



CITY OF CLEVELAND  
Mayor Justin M. Bibb

**BOARD OF ZONING APPEALS**

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

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

216.664.2580

**AUGUST 29, 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/UCB8ql0JrhmpYIR1OLY68bw/>

**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 26, 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](mailto:ekukla@city.cleveland.oh.us).**

**Calendar No. 22-144:**

**1720-36 Columbus Avenue.**

**Ward 3  
Kerry McCormack**

Go Life Columbus Oz Project, LLC, owner proposes to redevelop and establish use of existing four story building for 45 apartments and 9,537 square feet space on 1<sup>st</sup> floor for retail use in a K4 Semi-Industry District and an Urban Form Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 348.04 (d)(4)(A) which states that existing buildings in an Urban Form Overlay District are required to provide a minimum of 25% of the required accessory off- street parking spaces listed in section 349.04 of the Cleveland zoning code. 45 residential dwelling units would require 45 spaces, reduced to 12 spaces. 9,537 square feet of retail (non-restaurant) floor space would require 20 parking spaces, reduced to 5 spaces. 17 total accessory off street parking spaces are required, 5 are provided.

**Calendar No. 22-145:**

**2147 W 20<sup>th</sup> Street.**

**Ward 3**

**Kerry McCormack**

2153 LLC, proposes to erect 23' x 40' three story frame single family residence (bedrooms in the basement) with detached gable garage in a D1 Two-Family Residential. The owner appeals for relief from the strict application of the following sections of the codified ordinances:

1. Section 353.05 which states the required distance of garage from dwelling on adjoining lot is 14' and the appellant is proposing 7'.
2. Section 355.04(b) which states in the Maximum Gross Floor area shall not exceed 50 percent of lot size of or in this case, 1,906 square feet and the appellant is proposing 2,910 square feet.
3. Section 357.13 (c) which states that window wells are not a permitted interior sideyard encroachment.

**Calendar No. 22-146:**

**1242 W. 65<sup>th</sup> St.**

**Ward 15**

**Jenny Spencer**

Jason Nehez, proposes to install front yard deck and front yard wooden fence 3'-4" high 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 358.04 (a) which states that a fences in required front yard area shall be at least 4' in height & 50 percent open.
2. Section 357.13 (b) which states open front porches and decks cannot project more than 8 feet and the appellant is proposing 10 feet.
3. Section 358.03(a) which states that a fence running 15 feet parallel to a driveway shall not exceed 2'-6" in height and shall be 75 percent open.

**Calendar No. 22-153:**

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

**Ward 3**

**Kerry McCormack**

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 section of the Cleveland Codified Ordinances:

1. Section 337.23 (a)(6) (C) which states 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 7,560 square foot lot, a maximum 1,030 square foot garage is permitted 1,140 square foot garage is proposed. Lots must also be consolidated. (Filed August 11, 2022)

**REINSTATED FROM JULY 25, 2022**

**9:30**

**Calendar No. 22-053:**

**1807 Auburn Ave.**

**Ward 3**

**Kerry McCormack**

Guardian City Investments, owner, proposes to change use of existing two-family residents to a two story three family residence in a C1 Multi-Family residential district.

1. Section 349.04 which states that 3 off street parking spaces are required at one space per unit and the appellant is proposing 0.
2. Section 355.04 (a) which states that the required minimum lot area is 7,200 square feet and the appellant is proposing 2,582. This code section also states that the maximum gross floor area shall not be greater than 50% of the lot size or in this case 1,291 square feet and the appellant is proposing 2,296 square feet. (Filed April 4, 2022-No Testimony)*First postponement made at the request of the Councilman to allow time for further review. Second postponement made at the request to the appellant. Dismissed July 25 due to appellant's unexplained absence but was reinstated on August 29 because the absences was due to a death in the family.*

**POSTPONED FROM JULY 25, 2022**

**Calendar No. 22-122:**

**12808 Bellaire Rd.**

**Ward 11**

**Brain Mooney**

Somali Bantu Community Cooperation of Cleveland Inc., owner, proposes to establish use as community center with an occupancy of 223 persons in a C1 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(a) which states Local Retail Business District allows uses as permitted and regulated in the Muti-Family Residential District. Per Section 337.08(a) and 337.02(g)(3)(B), Community Center Use requires approval by the Board of Zoning Appeals to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such building and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.
2. Section 349.04(e) which states that accessory off street parking is required at the rate of 1 for each 150 square feet of gross floor area, plus 1 for each employee. Twenty-seven parking spaces plus one per employee are required; 18 parking spaces are proposed.
3. Section 349.05(a) which states parking is not permitted within 10 feet of wall of residential building
4. Section 349.07(c)(3) which states maximum width of driveway is 30 feet; continuous 120' driveway proposed.
5. Section 349.08 which states parking of more than 5 spots must be screened from adjacent residence.
6. Section 343.18(b) which states driveway must be 15' from property line; driveways extend to side property line.
7. Section 352.08-10 which states a six foot wide landscape strip screening parking from street is required, none provided. A 10 foot wide landscape transition strip providing 75% year round opacity is required where proposed use abuts Residential District to the rear: none provided.
8. NOTE: LOT CONSOLIDATION IS REQUIRED (Filed June 16, 2022 –Testimony taken)  
*POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW TIME FOR COMMUNITY REVIEW.*

