



BOARD OF ZONING APPEALS
601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071

<https://planning.clevelandohio.gov/bza/cpc.html>

216.664.2580

AUGUST 22, 2022

Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings in a using the WebEx Platform. 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>

Or https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

In order to keep the WebEx session manageable, we are asking individuals that wish to participate in the meeting to contact the Board of Zoning Appeals office by phone or email by noon on August 19, 2022. 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 Board of Zoning Appeals office and request at 216-664-2580. You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

Calendar No. 22-139:

3081 West 14 St.

Ward 3

Kerry McCormack

Anthony Tuleta, owner, proposes to install 104 linear feet of six foot high wood fence, and 102 linear feet of four foot high wood fence in a K2 Limited Retail Business. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.05(a)(2) which states in Non-Residential Districts other than General and Unrestricted Industry Districts, fence in actual front yards and in side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open above two (2) feet in height. Opaque fence at heights of four feet and six feet are proposed in actual front yard and side street yard.

Calendar No. 22-141:

2117 W. 33rd St.

Ward 3

Kerry McCormack

Jasmine O'Reilly, owner, proposes to construct a two story home addition and new garage with recreational room above in a B1 Two-Family Residential. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.09 which states that the building minimum distance to a property shall be 3 feet where 2 feet and 2 feet 7 inches are proposed. This section also states that the minimum distance between main buildings on adjoining lots shall be 6 feet and the building on the adjacent lot is approximately 3 feet 9 inches away.

Calendar No. 22-142:

3605-07 Denison Avenue.

Ward 12

Rebecca Maurer

Elena Bedea, proposes to establish use as Residential Facility for five occupants in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 325.571 which states "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 Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. 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 not permitted if located less than one thousand (1,000) feet from another residential facility. Proposed Residential Facility use is within one thousand (1,000) feet from another Residential Facility at 3611 Denison Avenue.

Calendar No. 22-143:

3360 West 86 St.

Ward 14

Jasmine Santana

Jolynn Isaac, owner, proposes to install solid, 5 ½ foot tall fence in side street yard of a parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following section of the Cleveland Codified Ordinances:

1. Section 358.04 (a) which states that fences in actual side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open, except that, in an actual side street yard, a fence that is set back at least four (4) feet from the side street property line may be a maximum of six (6) feet in height and may be open or solid. Proposed solid, 5 ½-foot high fence to be 18 inches from side street property line. (Filed July 28, 2022)

POSTPONED FROM AUGUST 1, 2022

Calendar No. 22-123:

12101 Union Avenue.

**Ward 4
Deborah Gray**

Union Social Center, proposes to change use from hair salon to multi-purpose center for classes and assembly use 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 359.01(a) which states the proposed use is not permitted in Two Family Residential District. A use of building or land for which a permit has been lawfully issued, may be continued even though such use does not conform to the provisions of this Zoning Code for the use district in which it is located, but no enlargement or expansion shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use. (Filed June 21, 2022 – Testimony Taken) POSTPONED AT THE REQUEST OF THE COUNILWOMAN FOR FURTHER REVIEW.