



Cleveland Board of Zoning Appeals

Monday August 29, 2022

**** PLEASE MUTE YOUR MICROPHONE ****

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

Cleveland Board of Zoning Appeals

August 29, 2022

Preamble

IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF THE CITY'S OPEN MEETING LAW, AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

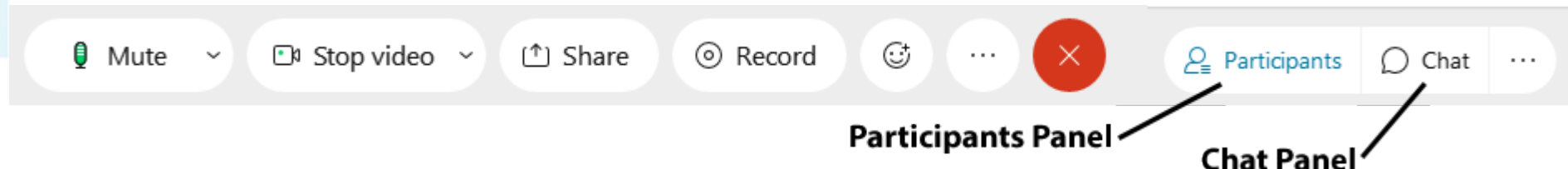
ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK. WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.



CALL-IN USERS CAN UNMUTE BY USING *6



Cleveland Board of Zoning Appeals

August 29, 2022

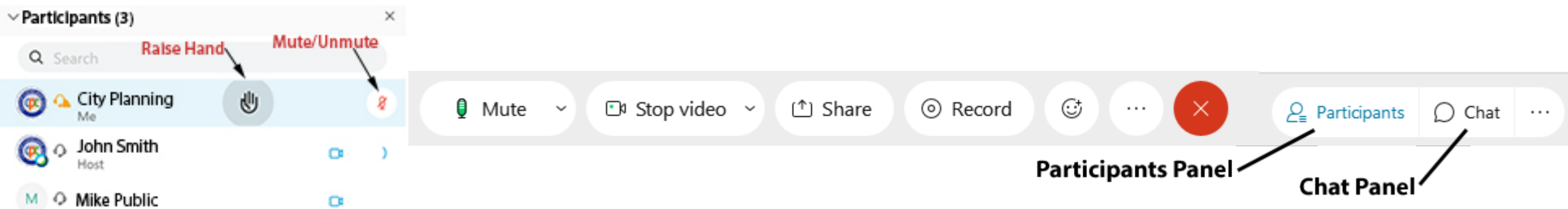
Preamble

ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WEBEX PLATFORM.
THESE PROCEEDINGS ARE ALSO BEING LIVE STREAMED VIA YOUTUBE FOR PUBLIC VIEW.

WE HAVE PROVIDED A LINK TO THE MEETING FOR THOSE WHO WISH TO SPEAK ON A PARTICULAR CASE VIA OUR WEBSITE AND EMAIL.

ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER HAVE BEEN CONSIDERED.

WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN COMMENT ON A PARTICULAR MATTER.



Cleveland Board of Zoning Appeals

Call to Order & Roll Call



Cleveland Board of Zoning Appeals

Postponements/Withdrawals





Postponements

Calendar No. 22-145:

2147 W 20th Street.

Ward 3

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 side yard encroachment.

Cleveland Board of Zoning Appeals

Public Hearing



Public Hearing

Calendar No. 22-144:

1720-36 Columbus Avenue.

Ward 3

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 1st 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.



Public Hearing

Calendar No. 22-144:

1720-36 Columbus Avenue.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.



HISTORY OF THE PROPERTY





LEGAL STANDARD

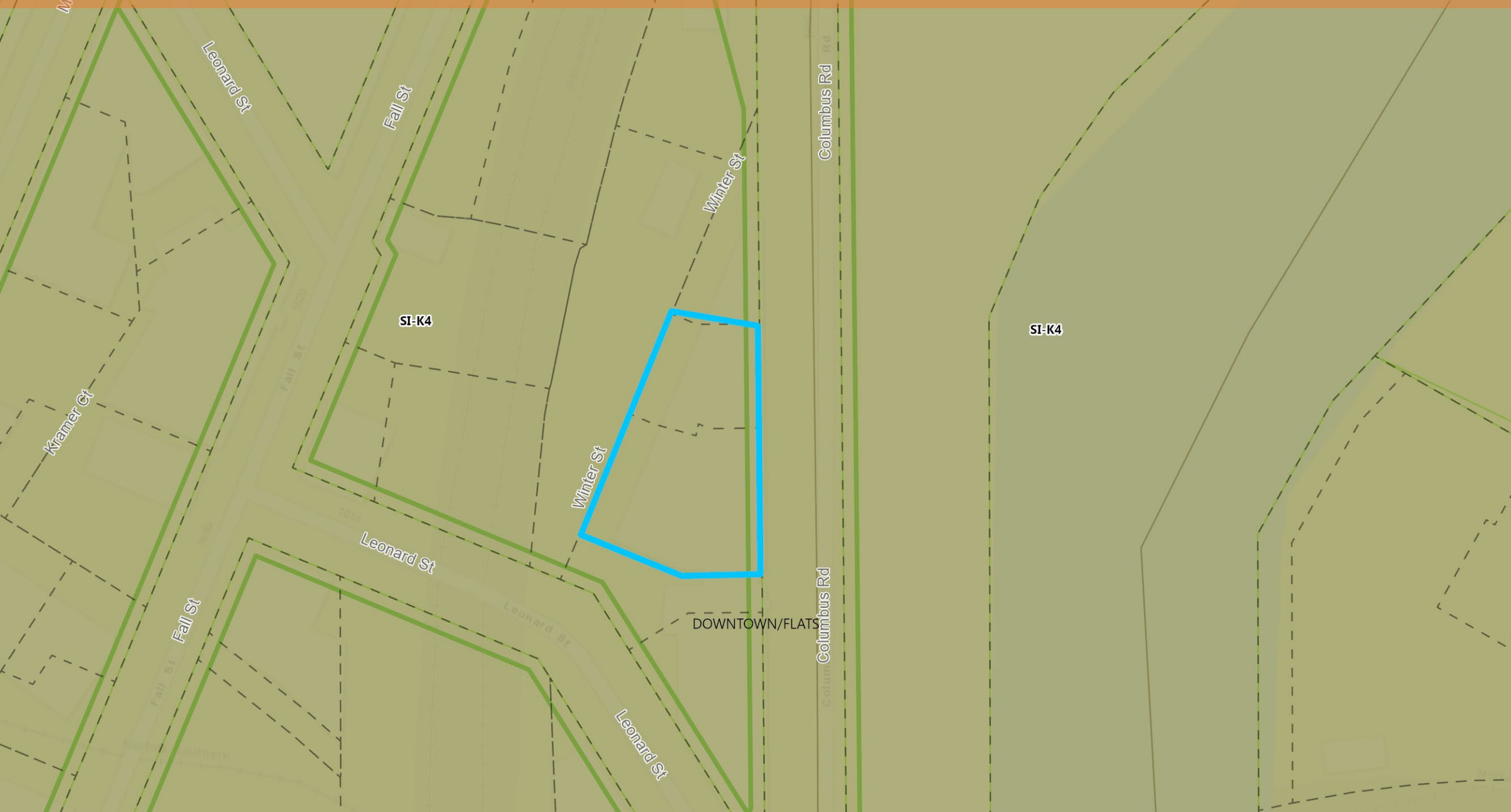
Madam Chair, Members of the Board, Appellant is requesting an area variance from the parking regulations of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.







1720-1736 COLUMBUS ROAD - THE PINE



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1720-1736 COLUMBUS ROAD

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PROJECT LOCATION



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glazing percentage:

1ST STORY 3'-8" ABOVE GRADE:	890 SQ FT
1ST STORY GLAZING 3'-8" ABOVE GRADE:	515 SQ FT
PERCENTAGE OF GLAZING:	57.9%

FIRST-STORY GLAZING, NON-RESIDENTIAL;
PRINCIPAL AND SECONDARY STREET: 15% MIN. OF THE FRONTAGE BUILDOUT BETWEEN 3' AND 8' ABOVE GRADE (EXCLUDING STREETSCREENS) SHALL BE TRANSPARENT WINDOWS AND DOORS

FIRST-STORY GLAZING, RESIDENTIAL;
PRINCIPAL AND SECONDARY STREET: 45% MIN. OF THE FRONTAGE BUILDOUT BETWEEN 3' AND 8' ABOVE GRADE SHALL BE TRANSPARENT WINDOWS AND DOORS

general zoning information:

ADDRESS:	1120, 1130 & 1136 COLUMBUS ROAD
PARCEL NUMBER:	101-17-009, 101-17-010
EXISTING ZONING CLASSIFICATION/DISTRICT:	SI (PENDING)
PROPOSED ZONING CLASSIFICATION/DISTRICT:	SI
EXISTING HEIGHT DISTRICT:	K4
PROPOSED HEIGHT DISTRICT:	K4
COMMERCIAL OVERLAY:	URBAN FORM OVERLAY
TOTAL SITE AREA:	0.4218 ACRES

general project information:

EXISTING ZONING MAXIMUM BUILDING HEIGHT:	115'
PROPOSED ZONING MAXIMUM BUILDING HEIGHT:	115'
PROPOSED BUILDING HEIGHT:	52'
BUILDING USE:	RESIDENTIAL, RETAIL, BUSINESS
BUILDING AREA:	54,865 SF
NUMBER OF DWELLING UNITS (RESIDENTIAL ONLY):	45
PROPOSED REFUSE SERVICE (RESIDENTIAL ONLY):	PRIVATE
PROPOSED REFUSE CAPACITY (RESIDENTIAL ONLY):	16 CY

site data table:

TOTAL SITE AREA:	0.4218 ACRES
TOTAL DISTURBED AREA:	0.4218 ACRES
PRE-DEVELOPED IMPERVIOUS:	0.4218 ACRES
POST-DEVELOPED IMPERVIOUS:	0.4218 ACRES
UNITS PER ACRE:	106.7

parking calculation:

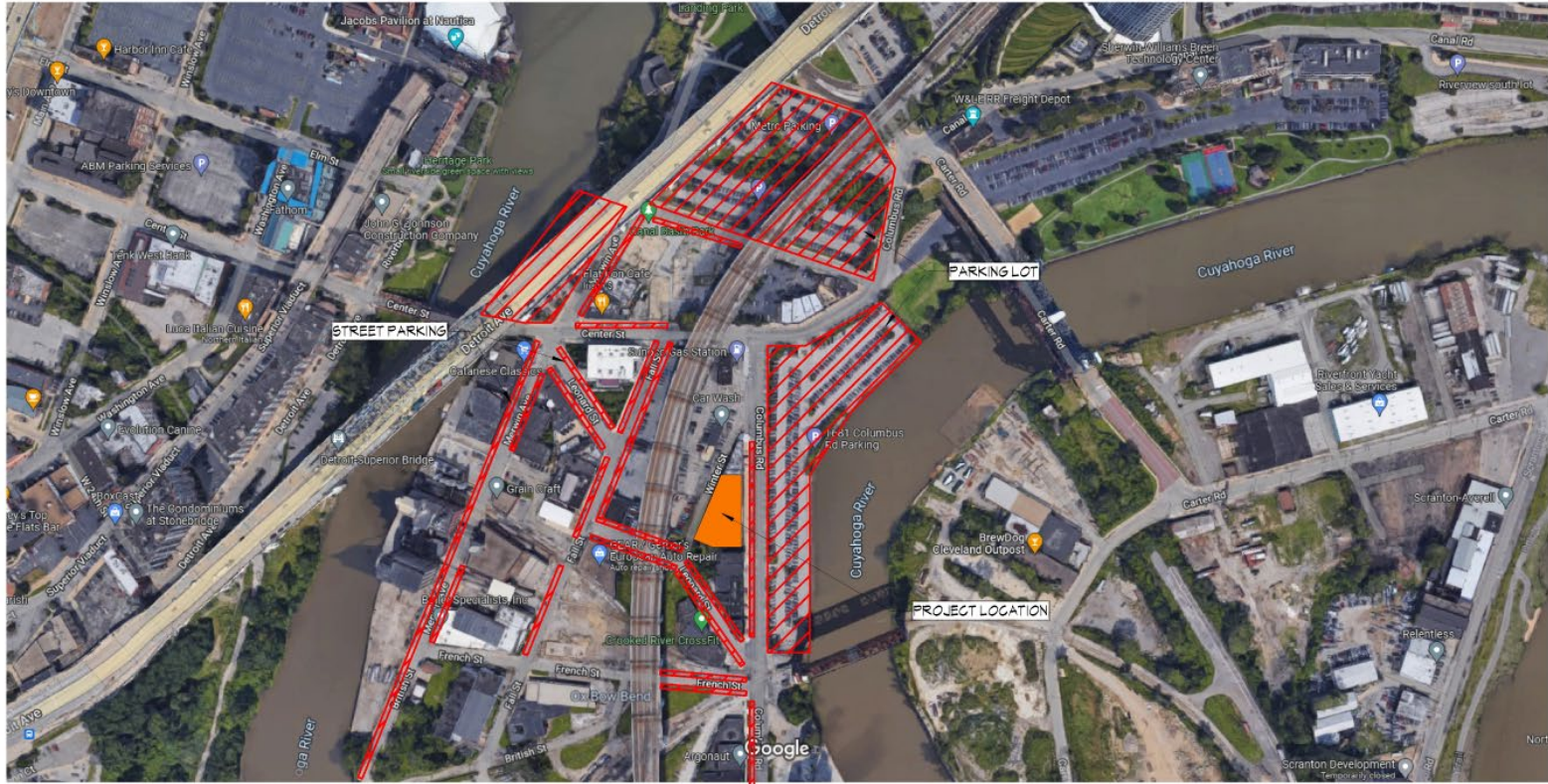
REQUIRED RESIDENTIAL PARKING (1 PER UNIT @ 45 UNITS x 25%):	12 SPACES
PROPOSED RESIDENTIAL PARKING:	5 SPACES
REQUIRED COMMERCIAL (RETAIL) PARKING (1 PER 500 SF @ 9,537 SF x 25%):	5 SPACES
PROPOSED COMMERCIAL PARKING:	0 SPACES
REQUIRED ADA PARKING (VAN/TOTAL):	1 SPACE
PROPOSED ADA PARKING (VAN/TOTAL):	1 SPACE
TOTAL SPACES MIN. NEEDED:	17 SPACES
TOTAL SPACES PROVIDED:	5 SPACES

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EXHIBIT 041316.MXD

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200 ft

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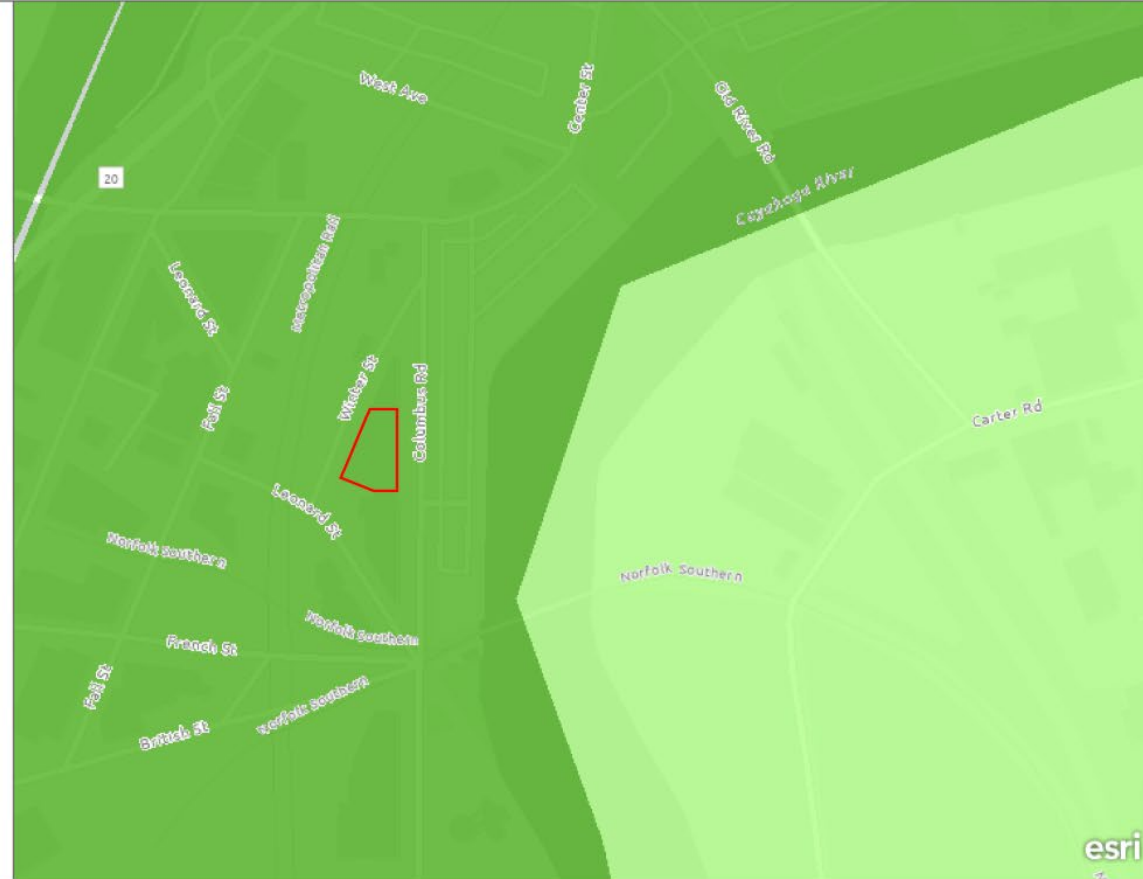
National Walkability Index

Walkability Index

National Walkability Index

Walkability Index

- 1 - 5.75 (Least Walkable)
- 5.76 - 10.50 (Below Average Walkable)
- 10.51 - 15.25 (Above Average Walkable)
- 15.26 - 20 (Most Walkable)



esri

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LEGEND

- Bus Route
- One-Way Service
- Bus Route (Limited Service)
- Bus Route Number
- Rapid Transit Route
- Rapid Station
- HealthLine Route (HL)
- Free Parking Available
- Transit Center
- Government
- High School
- College / University
- Library
- Church
- Park
- Hospital
- Airport
- Shopping
- Museum
- Hotel
- Theater
- Other Point of Interest
- State Highway
- Interstate Highway
- U.S. Highway

