) which states that CPC approval is required. (Filed February 4, 2020)

9:30

Calendar No. 20-035: 3660 Bosworth Road

**Ward 11
Brian Mooney
17 Notices**

Albar Perez, owner, proposes to establish Recovery Housing for 5 residents 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 340.01(A)(3) which states that "Recovery Housing" means housing for individuals recovering from alcoholism or drug addiction that provides an alcohol and drug-free living environment, peer support, assistance with obtaining alcohol and drug addiction services, and other alcoholism and drug recovery assistance.
2. Section 337.02(g)(3)(D) which states that Homes "primarily for the care of drug or liquor patients" are specifically not permitted in One or Two Family Districts. (Filed February 5, 2020)

POSTPONED FROM FEBRUARY 3, 2020

9:30

Calendar No. 19-322:

10601 Union Ave

Ward 4

Kenneth L. Johnson

17 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-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE CITY PLANNING COMMISSION TO ALLOW TIME FOR A COMMUNITY MEETING.*

AFFIRMATION HEARING
EXTENDING VARIANCE RIGHTS 6 MONTHS:

9:30

Calendar No. 17-67:

3155 E. 68 Street

Ward 5

Phyllis E. Cleveland

37 Notices

THIS VARIANCE CASE WAS CONDITIONALLY GRANTED ON JULY 3, 2017. THE APPELLANT IS REQUESTING TO EXTEND HIS VARIANCE RIGHTS AN ADDITIONAL 6 MONTHS; TO DATE THE APPELLANT HAS NOT FULLY COMPLIED WITH CONDITIONS AND OR ACQUIRED THE PROPER PERMITS. THE BOARD IS HOLDING A PUBLIC HEARING TO CONSIDER INPUT FROM THE APPELLANT AND THE COMMUNITY REGARDING THE EXTENSION/AFFIRMATION.

Halmarnie Inc., owner, proposes to establish use for outside storage/stockpiling of dirt and rock and accessory rock crushing in a B2 Semi-Industry District and a B3 General Industry Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03 which states that rock, concrete crushing not permitted in Semi-Industry District; first permitted in General Industry District as a conditional use and requires BZA approval per 345.04(b)(15)
2. Section 345.03 which states that open yard storage of used material (concrete) must be more than 500 feet from Residential District.
3. Section 345.03(c) which states that outside, open yard storage/stockpiling of dirt/top soil/rock/dusty materials is not among permitted listed uses in Semi-Industry District; first specifically listed in General Industry district.
4. Section 345.03(c)(33) which states that any material stored in unclosed premises to a height greater than four feet above grade level shall be surrounded by a substantial seven feet height wall or fence erected to observe all required building lines.
5. Section 347.05 which states that No space for the storage or distribution of coal, cinders, stone, slag, sand, cement, or similar dust-producing material shall be located less than three hundred (300) feet from a Residence District, Local Retail Business District or General Retail

Business District, except where the dust, smoke, odor, noise and vibration therefrom will effectively be confined to the premises. Property for proposed use is adjacent to Two Family Residential District and less than 300' from Multi-Family District.

6. 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. (Filed March 13, 2017)

POSTPONED FROM FEBRUARY 24, 2020

9:30

Calendar No. 20-014:

**Appealing City Planning Commission
Decision regarding 4705 Bridge Ave.**

Ward 3

Kerry McCormack

B.R. Knez Construction, Inc., appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the Cleveland City Planning Commission rendered on December 20, 2019 to deny the appellant's proposed use and design for a townhouse in Two-Family District. (Filed January 17, 2020- No Testimony) FIRST POSTPONEMENT MADE AT THE REQUEST OF THE CITY PLANNING COMMISSION DIRECTOR IN ORDER FOR COMMISSION MEMBER TO BE PRESENT.