



Cleveland Board of Zoning Appeals

Monday March 20, 2023

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

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

Cleveland Board of Zoning Appeals

March 20, 2022

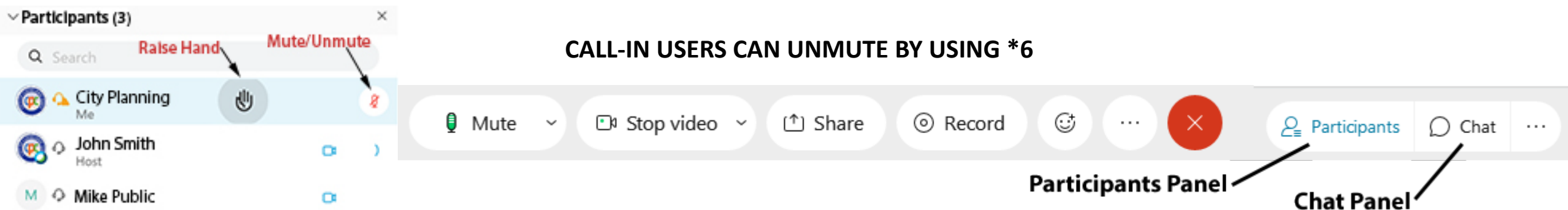
Preamble

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.



The screenshot displays the Webex interface. On the left, the 'Participants (3)' panel is visible, listing 'City Planning Me', 'John Smith Host', and 'Mike Public'. A red arrow points to the 'Raise Hand' icon (a hand) next to 'City Planning Me', and another red arrow points to the 'Mute/Unmute' icon (a microphone with a slash) next to the same participant. Below the participants list is the bottom toolbar containing icons for 'Mute', 'Stop video', 'Share', 'Record', a smiley face, a red 'X' icon, 'Participants', and 'Chat'. A red arrow points from the text 'Participants Panel' to the 'Participants' icon, and another red arrow points from the text 'Chat Panel' to the 'Chat' icon. The text 'CALL-IN USERS CAN UNMUTE BY USING *6' is centered above the toolbar.

Cleveland Board of Zoning Appeals

March 20, 2022

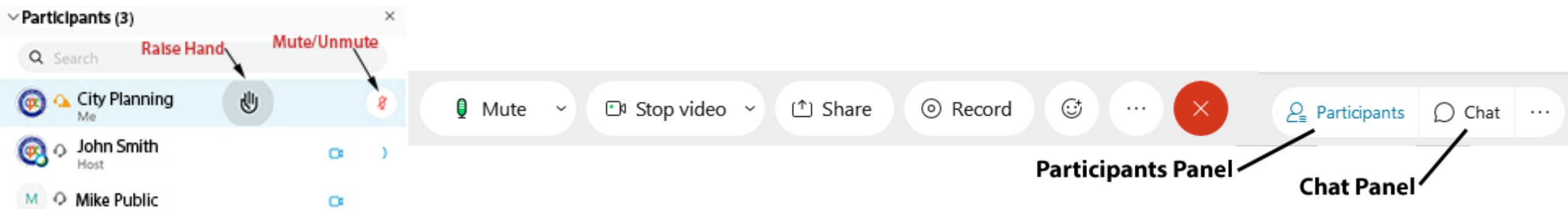
Preamble

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





NONE TODAY



Cleveland Board of Zoning Appeals

Public Hearing



Public Hearing



Calendar No. 23-040:

10222 Garfield Ave.

Ward 9

Atir Catering and Event Planning and Rita Davidson propose to establish use as Residential Facility for five occupants in a B1 Two-Family Residential District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances w

1. Section 325.357 which states that a " 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 the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.03(h) which states that a residential facility 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 two existing Residential Facilities at 9609 Empire Ave, and 10320 Yale Ave.



Public Hearing

Calendar No. 23-040:

10222 Garfield Ave.

Ward 9



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.

Public Hearing

Calendar No. 23-040:

10222 Garfield Ave.

Ward 9



HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and an area variance from the minimum distance requirement 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 variance, Appellant must prove that denying the request:

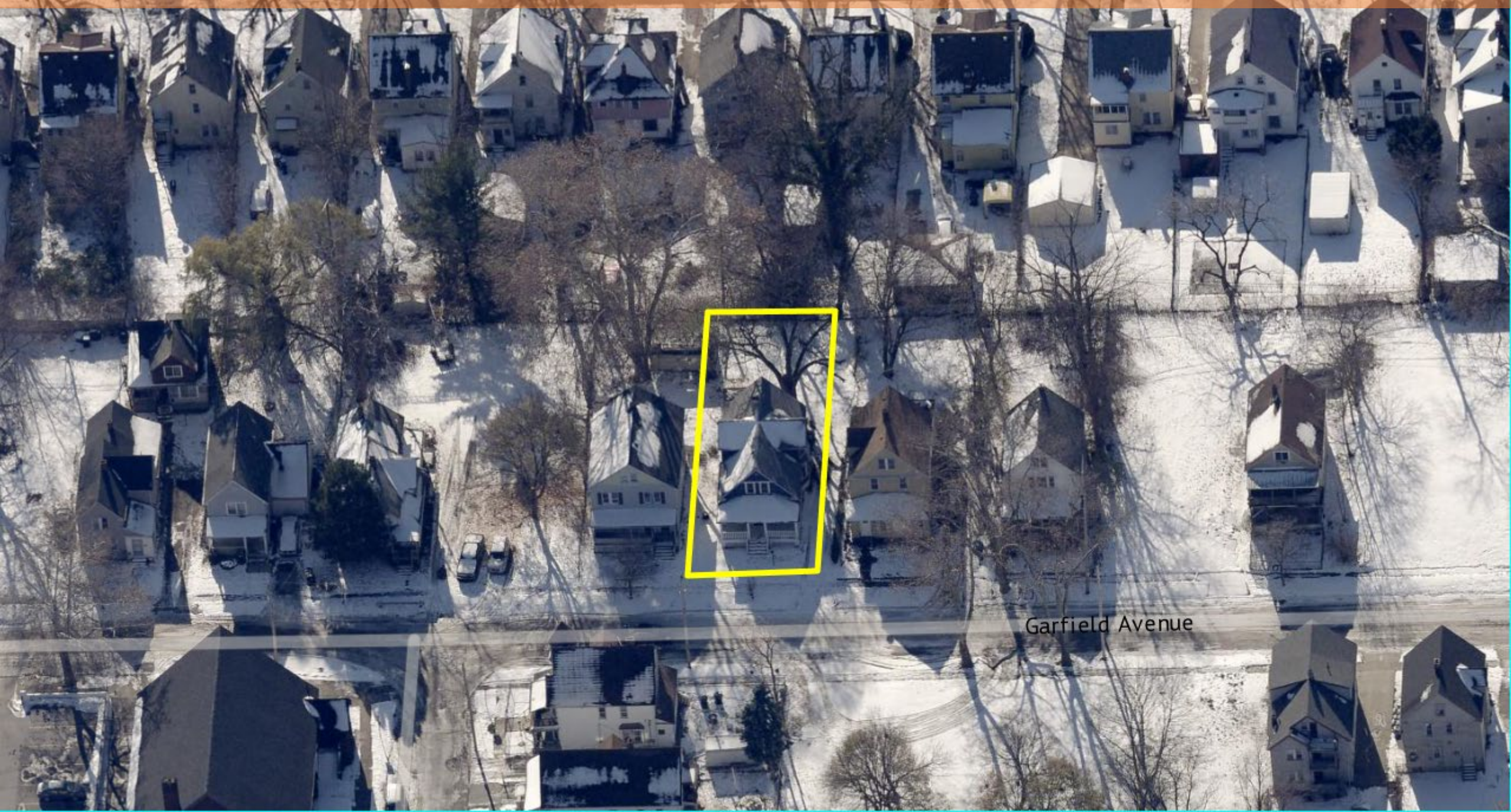
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

Calendar No. 23-040:

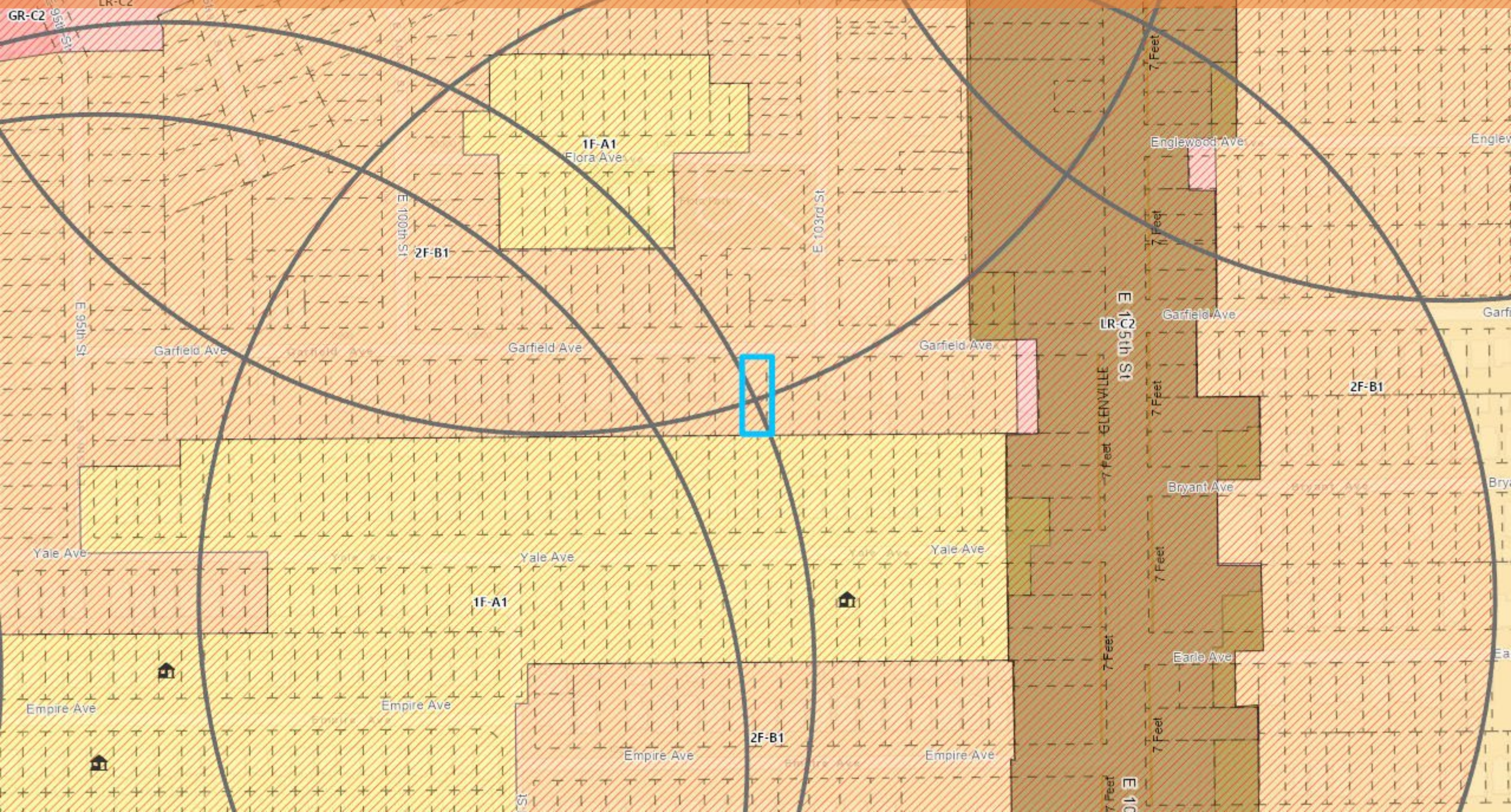
10222 Garfield Ave.

Ward 9



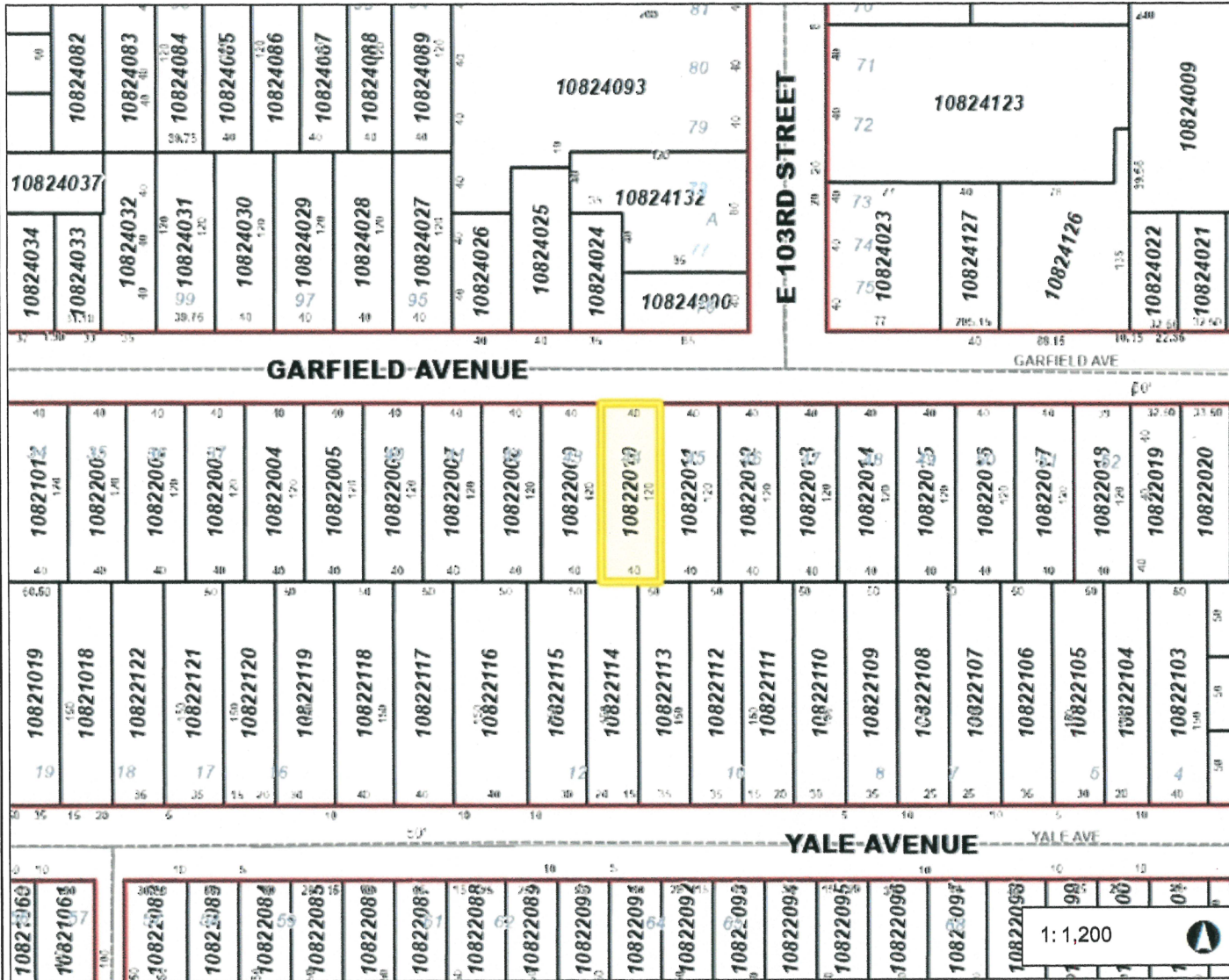
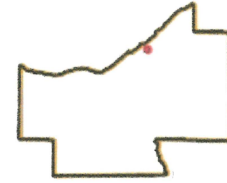


