



BOARD OF ZONING APPEALS

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

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

216.664.2580

NOV 14, 2022

9:30 AM

Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings 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/UCB8qI0Jrhm_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 November 11, 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 us at: boardofzoningappeals@clevelandohio.gov

Calendar No. 22-147:

2429 West Superior Avenue.

Ward 3

Kerry McCormack

114 Notices

Bridgeworks LLC, proposes to erect 15 story tower with 140 residential apartment on floors 2-10, a 4,200 square foot restaurant on floor 11, and 130 hotel rooms on floor 12-15; a 200 space parking garage; and retail use throughout the ground level the tower, garage and in a separate building facing W.25th St. in a Limited Retail Business 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)(1)(A&B) which states front setbacks in Urban Form Overlay District are limited to 8 feet maximum; varying proposed setbacks exceed 8 feet. Setbacks on secondary streets are limited to 6 feet; varying setback exceeds 6 feet.
2. Section 348.04(d)(2)(A&B) which states frontage buildout of 80% of street frontage required, 68% frontage buildout proposed. Secondary street frontage buildout of 100% is required and 75% secondary street frontage buildout.
3. Section 349.04 which states 269 accessory off-street parking spaces are required (389 standard space requirement minus 120 space reduction for Urban Form Overlay District per Section 348.04 (d)(4)(A): 200 parking spaces are provided.

4. Section 341.02 which states review and approval of the Cleveland Landmarks Commission is required.

Calendar No. 22-191

1331 W. 70 Street.

**Ward 15
Jenny Spencer
30 Notices**

Villa Mercede Comm. Redev. Corp, proposes to install a 5' tall ornamental fence/gate in actual front yard in Multi-Family Zoning District.

1. Section 358.04(a) which states that a fence in the actual front yard shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open above two (2) feet in height. Proposed automated slide gates are 5' in height.

Calendar No. 22-192:

5169 Fowler Avenue.

**Ward 5
Richard Starr
8 Notices**

Mary Cuiksa, proposes to construct a 64' x 25' (1,600 square feet) single story 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)A which states In Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed 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
The proposed garage and existing garage total equal 1,600 square feet and the the maximum permitted is 1,193 square feet.

Calendar No. 22-193

15722 Lorain Avenue.

**Ward 17
Charles Slife
49 Notices**

Annette Pakis, proposes to establish use as assembly/meeting/party venue in a C2 Local Retail Business District and a Pedestrian Retail Overlay 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 assembly/meeting/party venue is not permitted in Local Retail Business District, first permitted in General Retail Business District.
2. Section 349.04 (e) which states parking area in the amount of three times the gross floor area, or a parking area of 7,335 square feet would ordinarily be required, however: due to location in a Pedestrian Retail Overlay District, per Section 343.23(i), parking area may be reduced by 33%, resulting in a required parking area of 4,841 square feet. No parking details are provided on non-scaled, non-dimensioned site plan.

Calendar No. 22-194:

1060 Bolivar Road.

**Ward 5
Richard Starr
24 Notices**

MTP, Bolivar Residences Propco, LLC proposes to erect a four story, 178 residential unit building with retail use on portions of the first floor, including 277 space structured parking that incorporates an existing, nonconforming parking garage. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 356.02(a-e) which states that a "Liner Building" (defined in Section 348.01 (g) as a building that is placed between a street line and off street parking in order to screen the parking from the public right of way) is required in the Central Business District. Such Liner Building must be equal to or greater than the height of the structured parking building, at a minimum equal in width (less the permitted vehicle access points) to the structured parking, and at least 15 feet in depth. No Liner Building along Bolivar Road is proposed for half of proposed project. Active use (retail, non-parking) is required along 70% of Bolivar Road.
2. Section 356.02 (f) which states that a minimum of 70% of Building Frontage between 2'6" and 7'6" above grade shall be transparent windows and doors.
3. Section 359.01(a) which states that use of building or land lawfully existing on the effective date of this Zoning Code or of any amendment or supplement thereto, or 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.
4. Section 341.02(a, b) Review and approval of the City Planning Commission is required.

Calendar No. 22-195:

4506 Lorain Avenue.

**Ward 3
Kerry McCormack
40 Notices**

North Coast Shuffleboard Club LLC, proposes to expansion of office & salon use to include a tattoo studio in Local Retail Business District and a Pedestrian Retail Overlay District (PRO). 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 a Tattoo Studio is not permitted in Local Retail Business but is first permitted in General Retail District 343.11, if it meets the conditions described in section 347.12(b) which states: (1.) No such use shall be establishes within one thousand (1,000) feet of a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center. (2.) No such use shall be established within one thousand (1,000) feet of another such use.

POSTPONED FROM OCTOBER 31, 2022
DUE TO LACK OF QUORUM

Calendar No. 22-188:

2915 Detroit Avenue.

Ward 3

Kerry McCormack

34 Notices

2915 Detroit Avenue LLC , proposes to change of use from factory to office, café, yoga studio and bicycle spin studio in a D3 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the section 349.04(c) of the Cleveland Codified Ordinances, which states that 44 parking spaces are required and none are proposed.

Calendar No. 22-172

2915 Detroit Avenue.

Ward 3

Kerry McCormack

34 Notices

2915 Detroit Avenue LLC , proposes alterations and to establish use as bar/restaurant in a D3 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the following section of the Cleveland Codified Ordinances:

1. Section 349.04(f) which states that accessory off street parking is required at the rate of 1 for each employee, plus 1 for each 100 square feet of floor area devoted to patron use or 1 for each 4 seats based on maximum seating capacity, whichever is greater in this case 12 parking spaces are required. Per section 343.23(i) those properties located in the Pedestrian Retail Overlay District required parking will be reduced by 1/3 therefore 8 accessory off street parking spaces required: none are provided. *POSTPONED FROM OCTOBER 17 TO ALLOW FOR CONSOLIDATION OF THE PRESENTATION OF TWO PROJECTS.*