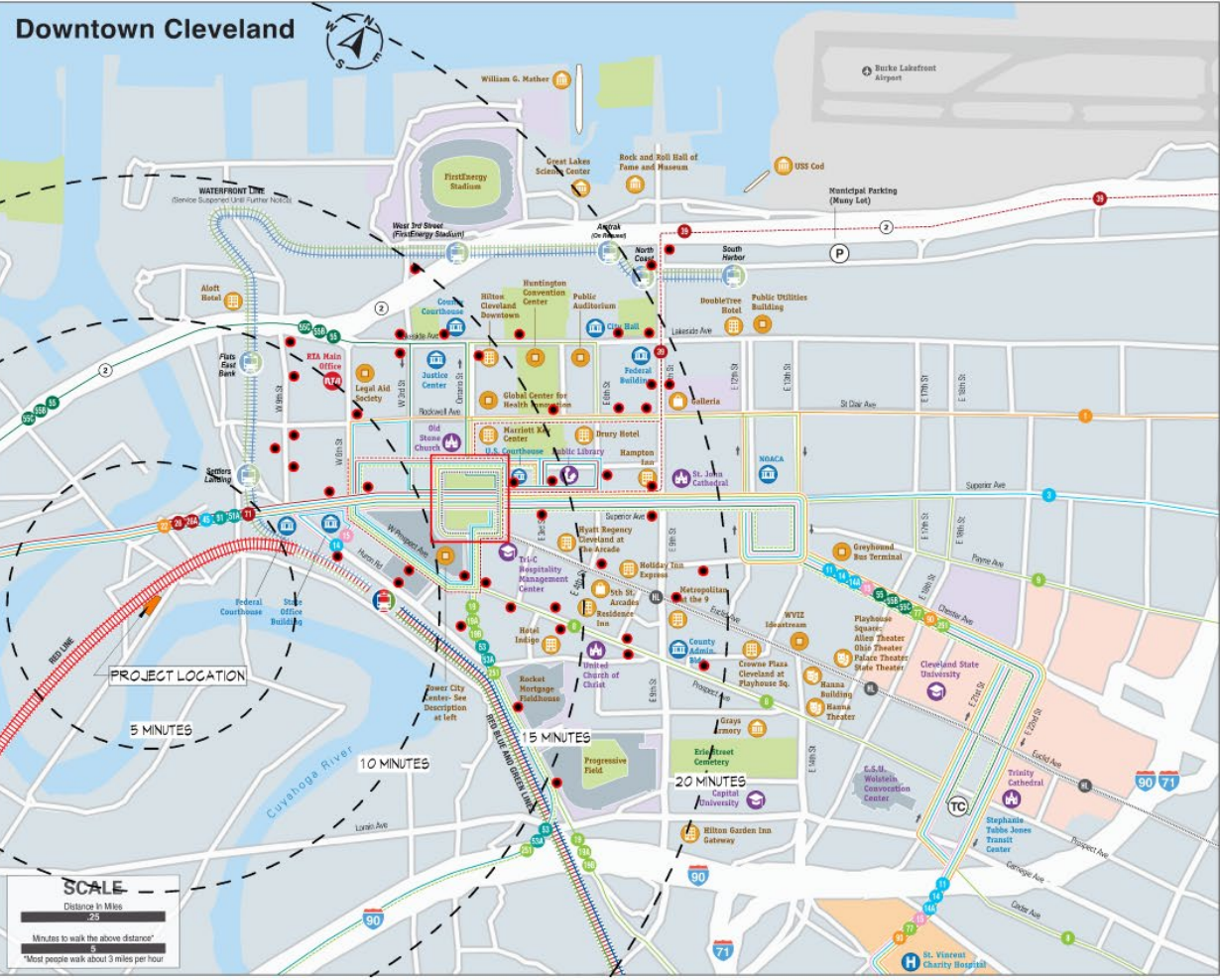
TOWER CITY CENTER

Tower City Center is a shopping and office complex. It provides indoor access to the Renaissance and Ritz Carlton hotels, the Federal Courthouse, and the Jack Casino. The Gateway Walkway provides an indoor connection from Tower City to Rocket Mortgage Fieldhouse.

Tower City is the hub of RTA rail service. All rail lines stop there. In addition, RTA's Customer Service Center and Fare Sales Counter are located in the Renaissance of Tower City, on the station platform level.

All downtown RTA bus routes operate near Tower City.

BUS STOPS



SCALE

Distance in Miles
 0 25

Minutes to walk the above distance*
 0 5 10 15 20

*Most people walk about 3 miles per hour

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Greater Cleveland Regional Transit Authority - System Map - Downtown - September 2021

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RTA
Greater Cleveland Regional Transit Authority

Weekday 5:55day

1: St. Clair 2: East 79 3: Superior HealthLine 7-7A Monticello 8: Cedar - Buckeye 9: Mayfield - Hough 10: East 105 - Lakeshore 11: Qui

Switch Map ↗

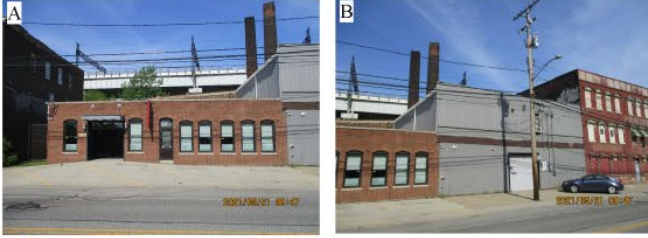
PROJECT LOCATION

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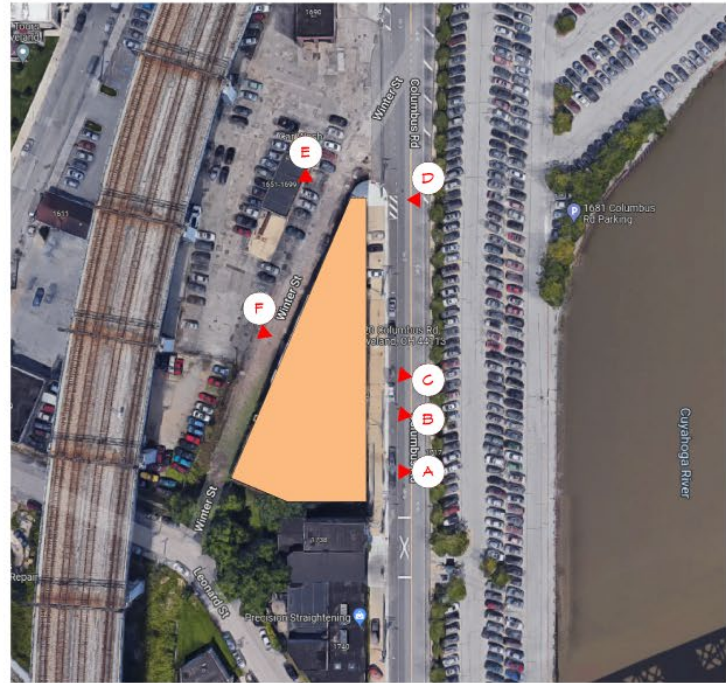
VIEW OF FRONT OF BUILDING FROM COLUMBUS ROAD



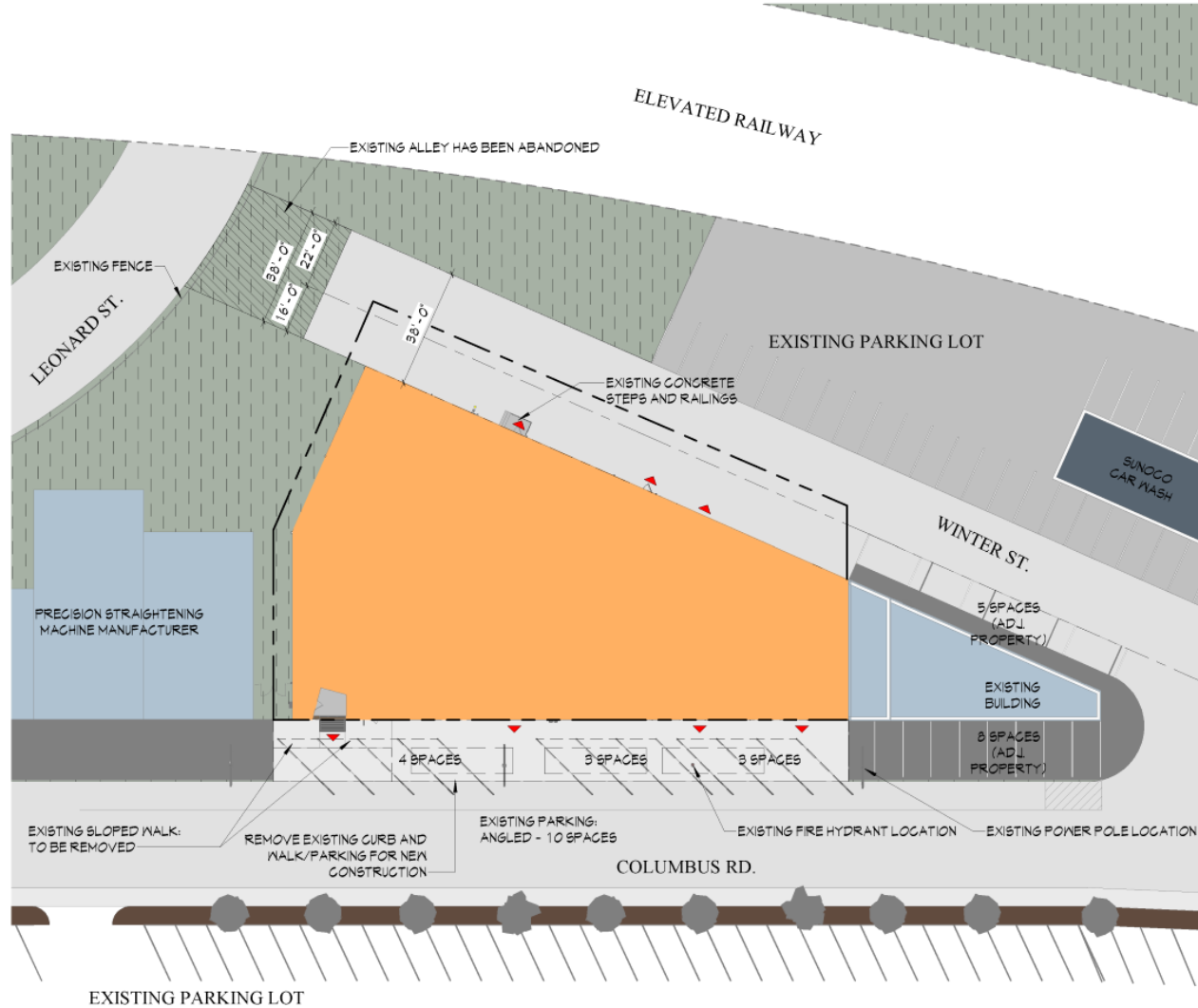
VIEW OF REAR OF BUILDING FROM WINTER STREET



AERIAL VIEW OF FRONT OF BUILDING



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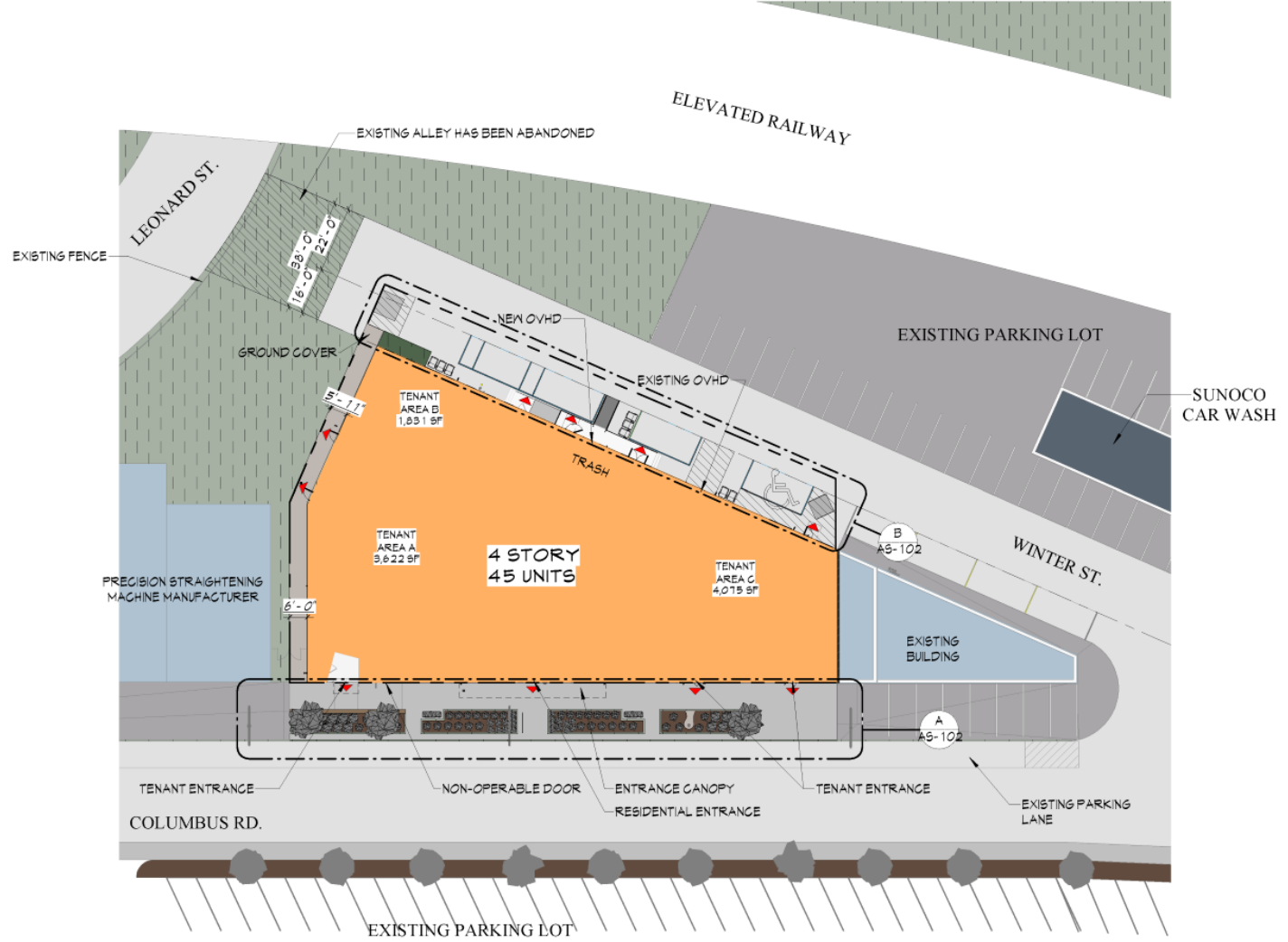


EXISTING 1/4" = 1'-0"

existing architectural site plan

1/32" = 1'-0"

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architectural site plan 1/32" = 1'-0"

THE PINE

1720-1736 COLUMBUS RD
CLEVELAND, OH 44113
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BZA
PRESENTATION

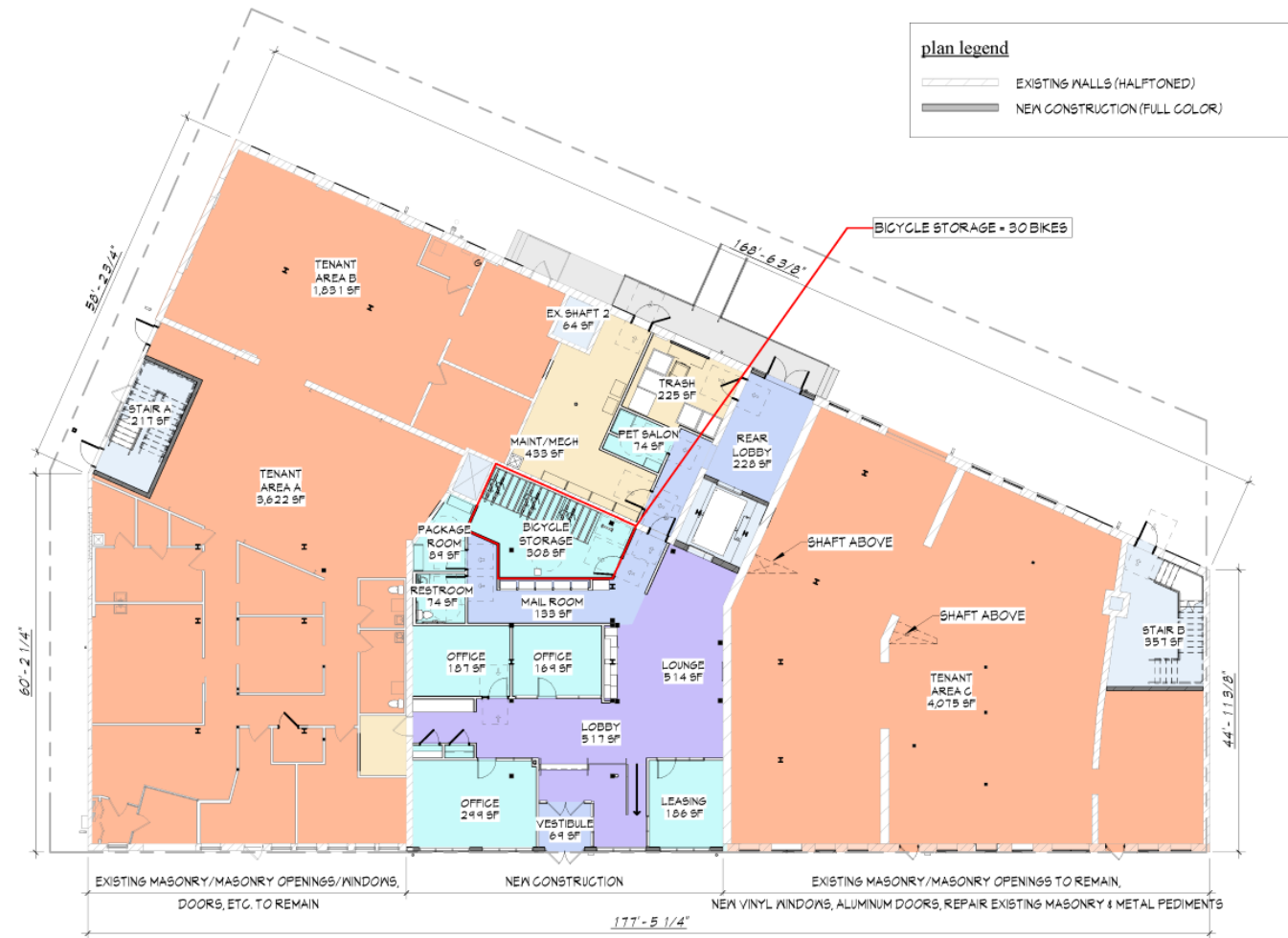
DATE: 08/24/2022
PROJECT #: 21142

PROPOSED SITE
PLAN

AS-101

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P 614.521.1114 berardi@berardi.com