Garfield Avenue





Cuyahoga County GIS Viewer



Date Created: 1/19/2023

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

200 0 100 200 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

— Cuyahoga County —
Enterprise GIS
PUTTING CUYAHOGA COUNTY ON THE MAP

BZA 23-040

10222 Garfield



Living room

Ext Front Door

84"x36"

Windows

57"x52"

61"x28"

Int Front Door

84"x36"

Dining Room

Windows

(3) 61"x41"

1st Bedroom

Door

(2)84"x30"

Window

57"x41"

61"x28"

2nd Bedroom

Door

84"x31 1/2"

Window

61"x28"

Windows

(2)61"x28"

(2) Back Door

80"x32" 79"x29 1/2"

Door

79 1/2"x29"

Window

28"x18'

Windows

(2)53"x40"

(3)53"x40"

Door

80"x32"

Window

52"x28"

Kitchen

Bathroom

Upstairs Sitting Rm

Upstairs Family Rm

1st Bedroom

2nd Bedroom

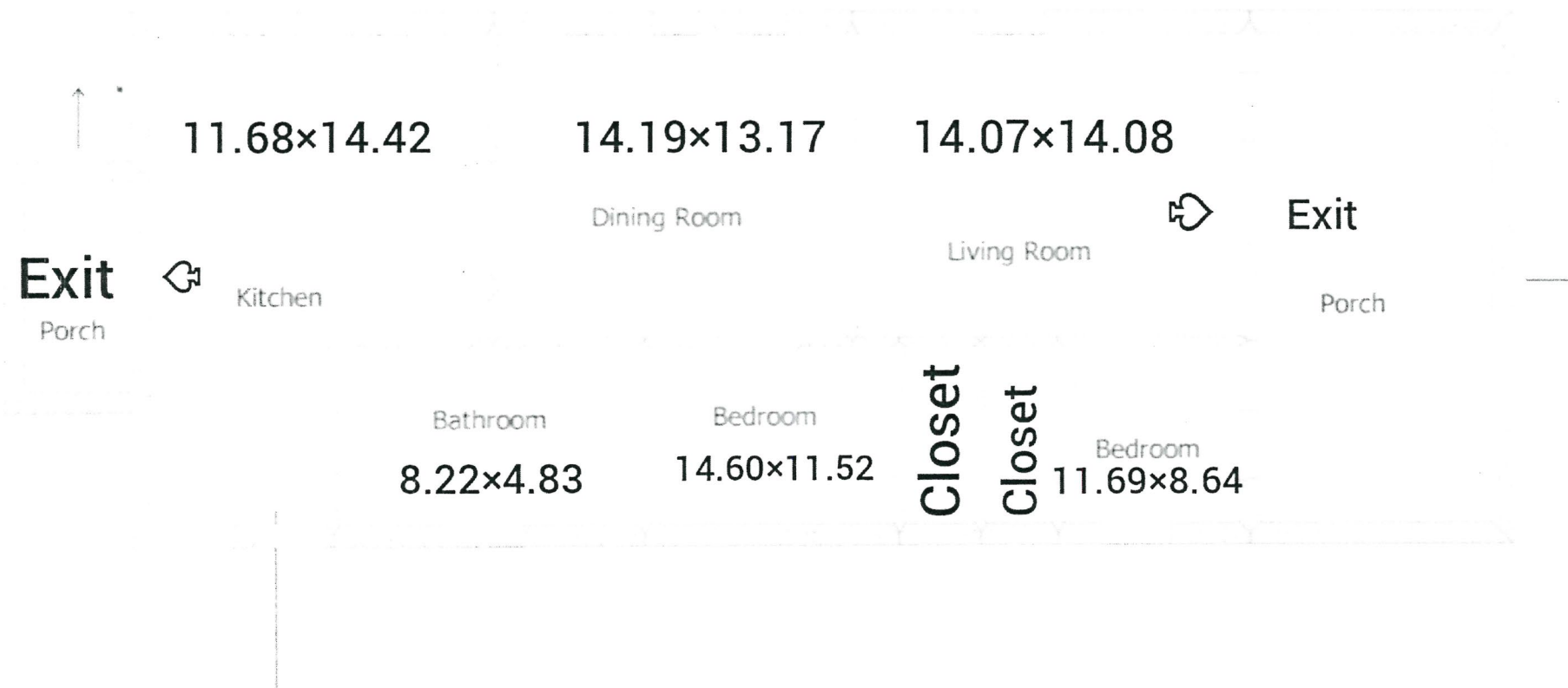
Door

80"x32"

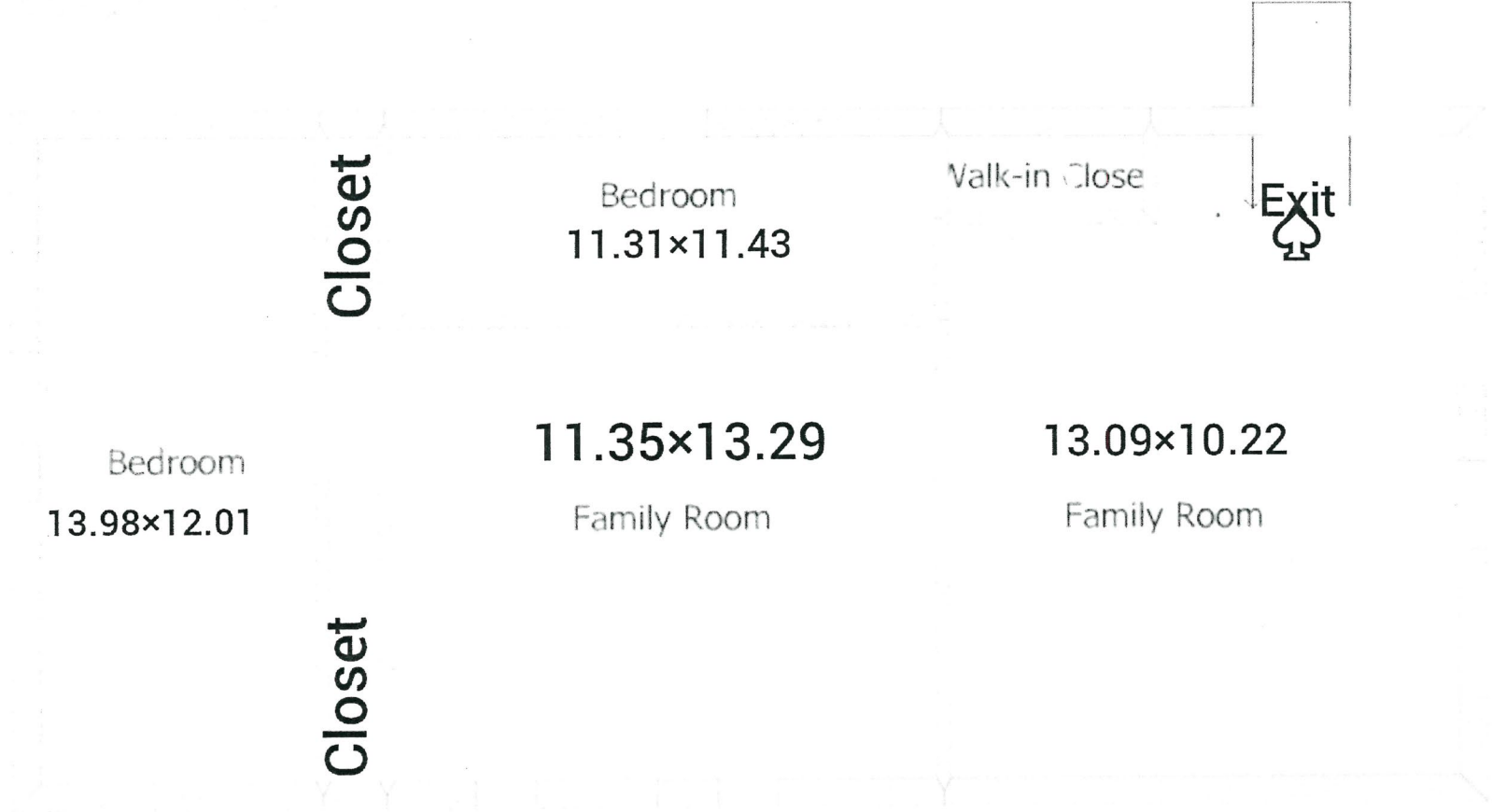
Window

(2)52"x28"

main floor



2nd Floor



Closet

Bedroom
11.31x11.43

Walk-in Close

Exit

Bedroom
13.98x12.01

11.35x13.29
Family Room

13.09x10.22
Family Room

Closet

Basement



2019/08/15
10:00 AM
10:00 AM
10:00 AM

Public Hearing



Calendar No. 23-041:

2735 Woodhill Rd.

Ward 6

BMO LLC, proposes to construct a pavilion shelter for Woodland Community Garden in Limited Retail Zoning District. The appellant appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 348.04(d)(1)(A) which states that the permitted maximum front yard setback is 8 feet and the appellant is proposing approximately 32 feet. Please note that a lot consolidation is required.