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first floor plan 1/16" = 1'-0"

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second floor plan 1/16" = 1'-0"

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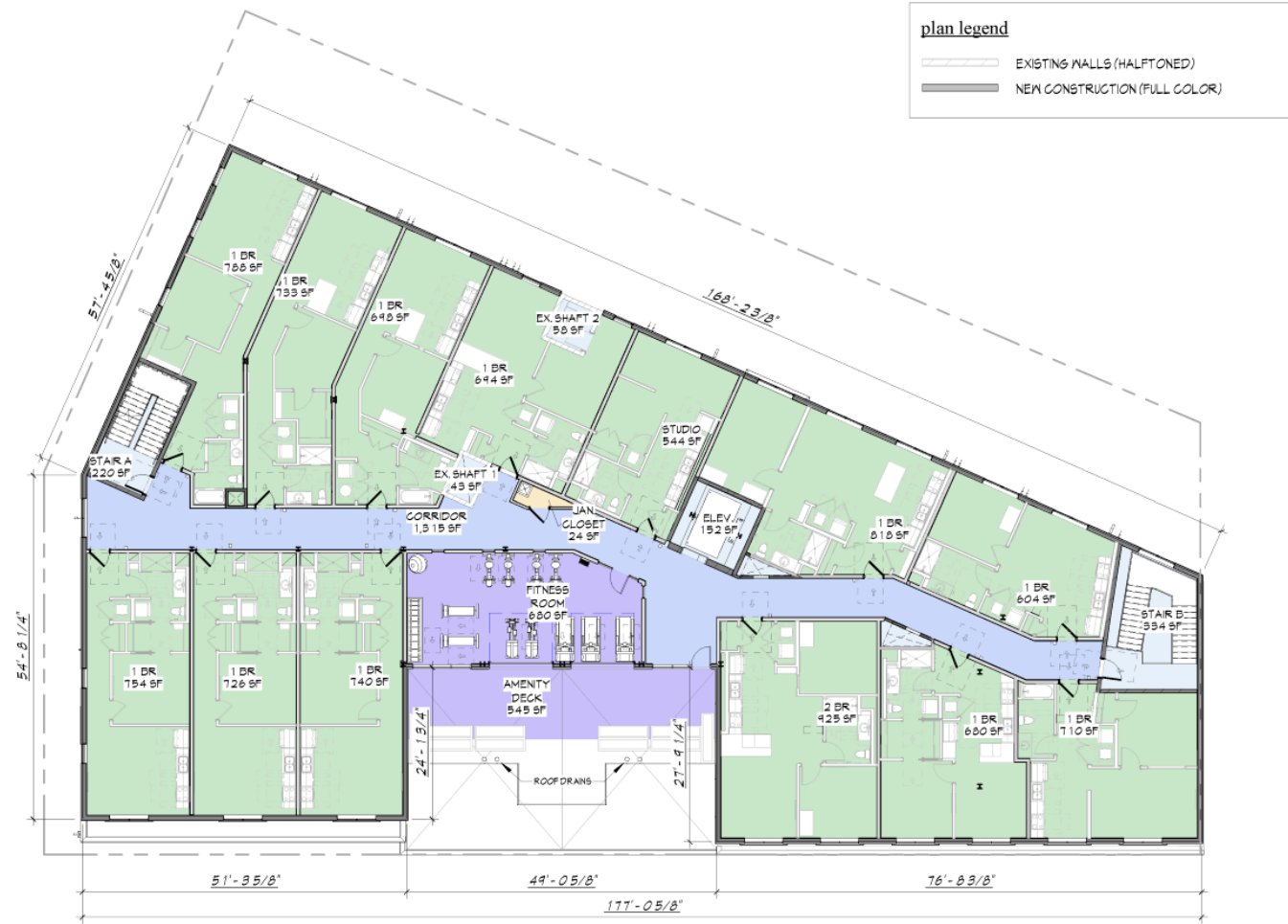


third floor plan 1/16" = 1'-0"

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












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fourth floor plan 1/16" = 1'-0"

EX-2015-14638-NX

exterior material legend

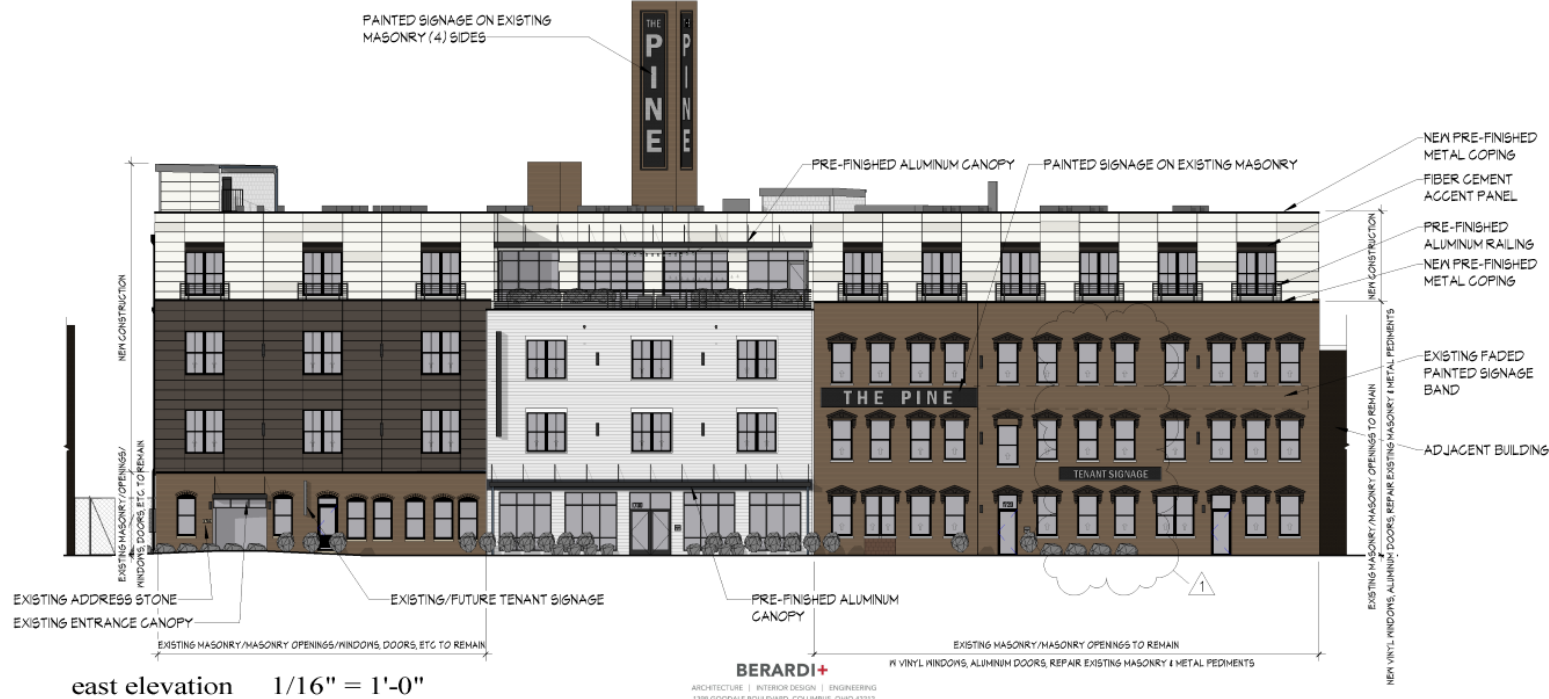
- | | | | |
|---|--|---|---|
|  | JAMES HARDIE PLANK LAP SIDING - ARCTIC WHITE |  | METAL COPING - COLOR BLACK |
|  | NICHIHA FIBER CEMENT ARCHITECTURAL PANEL SYSTEM:
90% SEMI-GLOSS SHERWIN-WILLIAMS HIGH REFLECTIVE WHITE
10% HIGH-GLOSS SHERWIN-WILLIAMS SPARE WHITE |  | SCUPPERS & DOWNSPOUTS - COLOR BLACK |
|  | NICHIHA FIBER CEMENT ARCHITECTURAL PANEL SYSTEM:
SHERWIN-WILLIAMS BLACK FOX |  | MAPLE LUMINA SHADE ENTRY CANOPIES - COLOR BLACK |
|  | NICHIHA FIBER CEMENT PANEL SYSTEM (ACCENT PANEL) -
RIBBED PANEL: SHERWIN-WILLIAMS BLACK FOX |  | ALUMINUM STOREFRONT SYSTEM & OVERHEAD GARAGE
DOORS - COLOR BLACK |
|  | CONCRETE MASONRY UNIT - PAINTED SHERWIN WILLIAMS BLACK
FOX *COLOR TO BE VERIFIED AFTER FINAL MASONRY CLEANING |  | V15R-F ILLUMINATING ALUMINUM RAILINGS - COLOR BLACK |
|  | MODULAR BRICK IN RUNNING BOND PATTERN -
EXISTING TO BE RESTORED |  | PAINT FOR EXISTING PEDIMENTS - COLOR SHERWIN-
WILLIAMS BLACK FOX |
|  | QUAKER MANCHESTER VINYL WINDOWS - COLOR BLACK |  | HVAC VENTS IN BRICK & DARK PANELS - DARK BRONZE |
| | |  | HVAC VENTS IN WHITE PANELS - WHITE |

exterior lighting

-  WALL SCONCE RECTANGULAR - COLOR BLACK
-  DOWNLIGHT IN CANOPY - COLOR BLACK
-  WALL SCONCE (REAR ONLY) - COLOR BLACK
-  REMOTE HEAD @ EGRESS DOORS - COLOR BLACK
-  UPLIGHTS (AT 4TH FLOOR) - NOT VISIBLE
-  UPLIGHTS (ON ROOF FOR CHIMNEY SIGNAGE) - NOT VISIBLE
















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 16 ANNOUNCING (2) 02/27/2022 08:46 AM LOCAL PROJECT (0) 0/0/000 0.00 ANCHORAGE, ALASKA. ALL RIGHTS RESERVED. ABOUT 15. 4/27/2018 08:46 AM

03/23/2022 10:56 AM



east elevation 1/16" = 1'-0"

exterior material legend

	JAMES HARDIE PLANK LAP SIDING - ARCTIC WHITE		METAL COPING - COLOR BLACK
	NICHHA FIBER CEMENT ARCHITECTURAL PANEL SYSTEM: 90% SEMI-GLOSS SHERWIN-WILLIAMS HIGH REFLECTIVE WHITE 10% HIGH-GLOSS SHERWIN-WILLIAMS SPARE WHITE		SCUPPERS & DOWNSPOUTS - COLOR BLACK
	NICHHA FIBER CEMENT ARCHITECTURAL PANEL SYSTEM: SHERWIN-WILLIAMS BLACK FOX		MAPES LUMINSHADE ENTRY CANOPIES - COLOR BLACK
	NICHHA FIBER CEMENT PANEL SYSTEM (ACCENT PANEL) - RIBBED PANEL: SHERWIN-WILLIAMS BLACK FOX		ALUMINUM STOREFRONT SYSTEM & OVERHEAD GARAGE DOORS - COLOR BLACK
	CONCRETE MASONRY UNIT- PAINTED SHERWIN WILLIAMS BLACK FOX *COLOR TO BE VERIFIED AFTER FINAL MASONRY CLEANING		V15R-P ILLUMINATING ALUMINUM RAILINGS - COLOR BLACK
	MODULAR BRICK IN RUNNING BOND PATTERN - EXISTING TO BE RESTORED		PAINT FOR EXISTING PEDIMENTS - COLOR SHERWIN-WILLIAMS BLACK FOX
	QUAKER MANCHESTER VINYL WINDOWS - COLOR BLACK		HVAC VENTS IN BRICK & DARK PANELS - DARK BRONZE
			HVAC VENTS IN WHITE PANELS - WHITE
















exterior lighting

	WALL SCONCE RECTANGULAR - COLOR BLACK
	DOWNLIGHT IN CANOPY - COLOR BLACK
	WALL SCONCE (REAR ONLY) - COLOR BLACK
	REMOTE HEAD @ EGRESS DOORS - COLOR BLACK
	UPLIGHTS (AT 4TH FLOOR) - NOT VISIBLE
	UPLIGHTS (ON ROOF FOR CHIMNEY SIGNAGE) - NOT VISIBLE



west elevation 1/16" = 1'-0"

exterior material legend

	JAMES HARDIE PLANK LAP SIDING - ARCTIC WHITE		METAL COPING - COLOR BLACK
	NICHHA FIBER CEMENT ARCHITECTURAL PANEL SYSTEM: 90% SEMI-GLOSS SHERWIN-WILLIAMS HIGH REFLECTIVE WHITE 10% HIGH-GLOSS SHERWIN-WILLIAMS SPARE WHITE		SCUPPERS & DOWNSPOUTS - COLOR BLACK
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	NICHHA FIBER CEMENT PANEL SYSTEM (ACCENT PANEL) - RIBBED PANEL: SHERWIN-WILLIAMS BLACK FOX		ALUMINUM STOREFRONT SYSTEM & OVERHEAD GARAGE DOORS - COLOR BLACK
	CONCRETE MASONRY UNIT - PAINTED SHERWIN WILLIAMS BLACK FOX *COLOR TO BE VERIFIED AFTER FINAL MASONRY CLEANING		V15R-P ILLUMINATING ALUMINUM RAILINGS - COLOR BLACK
	MODULAR BRICK IN RUNNING BOND PATTERN - EXISTING TO BE RESTORED		PAINT FOR EXISTING PEDIMENTS - COLOR SHERWIN- WILLIAMS BLACK FOX
	QUAKER MANCHESTER VINYL WINDOWS - COLOR BLACK		HVAC VENTS IN BRICK & DARK PANELS - DARK BRONZE
			HVAC VENTS IN WHITE PANELS - WHITE

exterior lighting

	WALL SCONCE RECTANGULAR - COLOR BLACK
	DOWNLIGHT IN CANOPY - COLOR BLACK
	WALL SCONCE (REAR ONLY) - COLOR BLACK
	REMOTE HEAD @ EGRESS DOORS - COLOR BLACK
	UPLIGHTS (AT 4TH FLOOR) - NOT VISIBLE
	UPLIGHTS (ON ROOF FOR CHIMNEY SIGNAGE) - NOT VISIBLE



south elevation 1/16" = 1'-0"

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RECESSED WINDOWS

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RENDERING 01

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P: 614.221.1110 berardi@partners.com

Public Hearing



Calendar No. 22-145:

2147 W 20th Street.

Ward 3

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 side yard encroachment.



Public Hearing

Calendar No. 22-145:

2147 W 20th Street.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.



HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting area variances from the minimum required distance, maximum gross floor area, and interior sideyard encroachment regulations of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.