Public Hearing

Calendar No. 23-041:

2735 Woodhill Rd.

Ward 6



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





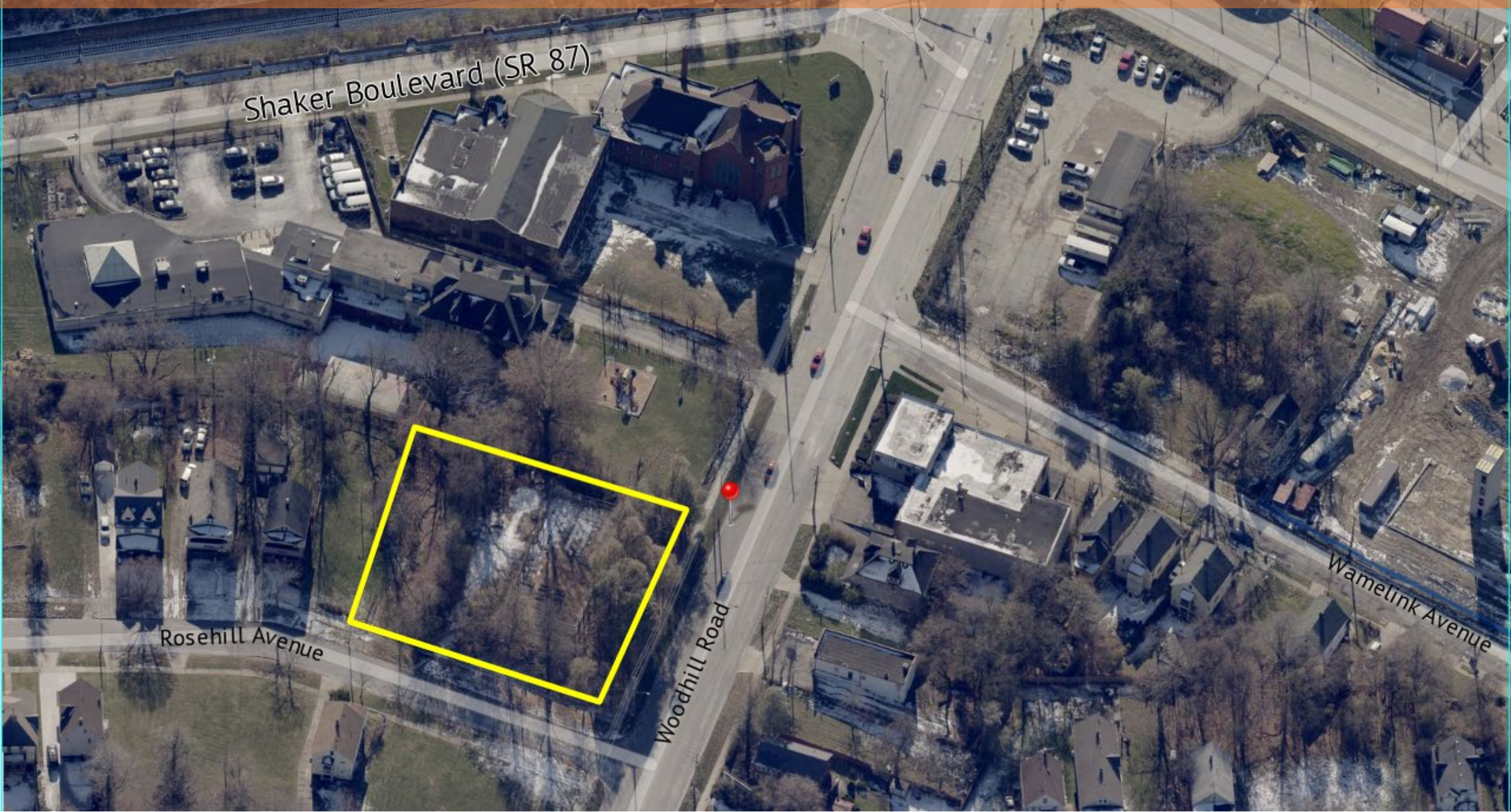
LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the maximum front yard setback requirement 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



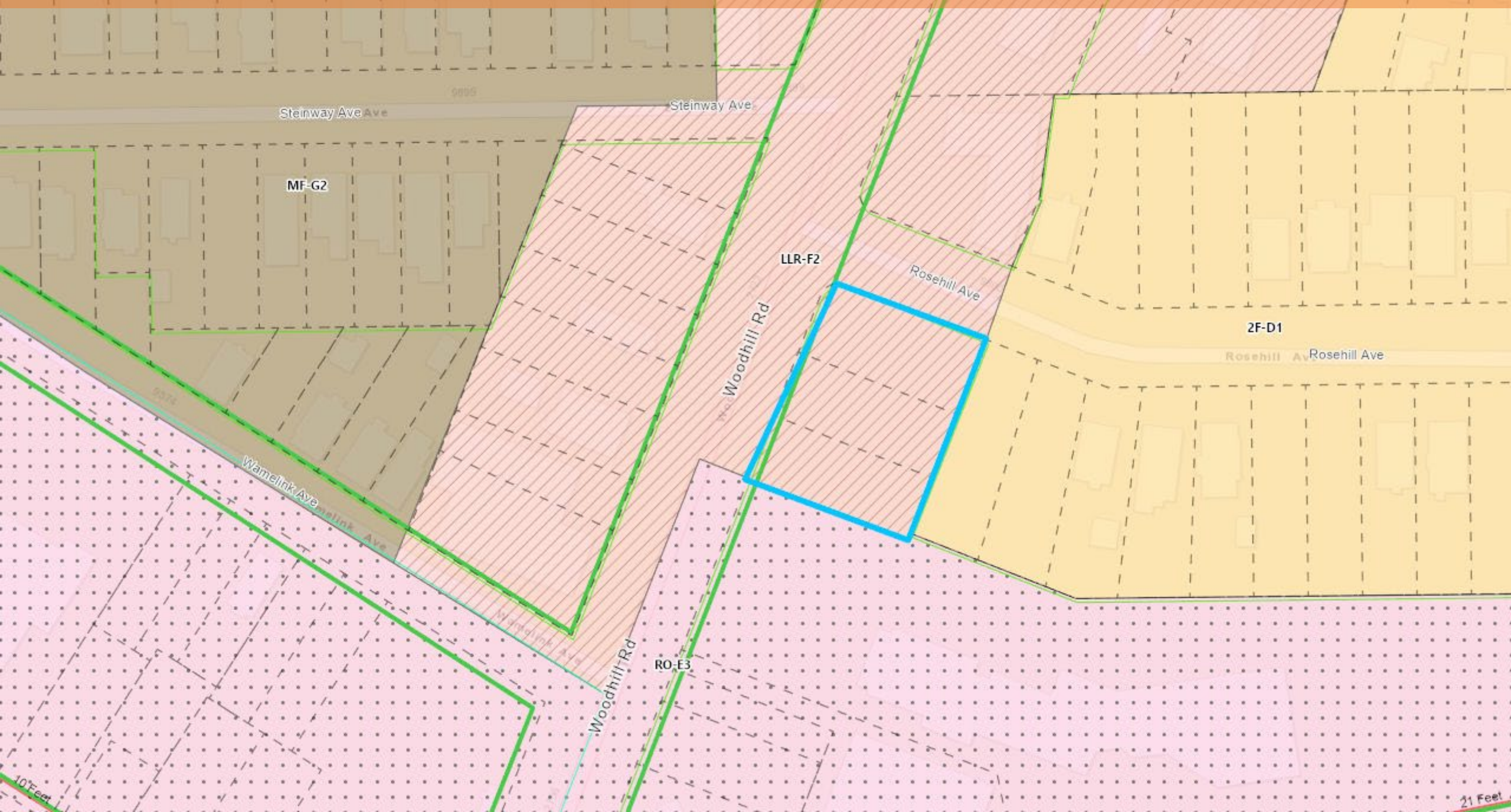


Shaker Boulevard (SR 87)