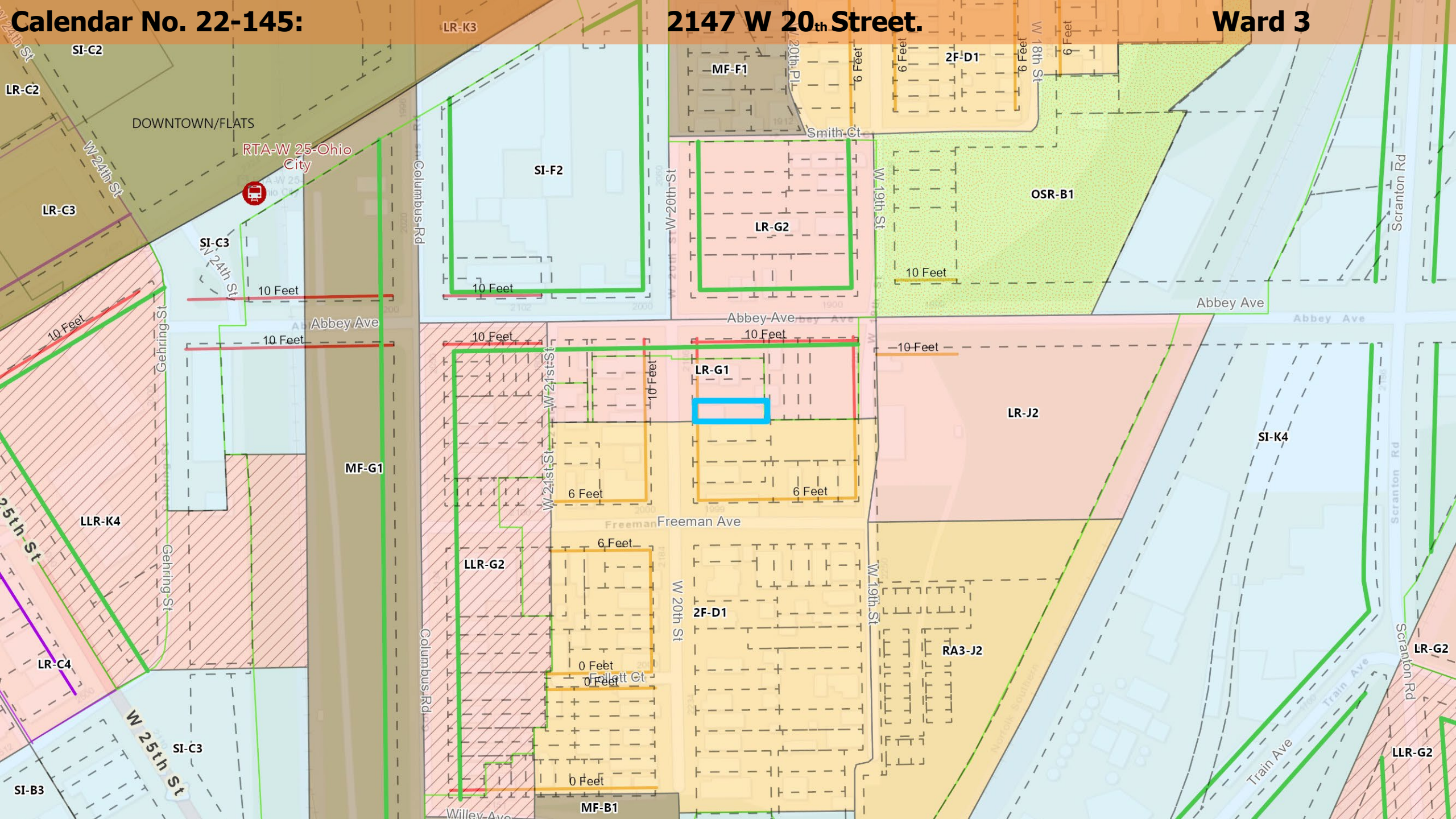




Abbey Avenue

West 20th Street

Freeman Avenue

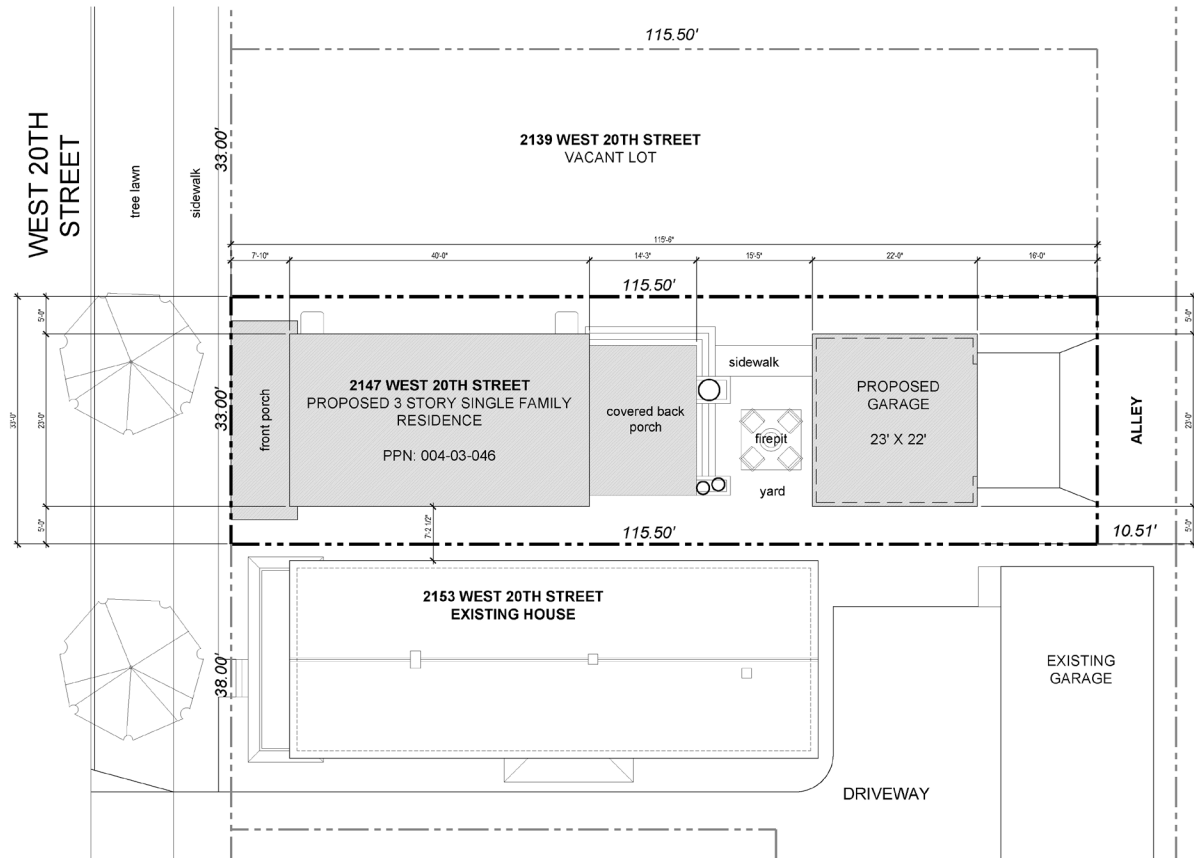


2147 W20TH RESIDENCE

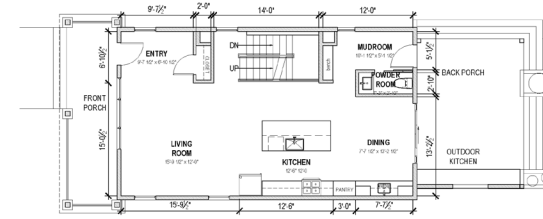
2147 W 20TH ST. CLEVELAND, OHIO 44113

Building Areas

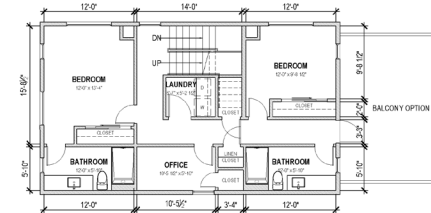
Parcel: 5800 SF
 Basement: 850 SF
 Above Grade: 2293 SF
 Garage: 508 SF



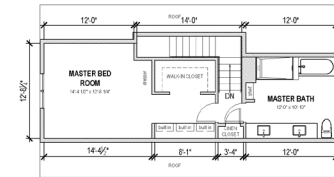
1 - Architectural Site Plan
 Scale: 1/8" = 1'-0" North ↑



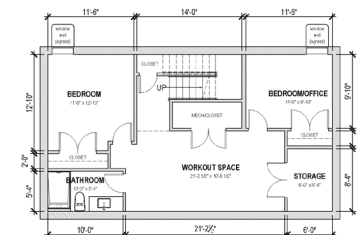
2 - First Floor Plan
 Scale: 1/8" = 1'-0" North ↑



3 - Second Floor Plan
 Scale: 1/8" = 1'-0" North ↑



4 - Third Floor Plan
 Scale: 1/8" = 1'-0" North ↑



5 - Basement Floor Plan
 Scale: 1/8" = 1'-0" North ↑

Stamp

Client

BERGES LLC

2030 W. 19th St.
 Cleveland, Ohio 44113

Project

2147 W20TH RESIDENCE
 2147 W20th St.
 Cleveland, Ohio 44113

Revisions

Original Permit Sub. Date 00/00/00

- Submission
- Progress
 - Design Review
 - Lot Split
 - Planning
 - Zoning
 - Schematic Design
 - Design Development
 - Building Permit
 - Bidding
 - Construction

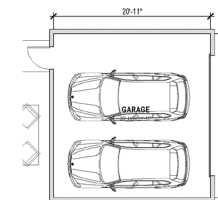
Current Date 06/01/22
 Drawn By FW
 Checked By WH
 Job Number 20024
 Sheet

ARCHITECTURAL SITE PLAN & FLOOR PLANS

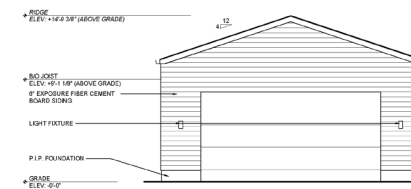
Discipline & Number

Z1.01

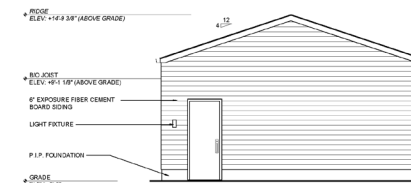
Stamp



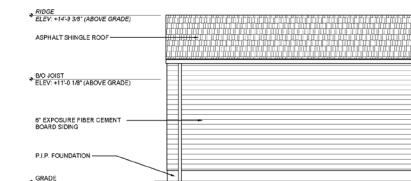
5 - Garage Plan
 Scale: 1/8" = 1'-0"



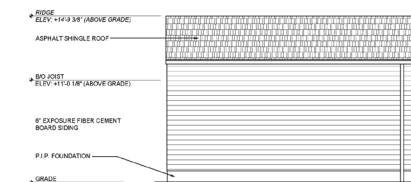
6 - East Elevation
 Scale: 3/16" = 1'-0"



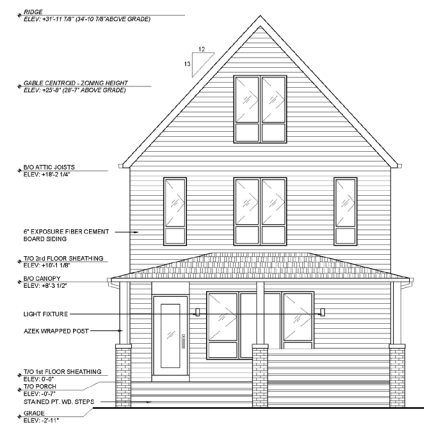
7 - West Elevation
 Scale: 3/16" = 1'-0"



8 - North Elevation
 Scale: 3/16" = 1'-0"



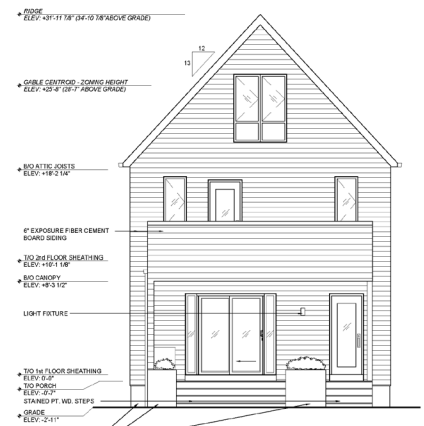
9 - South Elevation
 Scale: 3/16" = 1'-0"



1 - West Elevation
 Scale: 3/16" = 1'-0"



2 - North Elevation
 Scale: 3/16" = 1'-0"



3 - East Elevation
 Scale: 3/16" = 1'-0"



4 - South Elevation
 Scale: 3/16" = 1'-0"

Client

BERGES LLC

2030 W. 19th St.
 Cleveland, Ohio 44113

Project

2147 W20TH RESIDENCE
 2147 W20th St.
 Cleveland, Ohio 44113

Revisions

Original Permit Sub. Date 00/00/00

- Submission
- Progress
 - Design Review
 - Lot Split
 - Planning
 - Zoning
 - Schematic Design
 - Design Development
 - Building Permit
 - Bidding
 - Construction

Current Date 06/01/22

Drawn By FW
 Checked By WH
 Job Number 20024

Sheet

ARCHITECTURAL ELEVATIONS

GARAGE PLAN AND ELEVATIONS

Discipline & Number

Z1.02

Public Hearing



Calendar No. 22-146:

1242 W. 65th St.

Ward 15

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.



Public Hearing

Calendar No. 22-146:

1242 W. 65th St.

Ward 15



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.**



HISTORY OF THE PROPERTY





LEGAL STANDARD

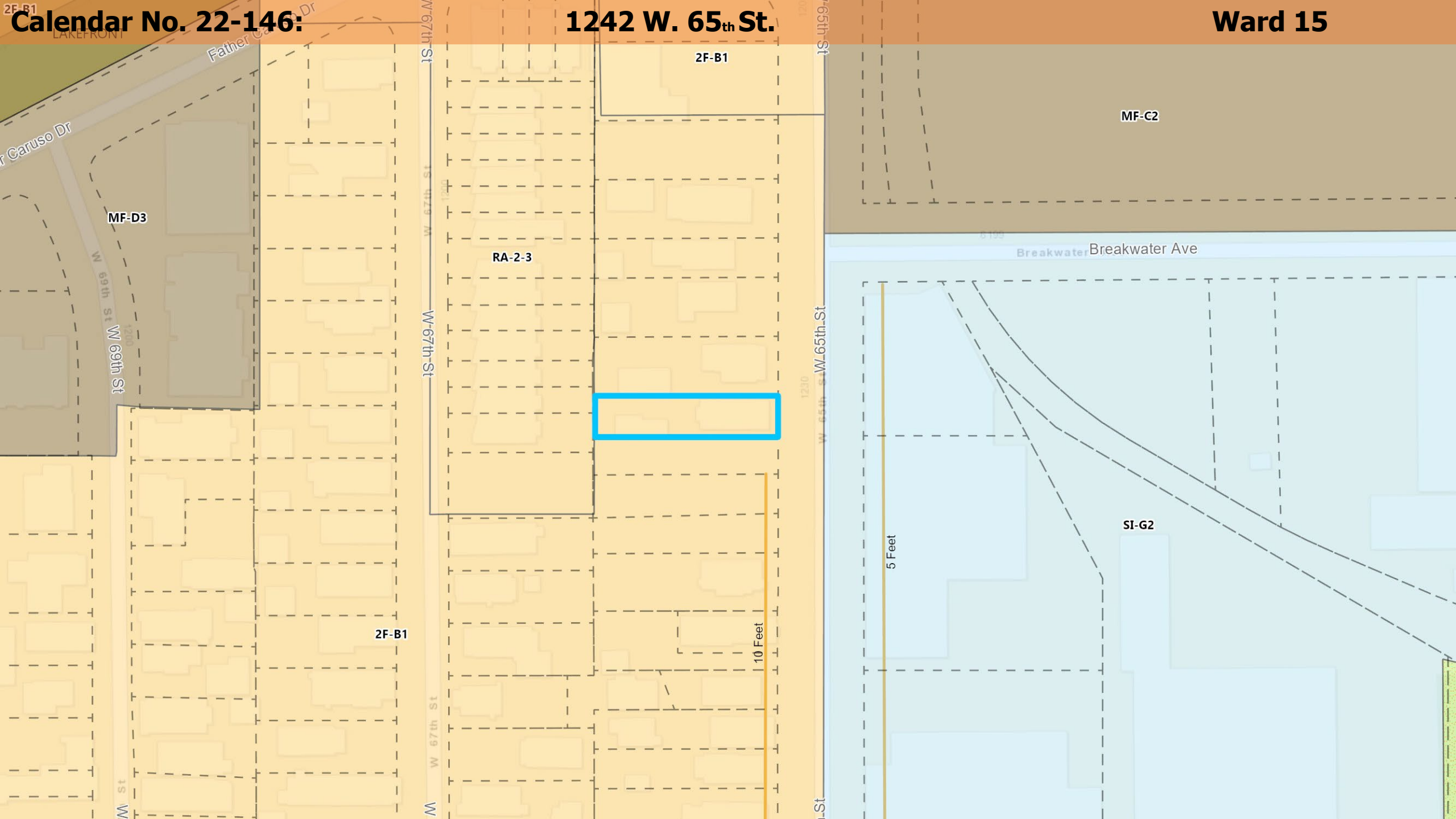
Madam Chair, Members of the Board, Appellant is requesting area variances from the fencing and deck regulations of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.





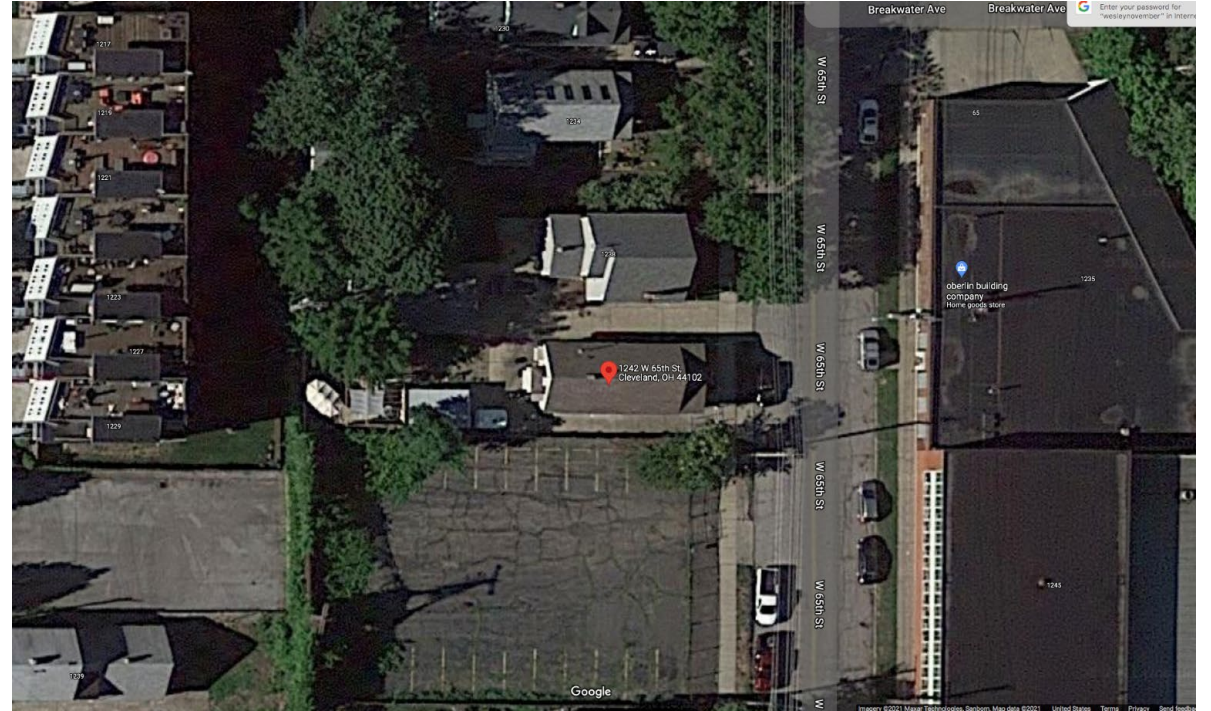




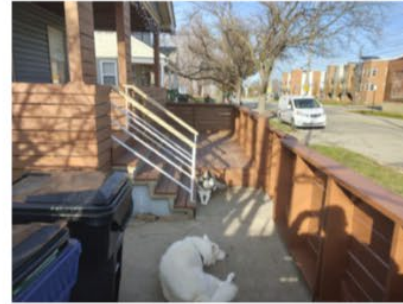
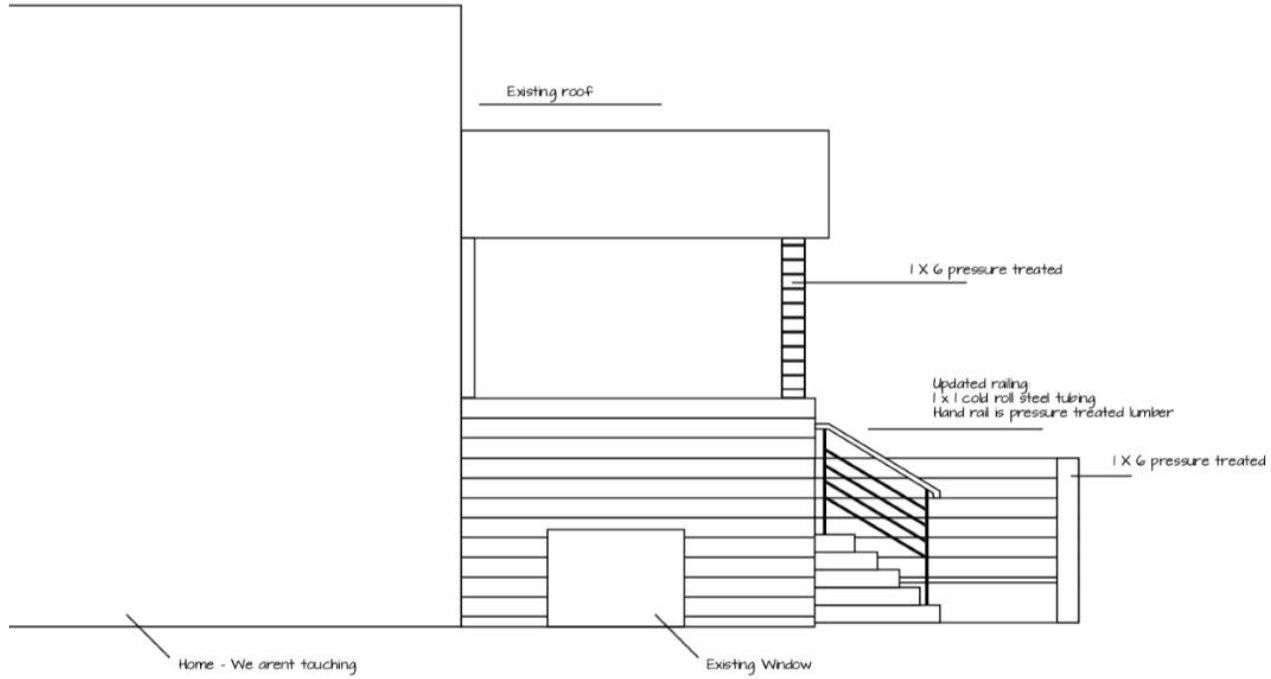