Rosehill Avenue

Woodhill Road

Wamelink Avenue



Woodhill Community Garden Pavilion

Calendar No. 23-041

Project Location:

2735 Woodhill Rd. Cleveland, OH 44104

Ward 6 - Council President Blaine Griffin

Project Owner:

BMO, LLC

3850 Chagrin River Rd.

Moreland Hill, OH 44022

Project Contact:

Tim Dehm, Urban Revitalization Fellow

Western Reserve Land Conservancy

812 Huron Rd. STE. 840, Cleveland, OH 44115

Project Contractor:

Mike Supler, President

New Vista Enterprises

11009 Woodland Ave, Cleveland, OH 44104

Representative Agent for BZA presentation:

Bill Hance, Landscape Architect

New Vista Enterprises

11009 Woodland Ave, Cleveland, OH 44104

Project Narrative:

This pavilion will be constructed according to the Berlin Gardens’s 18’ x 18’ “Victoria Pavilion” design with concrete pier post anchors. This pavilion will provide shelter for members of the Woodhill Community Garden. Members will use the space to gather, educate, and host events at the garden. Woodhill Community Garden is a newly improved garden that provides residents the opportunity to grow and access fresh fruits, vegetables, and herbs.

BZA-Provided Descripton:

BMO LLC proposes to construct a pavilion shelter for Woodland Community Garden member on a parcel located in F2 Limited Retail Zoning 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) which states that the permitted maximum front yard setback is 8 feet and the appellant is proposing is about 32 feet. Note that lot consolidation is required.

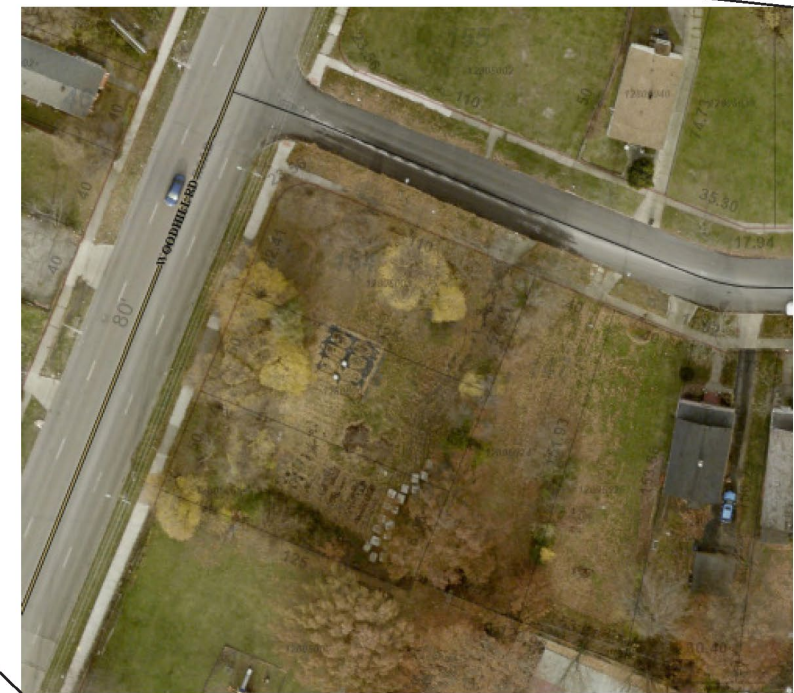
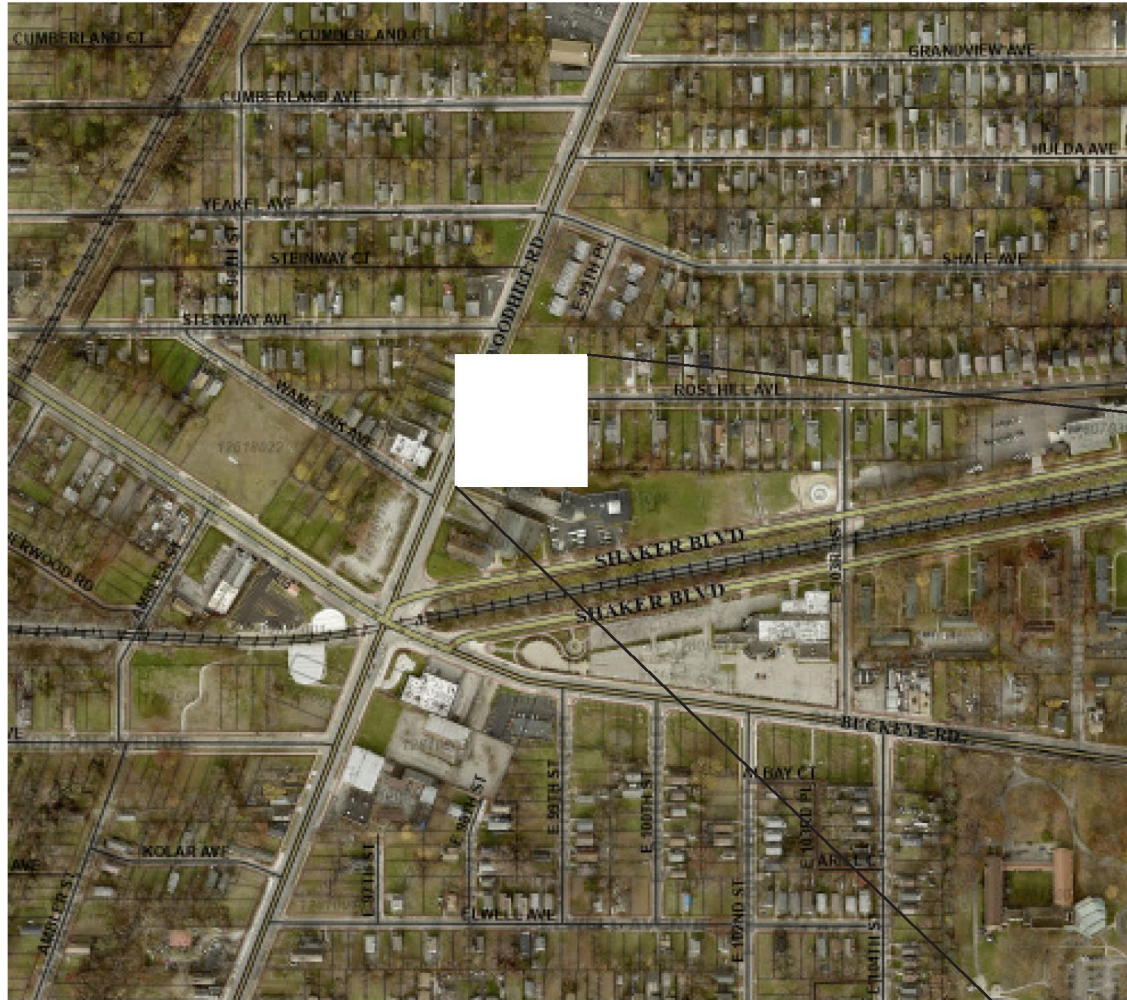