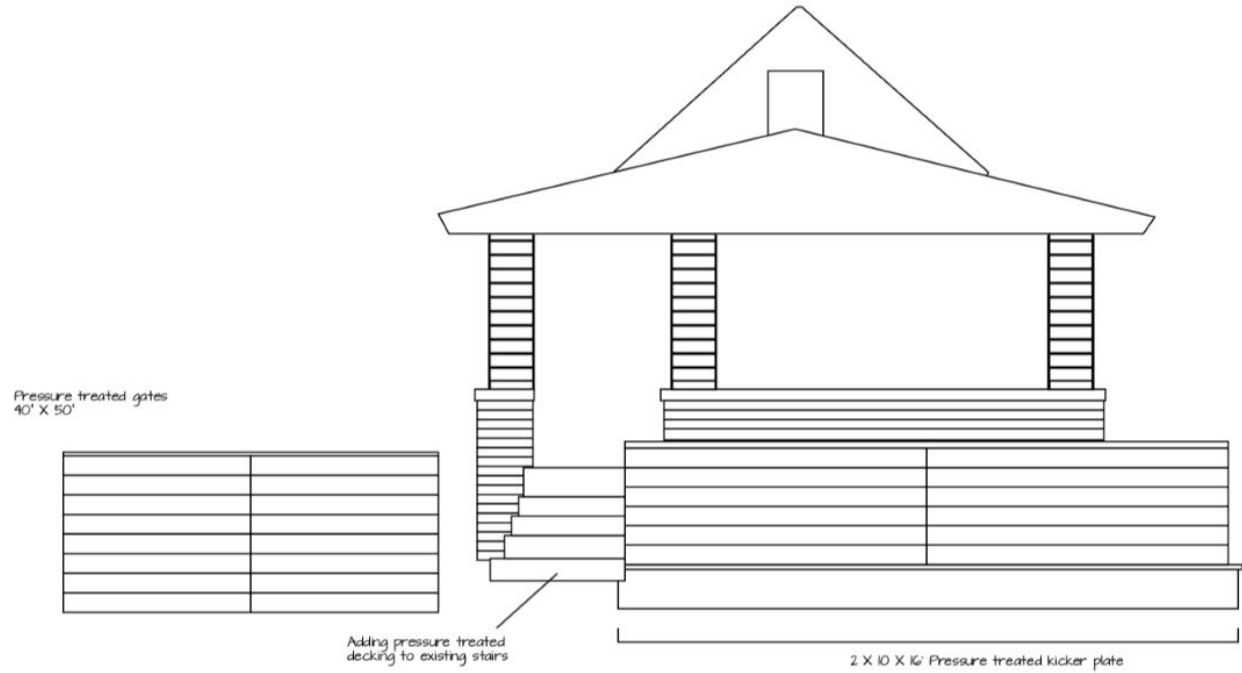
Project address:
1242 W 65th Street
Cleveland OH 44102

509 East 185th Street
Euclid, OH 44119
216-505-0911

1 X 6
IN THE
HAMMER
AND
NAIL

Material:	Pressure Treated Lumber
Permit or plan:	None
City:	Cleveland
Project:	Deck rebuild fence fence

A-2



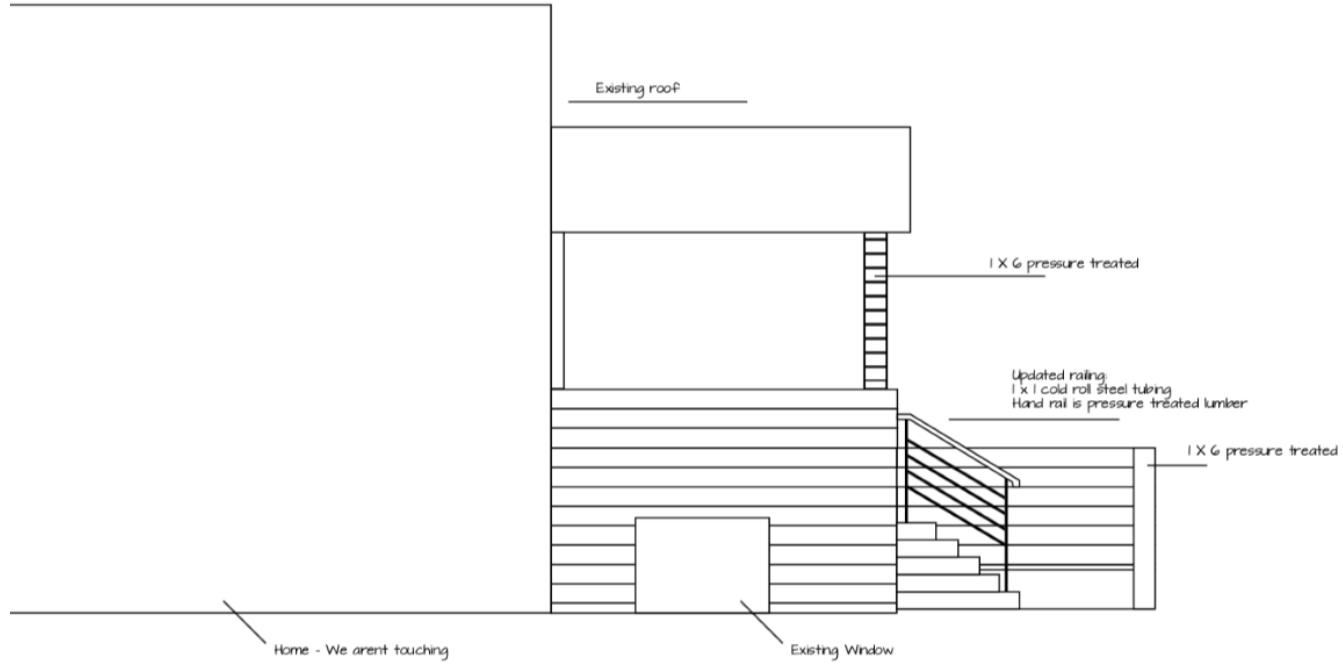
Project address:
1242 W 65th Street
Cleveland OH 44102

509 East 185th Street
Euclid, OH 44119
216-505-0911

Decks, Patios,
Railings, Fences

Name:	Pressure treated lumber
Date:	1/28/20
Job:	Cleveland
Project:	Decks, railings
Service:	Lumber

A-1



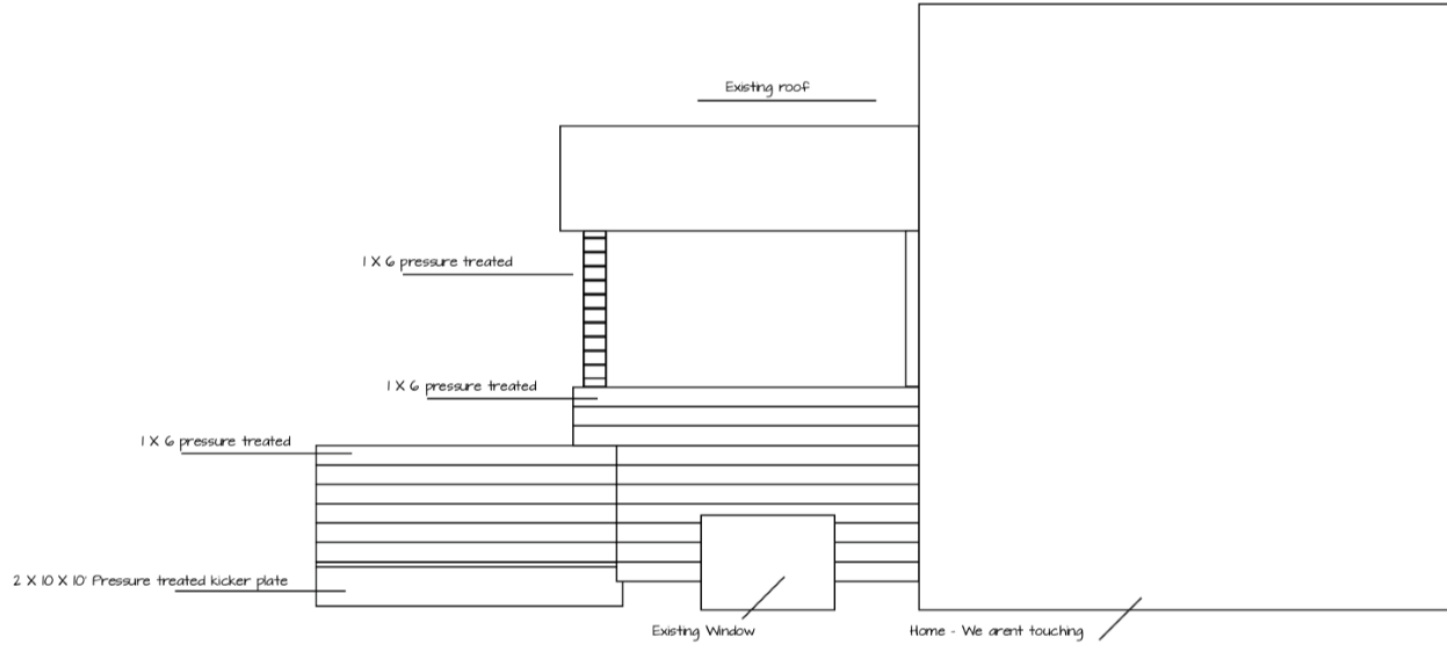
Project address:
1242 W 65th Street
Cleveland OH 44102

509 East 185th Street
Euclid, OH 44119
216-505-0811

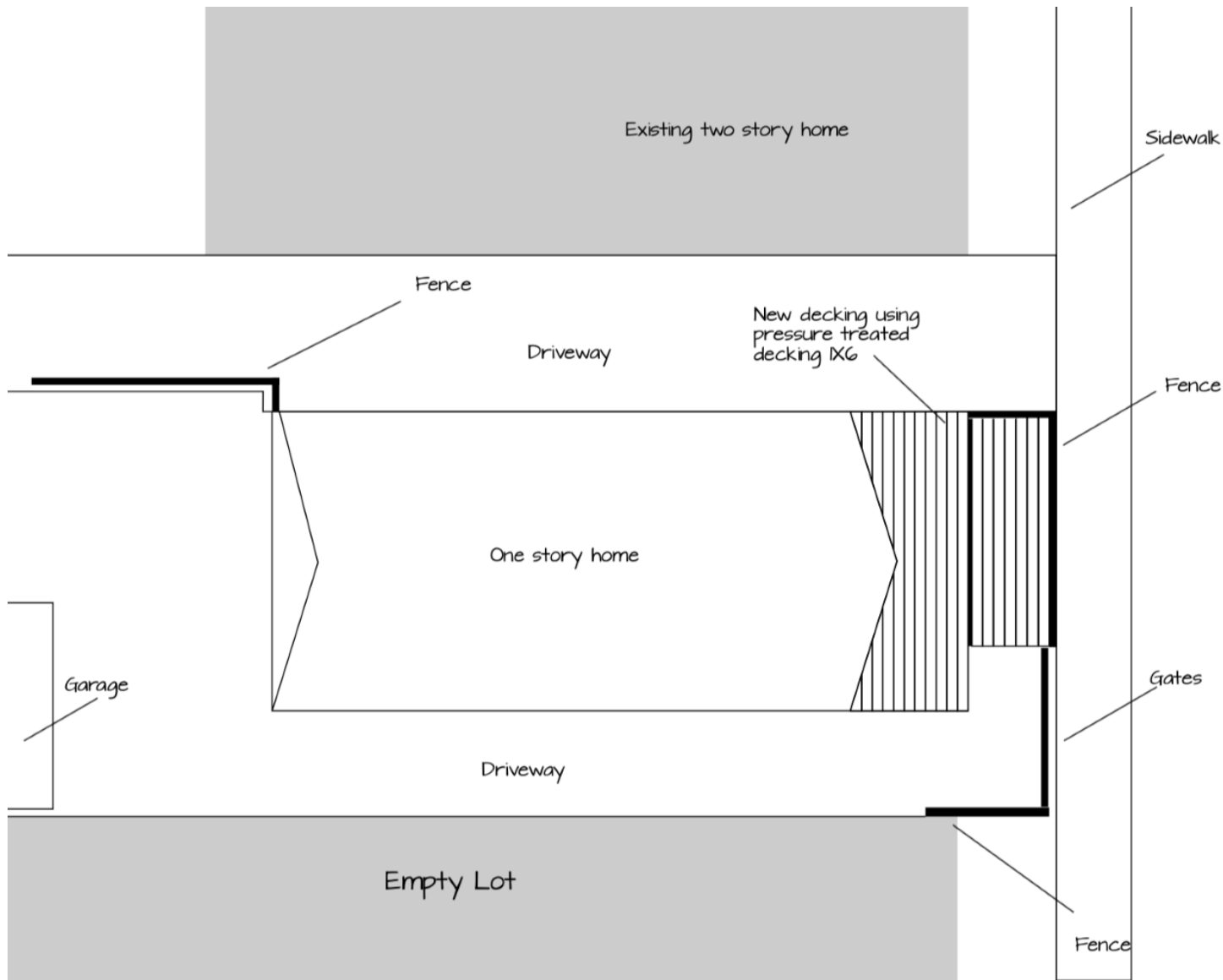
at
HAMMER AND NAIL

material:	Pressure treated Lumber
part or size:	
name:	
city:	Cleveland
project:	Deck, railing
date:	

A-2



Project address: 1242 W 65th Street Cleveland OH 44102	
509 East 185th Street Euclid, OH 44119 216-505-0911	
Decks, Patios, Railings, Fences	
Material: Pressure treated Lumber post or rail size City: Cleveland State: Ohio	Project: Deck, railing stairs
A-3	



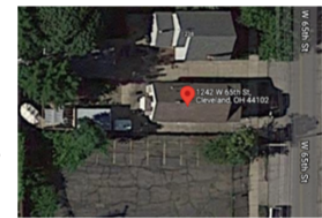
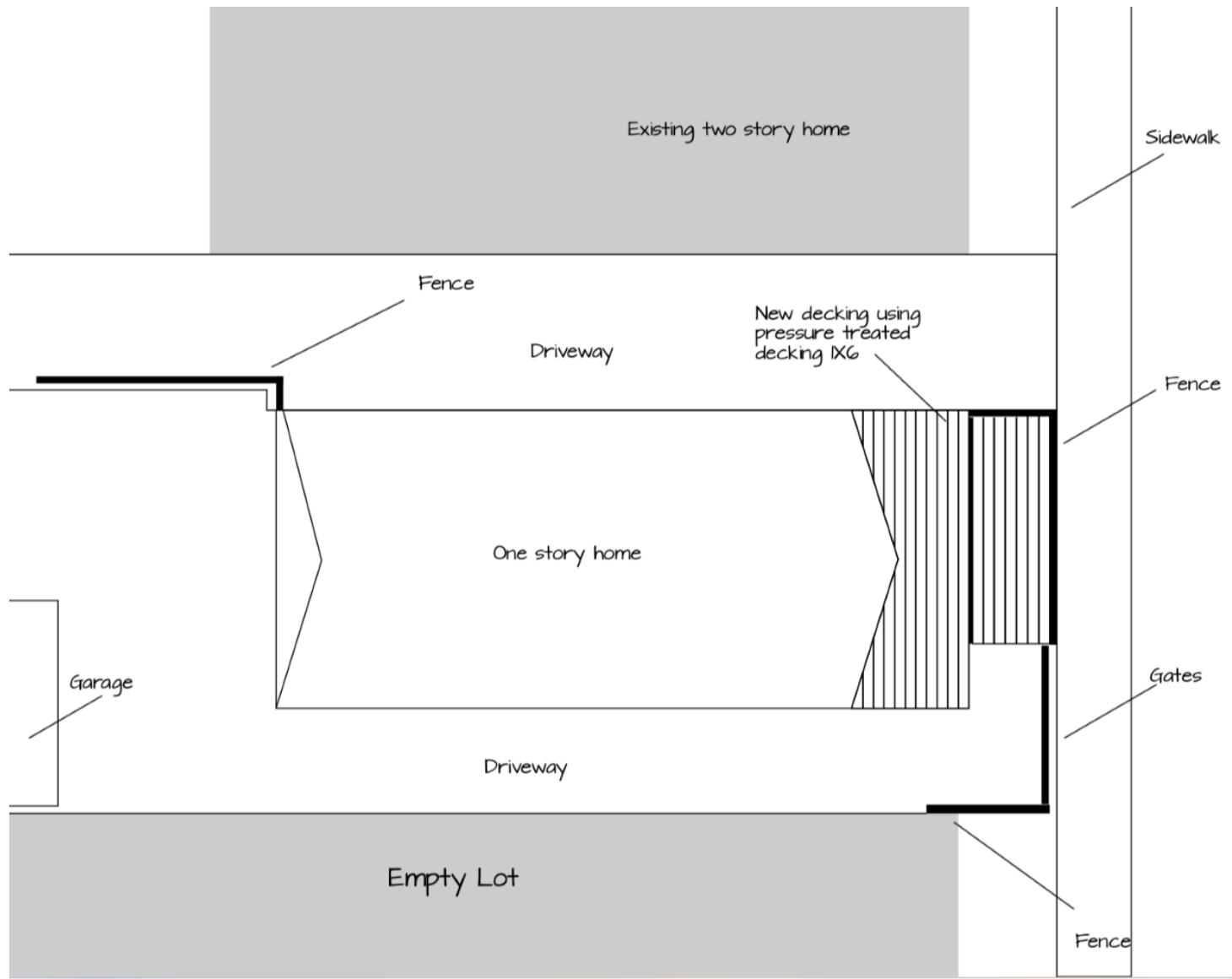
Project address:
1242 W 65th Street
Cleveland OH 44102

Decks, Patios,
Railings, Fences

509 East 185th Street
Euclid, OH 44119
216-505-0911

Pressure Treated Lumber
Decking
Railings
Fencing
Gates

A-4



Project address:
1242 W 65th Street
Cleveland OH 44102

509 East 185th Street
Euclid, OH 44119
216-505-0911

Decks, Patios,
Railings, Fences

**HAMMER
NAIL**

Pressure Treated Lumber
Decking
Fencing
Railings
Decking
Decking
Decking

A-4

Public Hearing



Calendar No. 22-153:

1854 W 48th Street.

Ward 3

West 48th 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)



Public Hearing

Calendar No. 22-153:

1854 W 48th Street.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.



HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the garage regulations of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

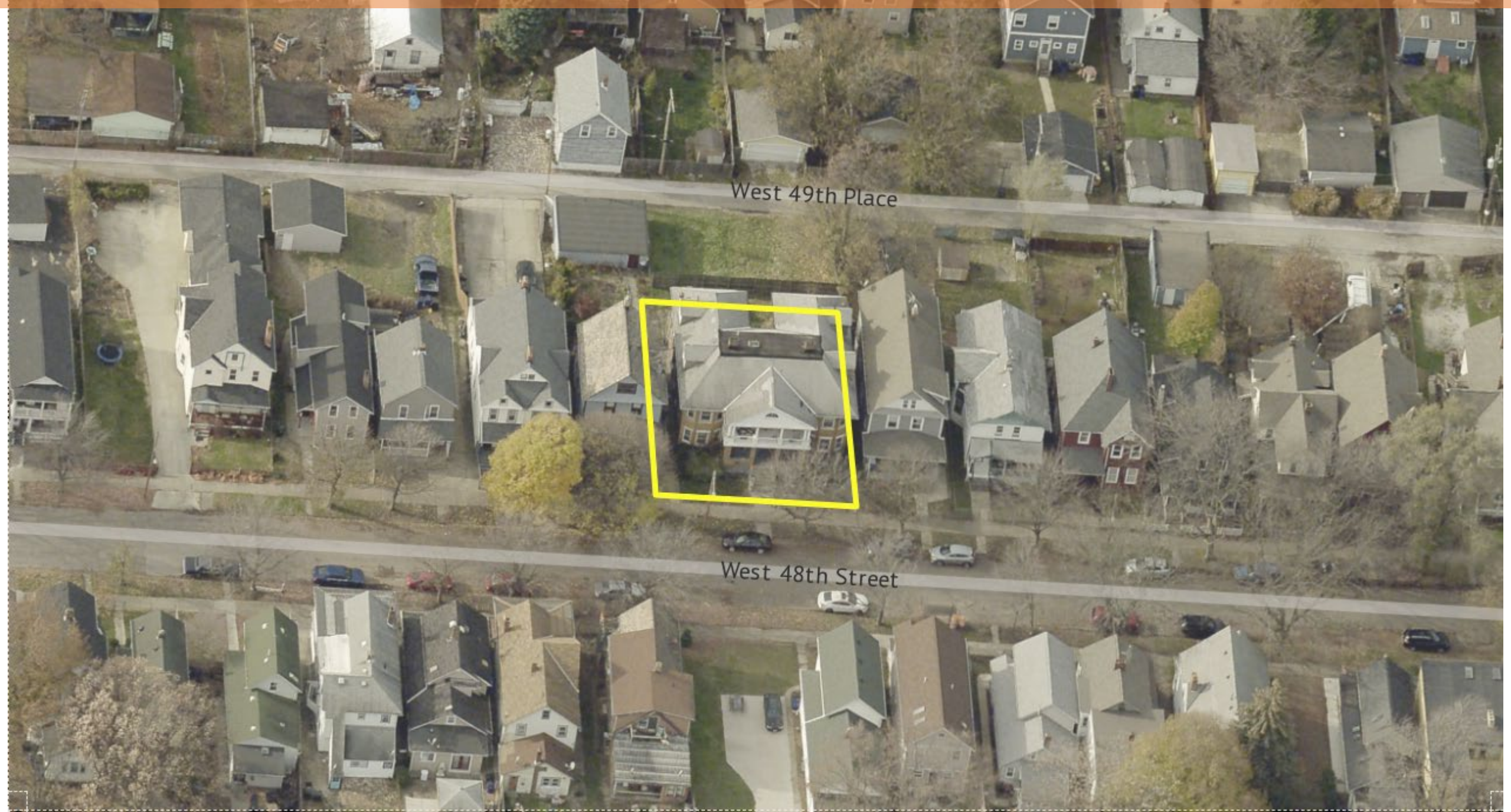
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

Calendar No. 22-153:

1854 W 48th Street.

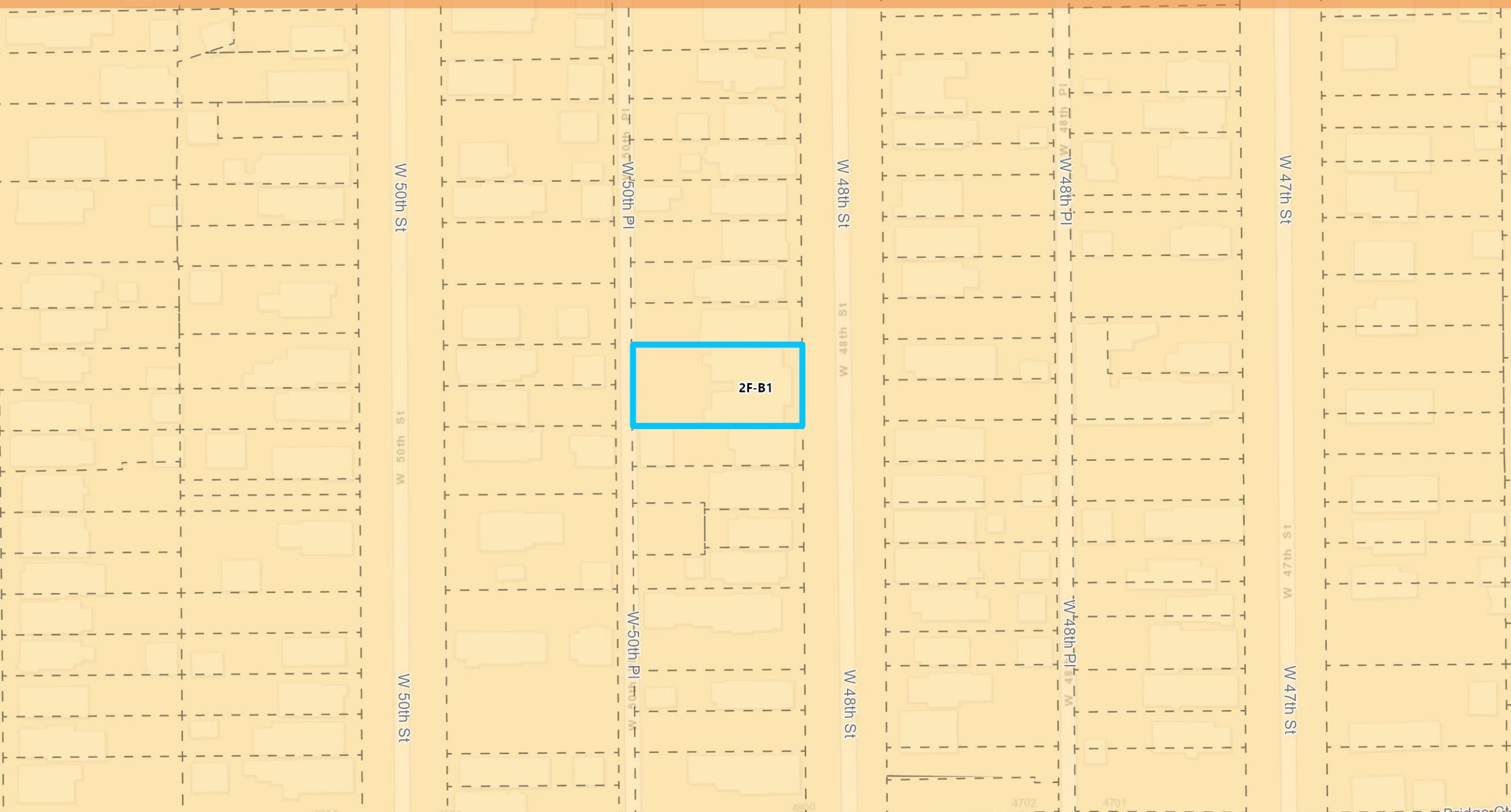
Ward 3





West 49th Place

West 48th Street



W 50th St

W 50th St

W 50th St

W 49th Pl

W 50th Pl

W 48th St

W 48th St

W 48th St

W 48th Pl

W 48th Pl

W 47th St

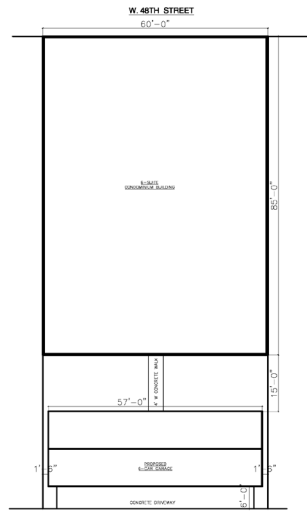
W 47th St

W 47th St

2F-B1

4702

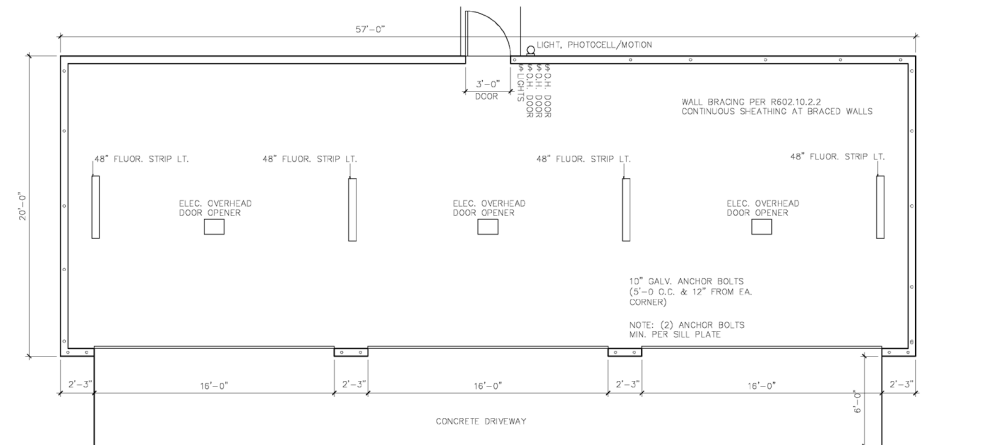
4701



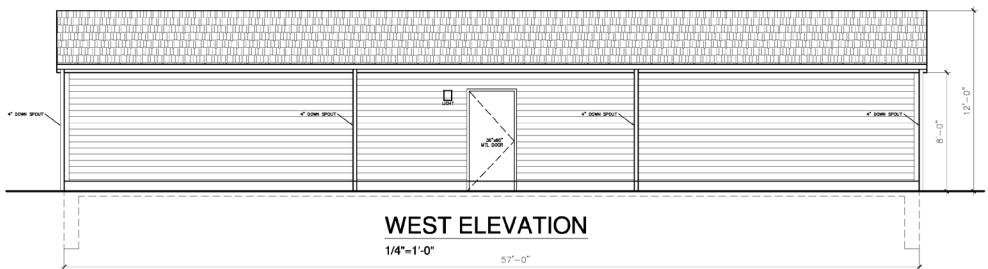
- ELECTRICAL SPECIFICATIONS**
1. THE ELECTRICAL CONTRACTOR SHALL FURNISH HIMSELF WITH THE CONSTRUCTION CODES TO BE USED FROM TO COMPLETE THIS SET.
 2. THE ELECTRICAL CONTRACTOR SHALL FURNISH THE JOBSITE AND FAMILIARIZE HIMSELF WITH THE ELECTRICAL SERVICE CONNECTIONS.
 3. THE ELECTRICAL CONTRACTOR SHALL SECURE AND PAY FOR ALL PERMITS REQUIRED BY THE ELECTRICAL SERVICE.
 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2017 NEC CODES.
 5. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE SPECIFIED.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 7. THE WORK UNDER THIS CONTRACT SHALL BE COORDINATED WITH OTHER TRADES.
 8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2017 NEC CODES.
 9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2017 NEC CODES.
 10. ALL MATERIALS AND EQUIPMENT SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FROM THE DATE OF COMPLETION OF THE WORK.
 11. THE ELECTRICAL CONTRACTOR SHALL PROTECT ALL UTILITIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED UNDER OR ADJACENT TO THE PROJECT.

DESIGN CRITERIA

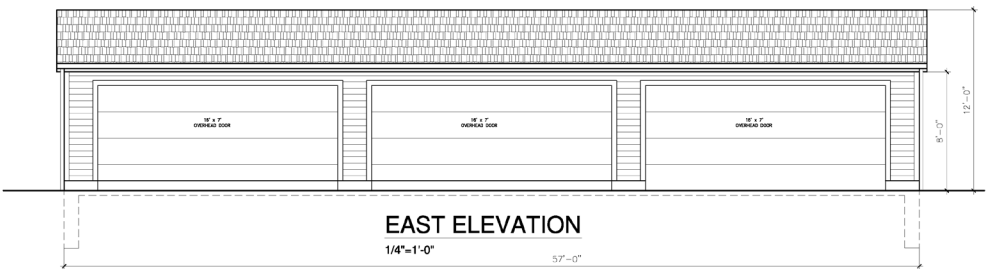
GROUND SNOW LOAD R301.2(5)=	20
BASIC WIND SPEED R301.2(4)=	115
WIND EXPOSURE CATEGORY R301.2.1.4=	EXPOSURE B
HIGH WIND DESIGN CRITERIA R301.2.1.1.1 > 90=	NOT APPLICABLE
SEISMIC DESIGN CATEGORY R301.2(2)=	A
WEATHERING R301.2(3)=	SEVERE
TERRESTRIAL AREA R301.2(6)=	MODERATE TO HEAVY
WINTER DESIGN TEMPERATURE R301.2(1)=	0-10
FLOOR LOADS FOR DECKS AND FLOOR JOIST R301.5=	STAIRS= 40
	ROOMS OTHER THAN SLEEPING= 40
	SLEEPING ROOMS= 30
CONCRETE COMPRESSIVE STRENGTH R402.1=	2500



FLOOR PLAN
1/4"=1'-0"



WEST ELEVATION
1/4"=1'-0"



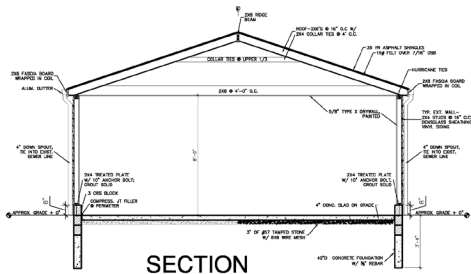
EAST ELEVATION
1/4"=1'-0"

ONE DATA

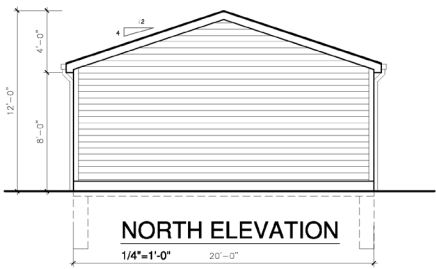
USE GROUP: R-2, RESIDENTIAL	
CONSTRUCTION TYPE: SB	
GARAGE AREA	1140 SQ. FT.