Illustrative rendering of proposed pavilion

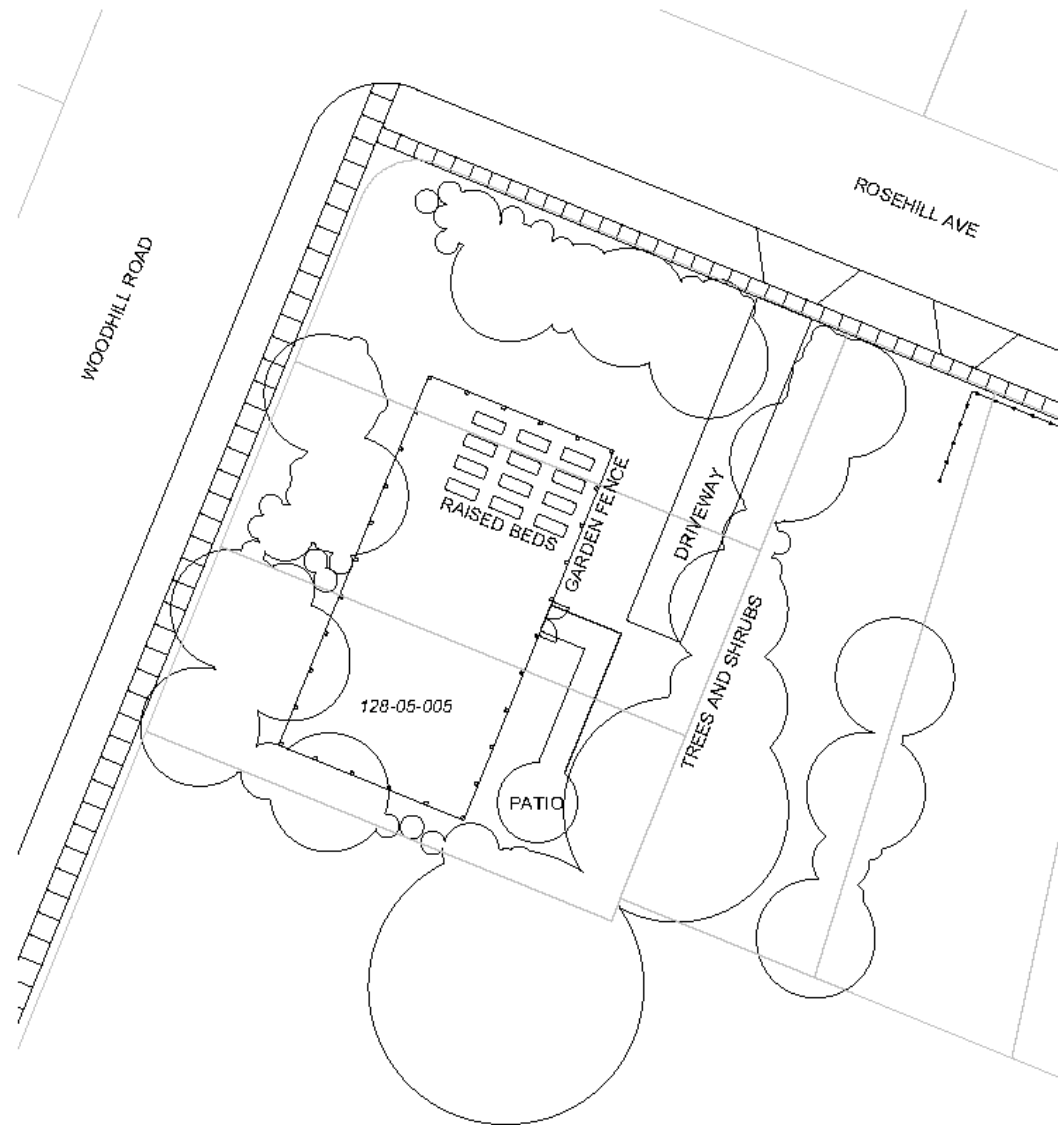
Project Location:

2735 Woodhill Rd. Cleveland, OH 44104

Ward 6 - Council President Blaine Griffin



General Site Plan
Existing conditions
(at time of permit submission)

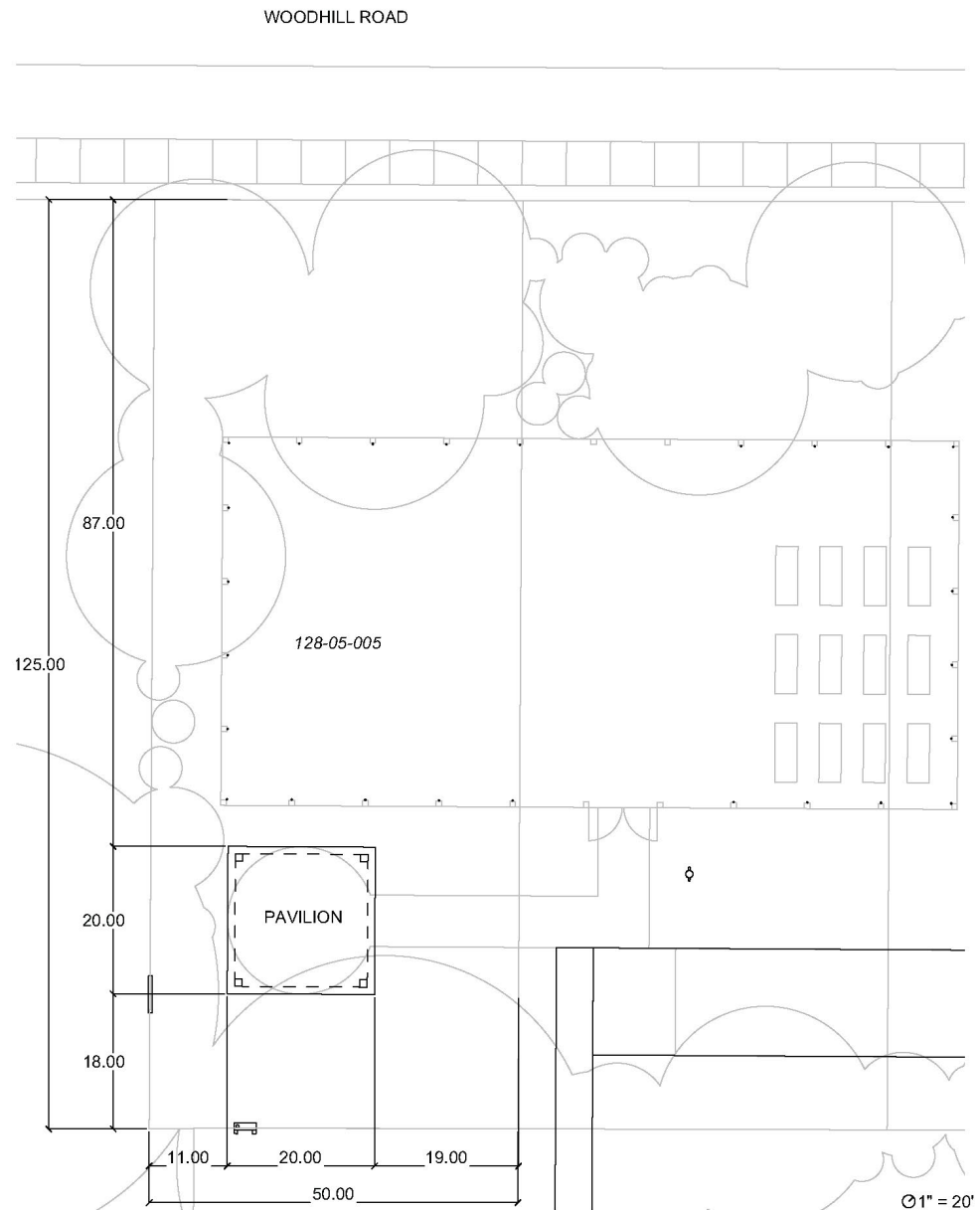


View from Woodhill Road looking at north east towards Woodhill Community Garden



View from inside Woodhill Community Garden patio looking north west

Pavilion Location



Illustrative rendering of proposed pavilion looking south

Public Hearing



Calendar No. 23-043:

7802 Donald Ave.

Ward 7

Howard Hill properties and Ebony Warren propose to establish use as Residential Facility for more than six occupants in a B1 Two-Family Residential District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.357 which states that a " 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 the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.03(h) which states that a Residential Facility, for six (6) to sixteen (16) persons, is not permitted in a Two Family zoning district but is first permitted in a Multi-Family Residential zoning district as conditional upon approval by the City Planning Commission, per Section 337.08(g).