DRAWING INDEX:

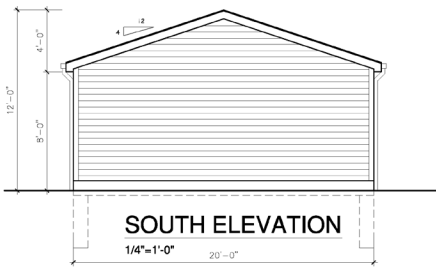
A-1 SITE PLAN, OBC DATA, DRAWING INDEX, DESIGN CRITERIA
FLOOR PLAN, ELEVATIONS, SECTION



SECTION
1/4"=1'-0"



NORTH ELEVATION
1/4"=1'-0"



SOUTH ELEVATION
1/4"=1'-0"



Thomas M Tomask—License # 8890
Expiration Date 12/31/2020

ISSUED FOR: DATE:

REVIEW 03-19-2020

NEW 6-CAR GARAGE
FOR 6-SUITE CONDOMINIUM BLDG.
1854 W. 48TH STREET
CLEVELAND, OHIO

921 LITERARY ROAD
CLEVELAND, OHIO 44113-4440
216/781-7385 FAX 216/781-7387



**SITE PLAN, OBC DATA,
FLOOR PLAN, SECTION,
ELEVATIONS**

A-1

PROJECT NO. 2020-XX

August 24th, 2022

Ms. Elizabeth Kukla
Board of Zoning Appeals
601 Lakeside Avenue
Cleveland, OH 44114

Dear Ms. Kukla:

We are writing to you regarding the proposed zoning code variance to build an 1140 square foot garage behind the apartment building owned by West 48th Suites LLC and located at 1854 W. 48th, Cleveland, OH 44102. We own the home located next door to 1854 W. 48th. Our address is 1858 W. 48th. We have lived at this address for the past 40+ years. We are opposed to the requested variance for the following reasons:

- The proposed garage has six spaces and the building plans indicate the garage is for a six unit condominium. The existing apartment building has only four units. Why two extra parking spaces?
- According to the building plans, the proposed garage would be 57 feet wide. The lot is 60 feet wide. This would allow just 18 inches on each side. This may meet code , but it would leave that same 18 inches between the proposed garage and the existing garage on our property. This is a potential safety hazard and it would make maintenance and painting of either garage difficult or impossible.
- The apartment roof is missing many shingles. Additional shingles blow off and land on our property whenever there is a windstorm.
- The wood components of the building are rotted in many places and peeling or missing paint can be seen throughout the building.
- The apartment building has not received a complete paint job during the years of our residency.
- Attic windows are in poor repair, and have been boarded over.
- The brick exterior has damaged or missing mortar and is in need of tuck pointing.
- Several exterior bricks exhibit spalling, perhaps due to stress.
- The gutters and downspouts leak. Downspouts are dented and damaged.
- The approach to the front stairs is unlevel and pitched forward at a dangerous angle.
- The main electrical panel is damaged and its interior is open to the weather.
- The main wiring conduit connection from the utility pole is exposed and birds nest inside each year.
- All four apartments has been vacant for several months. Debris from earlier interior and exterior repair work clutters the surrounding area.
- Shrubbery at the front of the building is overgrown and infested with weeds. It is easily one of the most poorly maintained buildings on our block.

We would be agreeable to a new garage construction if it were of a smaller size. The apartment building's deficiencies listed above should also be addressed and corrected. It does not make sense to invest in the construction of a new garage when the main structure is in poor condition.

You may contact us if you require additional information.

Regards,

Karl Seyfert
Ann Marie Wieland

216-651-2514

Public Hearing



Calendar No. 22-122

12808 Bellaire Rd.

Ward 11

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 Multi-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



Public Hearing

Calendar No. 22-122

12808 Bellaire Rd.

Ward 11



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.**



HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and area variances from the parking and driveway regulations of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

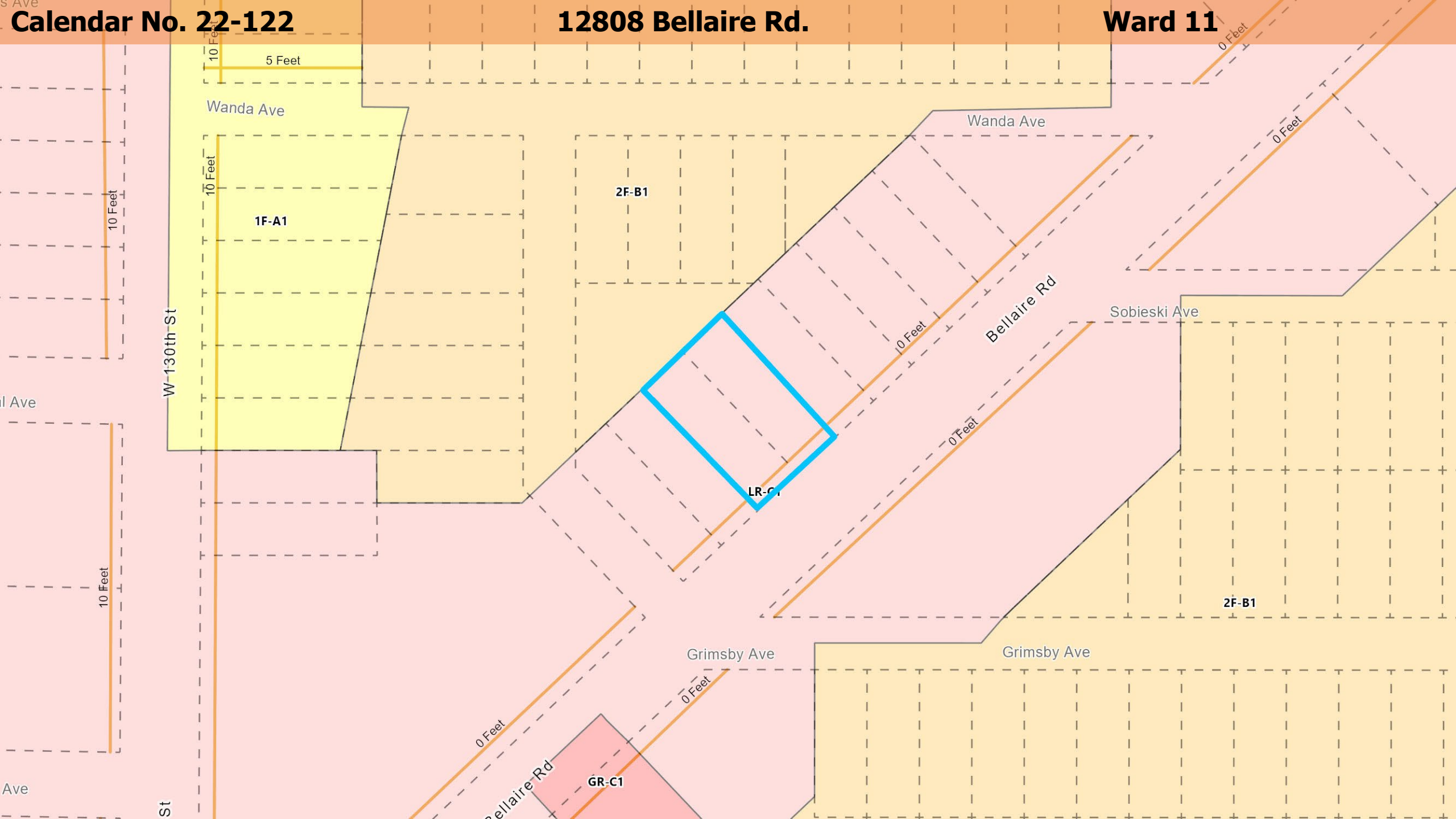
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.





Bellaire Road

Grimsby Avenue



Wanda Ave

1F-A1

2F-B1

LR-C1

GR-C1

Wanda Ave

Bellaire Rd

Sobieski Ave

2F-B1

Grimsby Ave

Grimsby Ave

W-130th St

10 Feet

5 Feet

10 Feet

10 Feet

10 Feet

10 Feet

10 Feet

0 Feet

0 Feet

0 Feet

0 Feet

l Ave

Ave

St

2F-B1 ZONING DISTRICT

LR-C1 ZONING DISTRICT

PROJECT SCOPE LINE

PARCEL LINES

EXISTING UTILITY POLE

EXISTING DRIVEWAY

SOMALI BANTU COMMUNITY CENTER
EXISTING STRUCTURE
5,225 SF

8 EXISTING PARKING SPACES

PARCEL
NO. 01921033

PARCEL
NO. 01921032

PARCEL
NO. 01921031

53' - 10"
SIX NEW PARKING SPACES

PROPOSED PLANTINGS

NO PARKING
W/IN 10' OF
RESIDENTIAL
HOUSING

EXISTING
RESIDENTIAL
STRUCTURE

10' - 0"

BELLAIRE ROAD



REFERENCE AERIAL - NOT TO SCALE



SOMALI BANTU COMMUNITY CENTER

12808 BELLAIRE ROAD

SITE PLAN

Project number

BZA22-0122

Date

08.29.2022

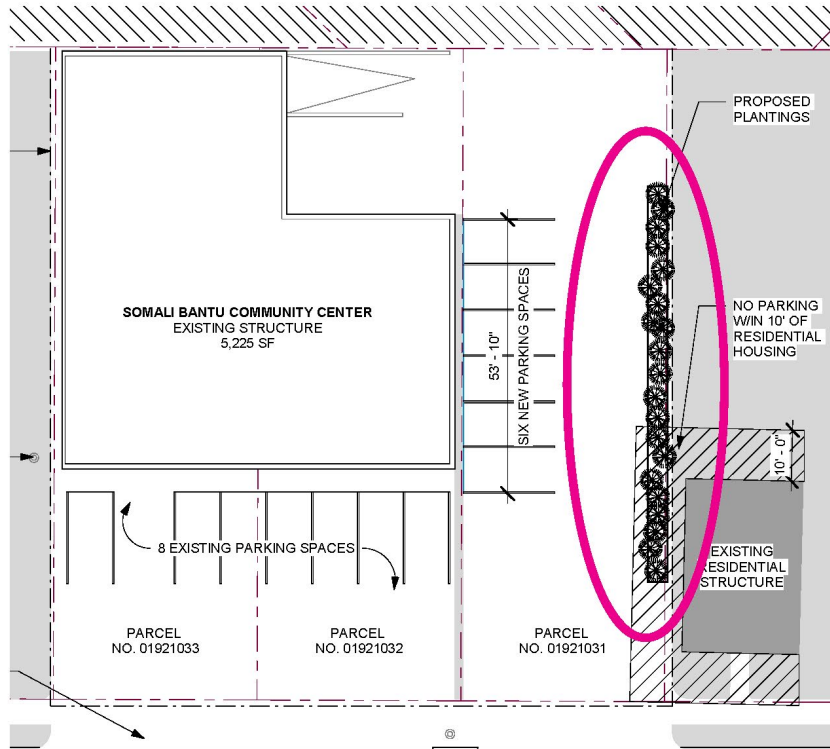
JKURTZ

AS101

Scale

1" = 20'-0"

8/16/2022 4:25:04 PM



Narrow planter boxes along the property line will provide shrubbery at a height sufficient to shield vehicular lights from the adjacent residential property



Public Hearing

Calendar No. 22-053

1807 Auburn Ave.

Ward 3

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)



Public Hearing

Calendar No. 22-053

1807 Auburn Ave.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.**



HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting area variances from the off-street parking, required minimum lot area, and maximum gross floor area regulations of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.



n



Calendar No. 22-053

1807 Auburn Ave.

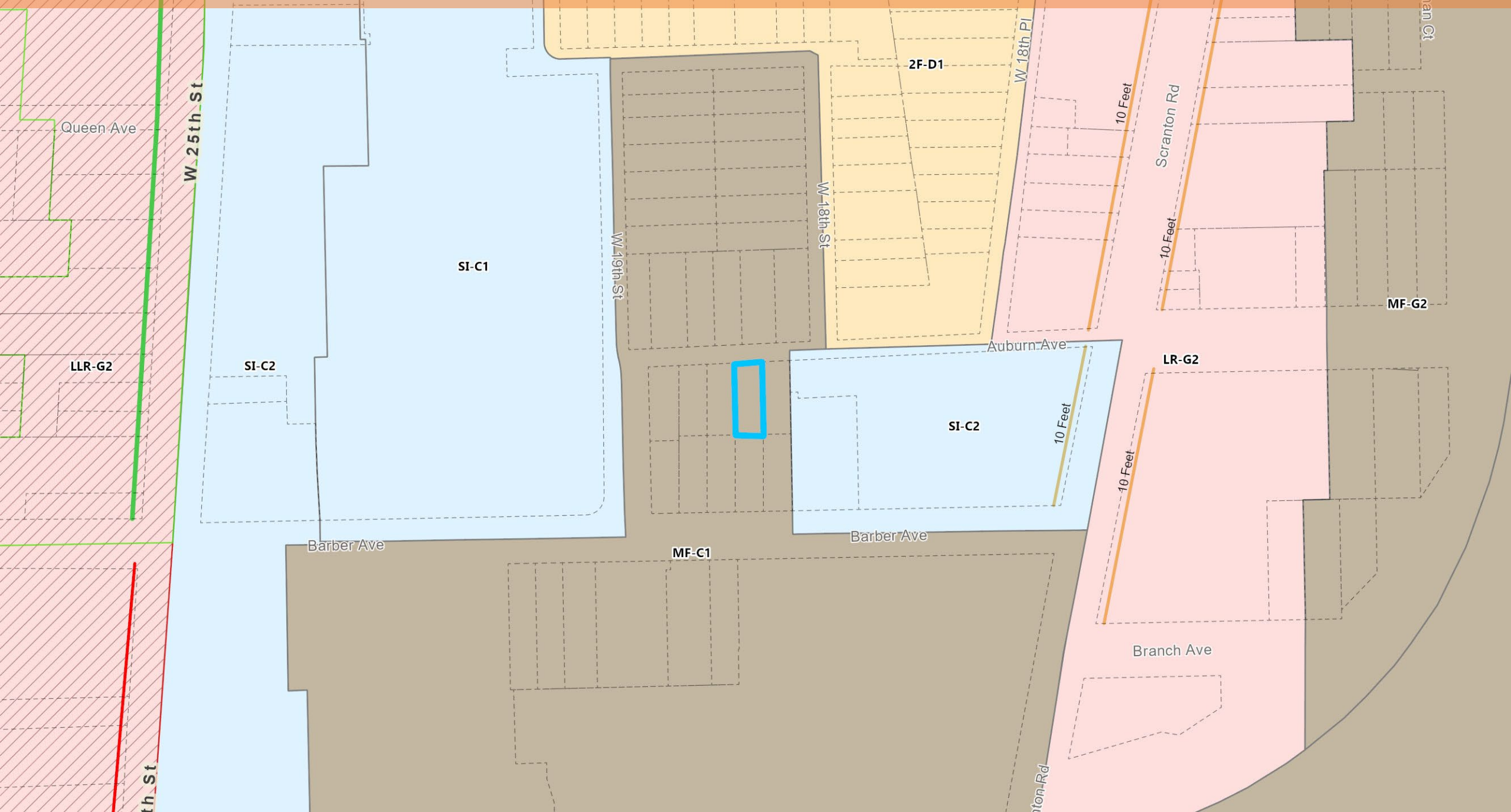
Ward 3



Auburn Avenue

West 18th Street

West 19th Street



MULTI-FAMILY RESIDENCE

1807 AUBURN AVE.
CLEVELAND, OHIO

SCOPE OF WORK

REMOVE & REPLACE DAMAGED WOOD FRAME PORCH
APPROX 151 SQ. FT. WORK AREA

DESIGN LIVE LOADS

FLOOR LIVE LOAD = 40 PSF

WIND LIVE LOAD = 90 MPH BASIC WIND SPEED

SNOW LIVE LOAD = 30 PSF + drifting snow

MATERIALS

CONCRETE shall develop a compressive strength of 3,000 psi in 28 days

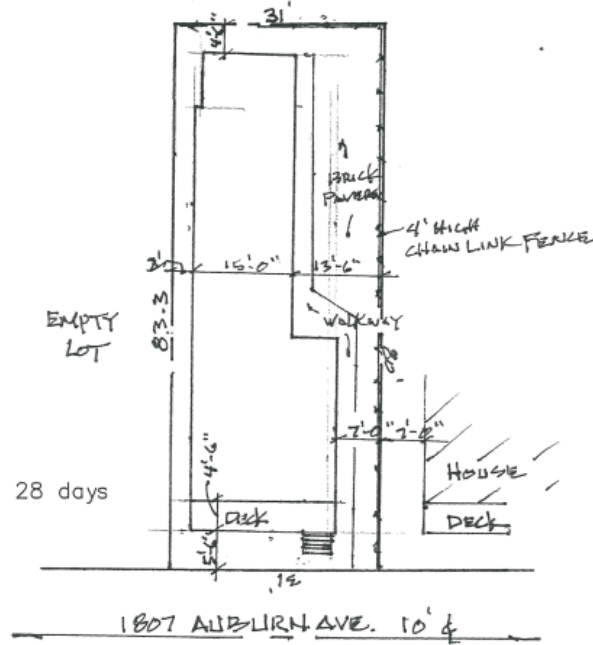
Wood shall be southern pine no 2 or douglass fir

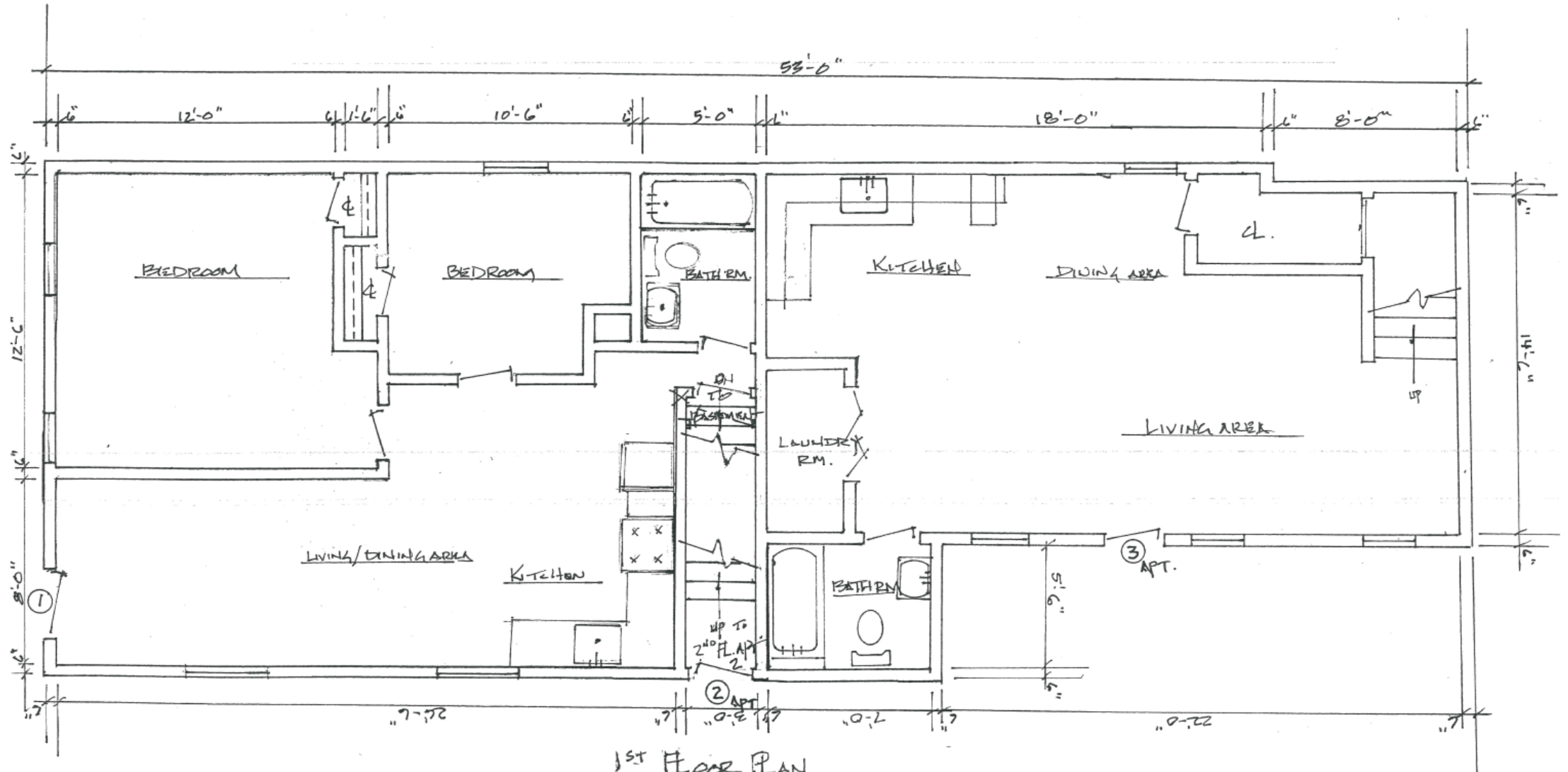
BUILDING CODE CLASSIFICATION

CONSTRUCTION CLASS = Vb

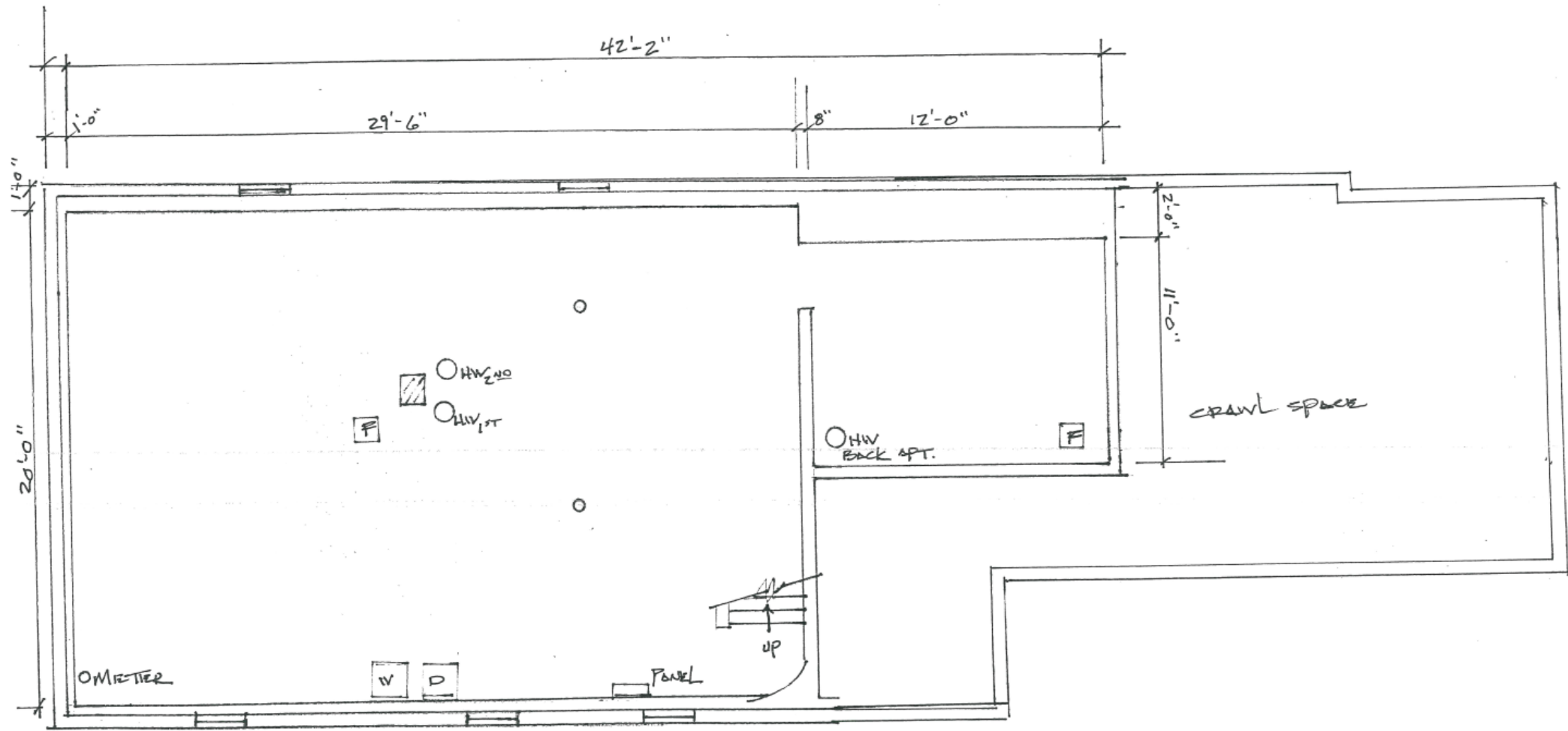
USE GROUP CLASS = R-2 (residential)

Repairs to this existing structure have been designed in accordance with the 2011 Residential Code of Ohio & Revisions .



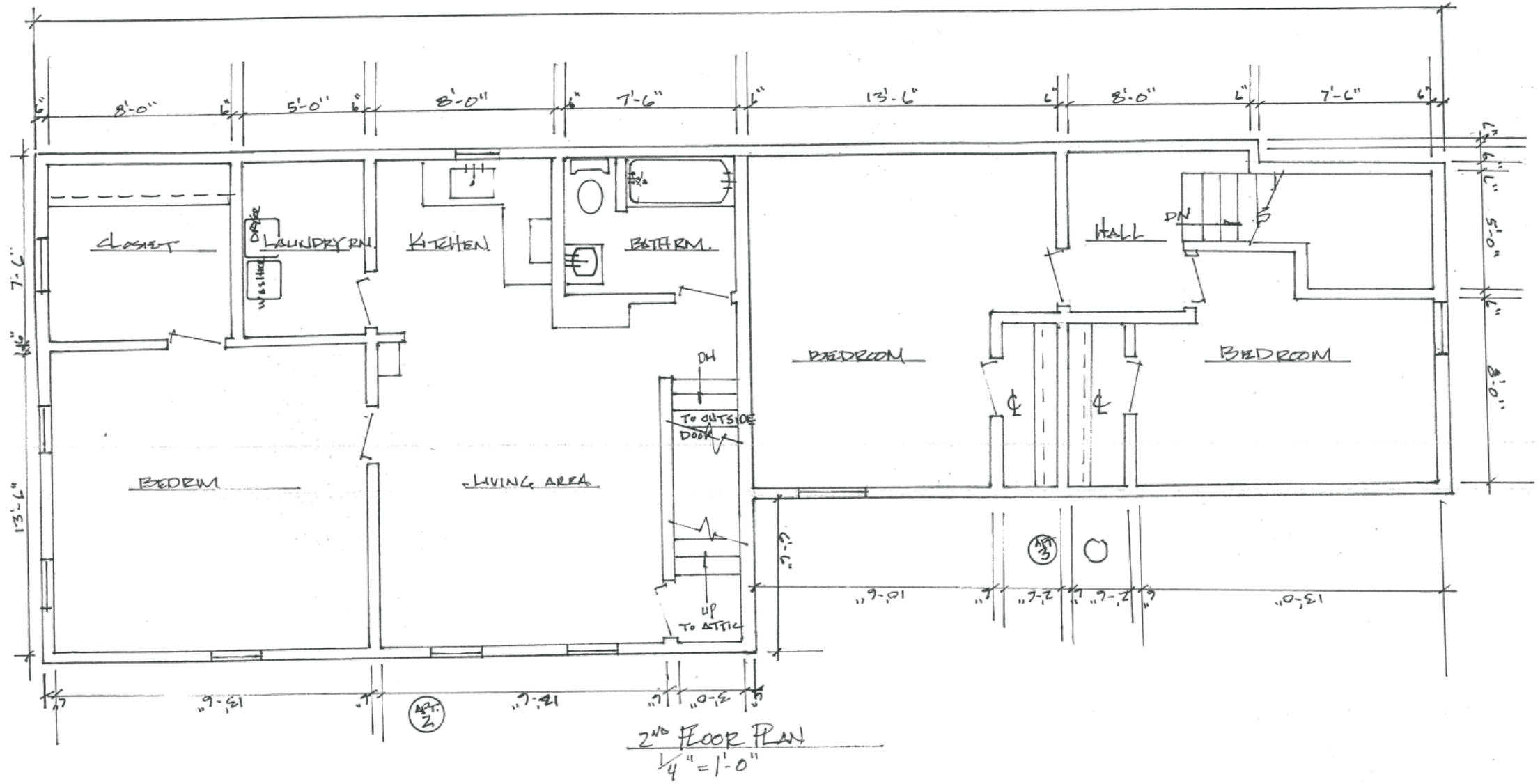


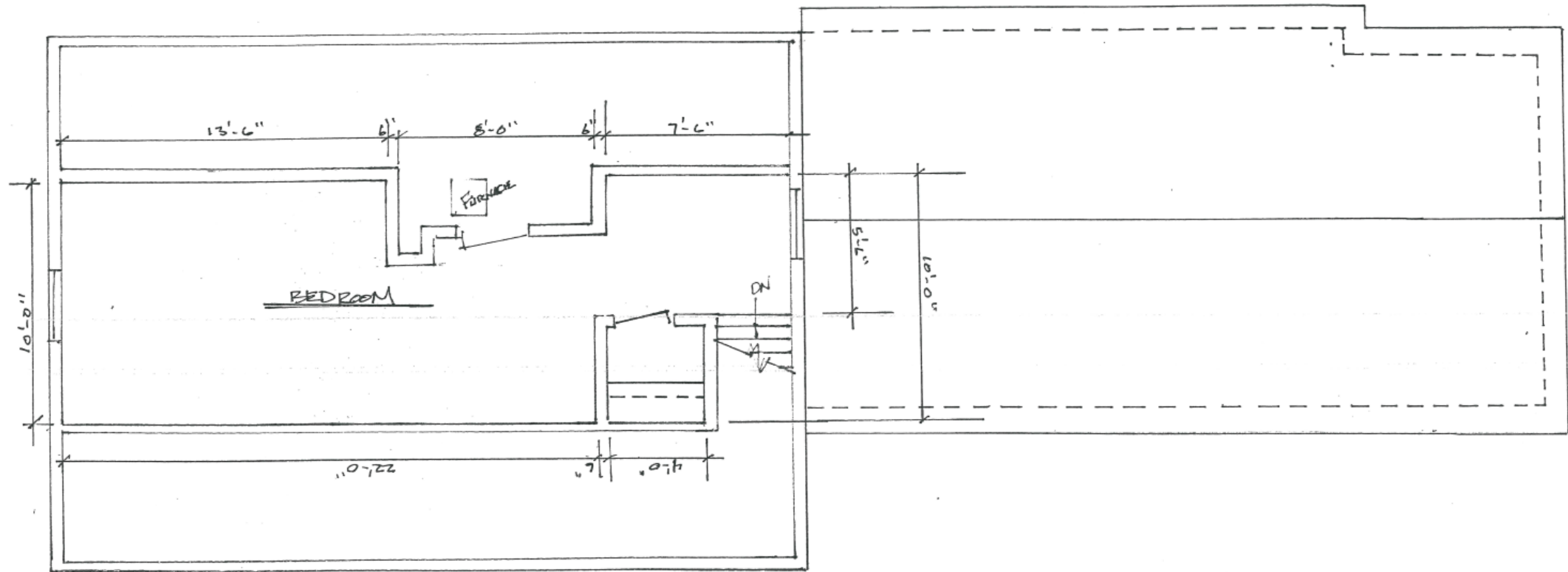
1ST FLOOR PLAN
 1/4" = 1'-0"



APT
1

BASEMENT PLAN
1/4" = 1'-0"

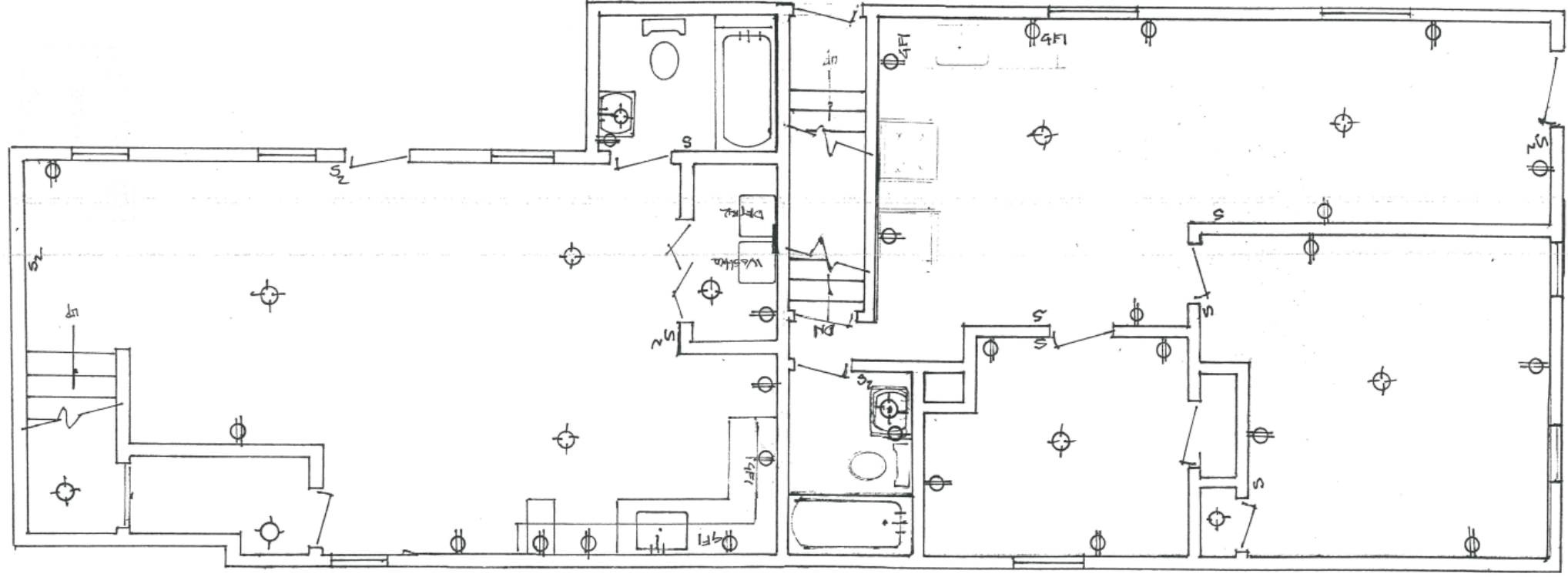




APT
2

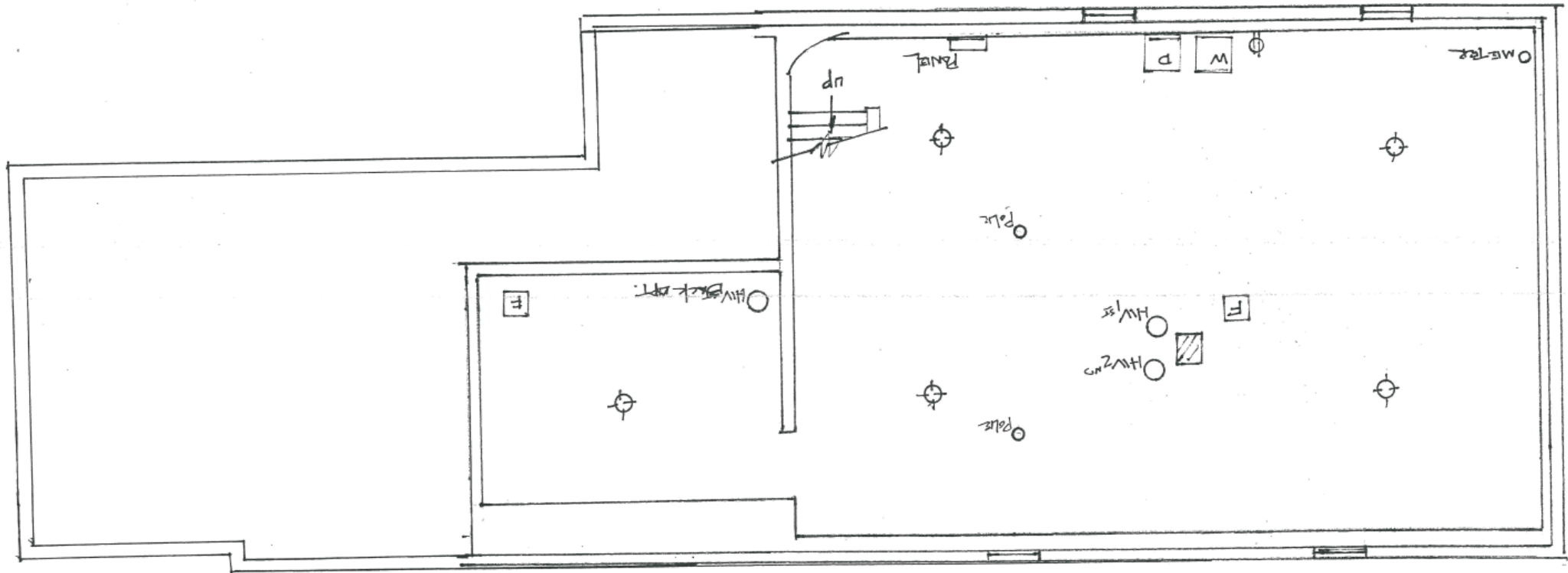
ATTIC APT. 2
 1/4" = 1'-0"

1st Floor Plan (Electrical)
1/4" = 1'-0"



BASMENT ELECTRICAL
1/4" = 1'-0"

APT. 1



Cleveland Board of Zoning Appeals

Old Business



Public Hearing



Cleveland Board of Zoning Appeals

Adjournment