Public Hearing

Calendar No. 23-043:

7802 Donald Ave.

Ward 7



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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 from the requirements of the zoning code.

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

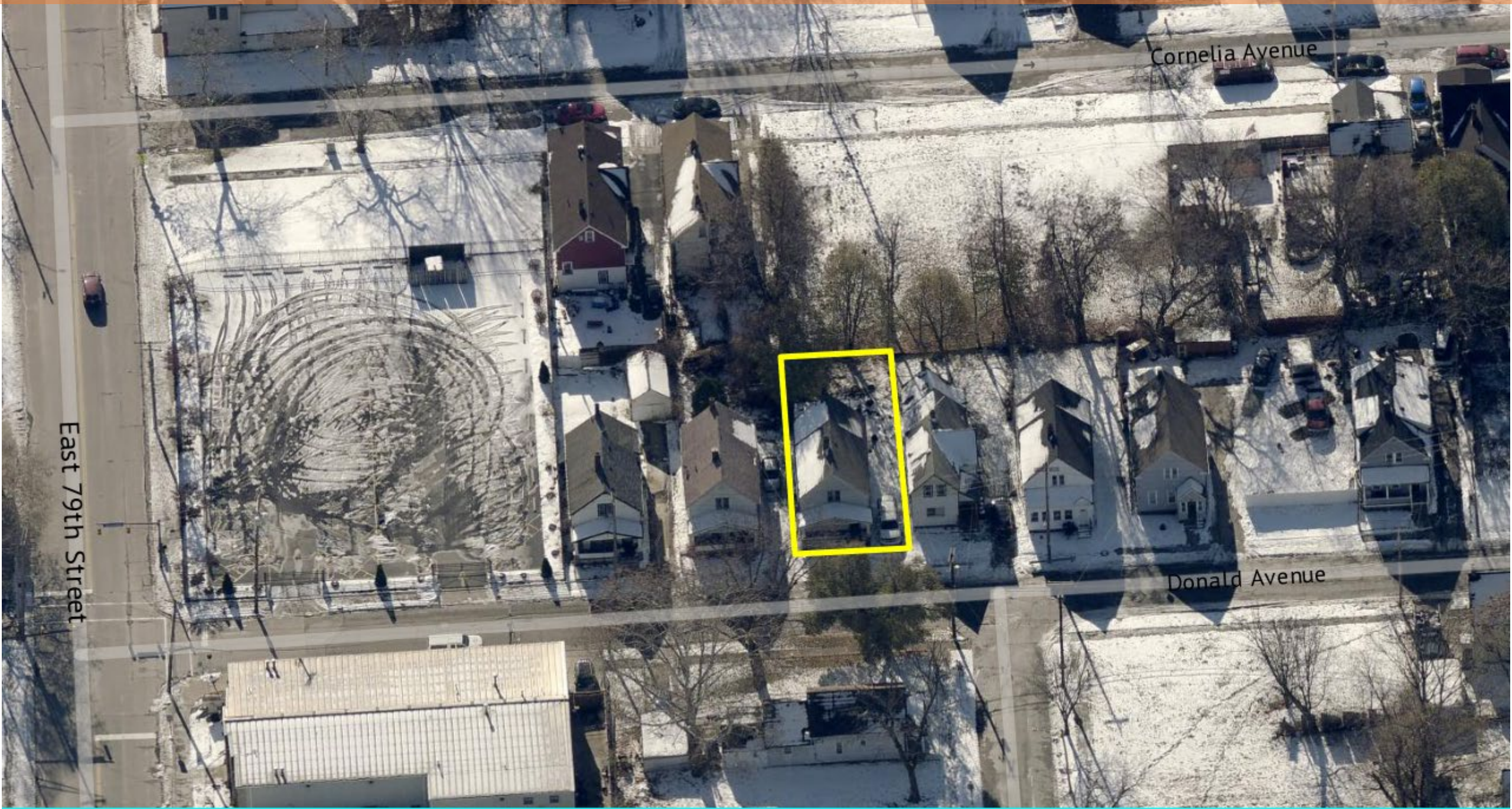
1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent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



Calendar No. 23-043:

7802 Donald Ave.

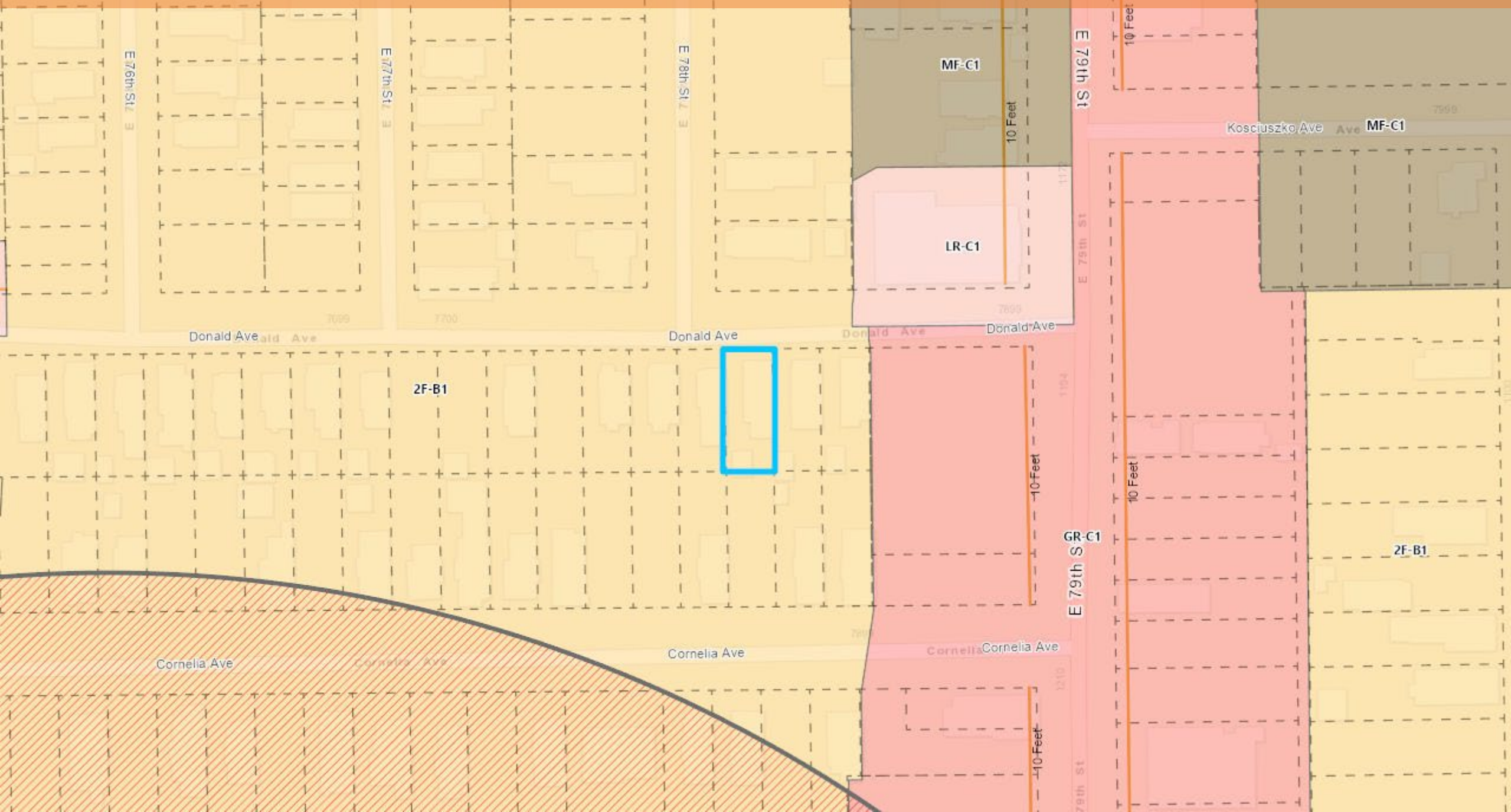
Ward 7



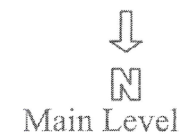
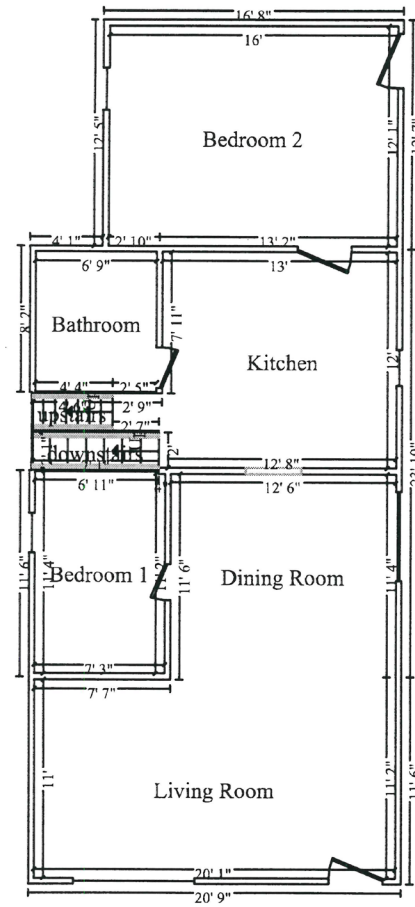
Cornelia Avenue

East 79th Street

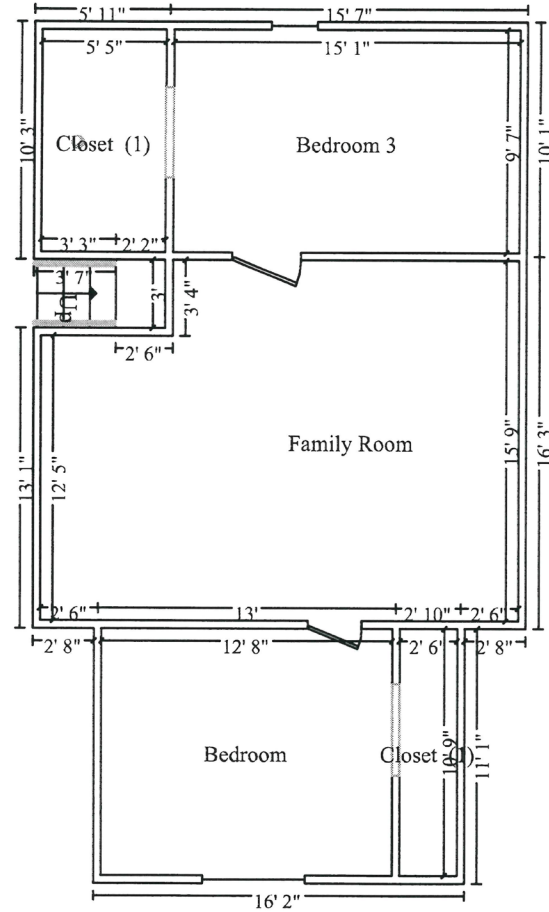
Donald Avenue



BZA23-043



B2A23-043





Public Hearing



Calendar No. 23-044:

1865 W. 22 Street.

Ward 3

1865 W. 22 St. LLC, proposes to renovate existing building and erect an addition of 7 new units with 6 new parking space to existing 7 unit apartment building located in a K4 Semi-Industry Zoning District. The applicant appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 349.04(a) which states that an additional 7 parking spaces are required for the new 7 units where only 6 parking spaces are proposed.



Public Hearing

Calendar No. 23-044:

1865 W. 22 Street.

Ward 3



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**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 requirements 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.

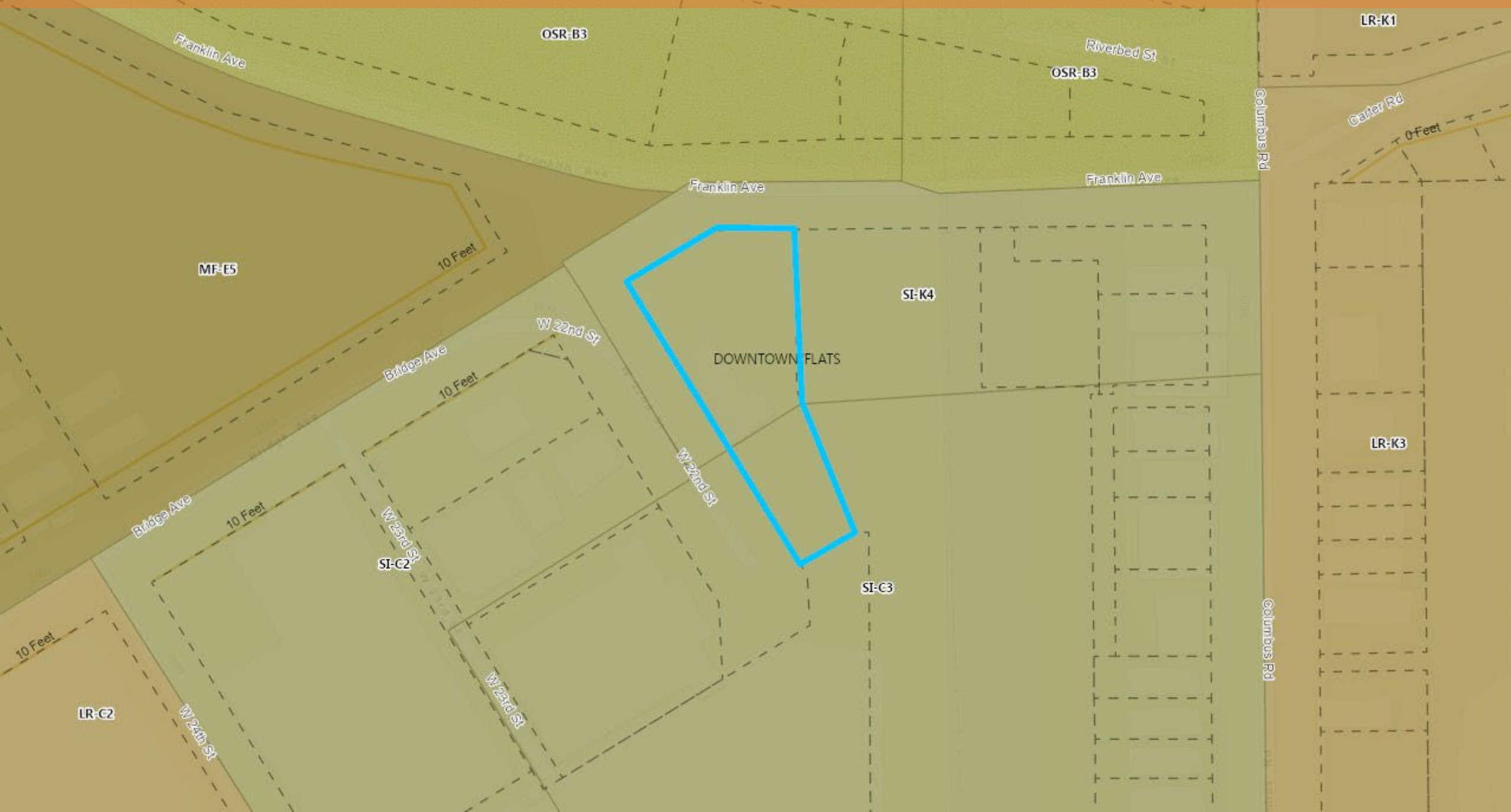
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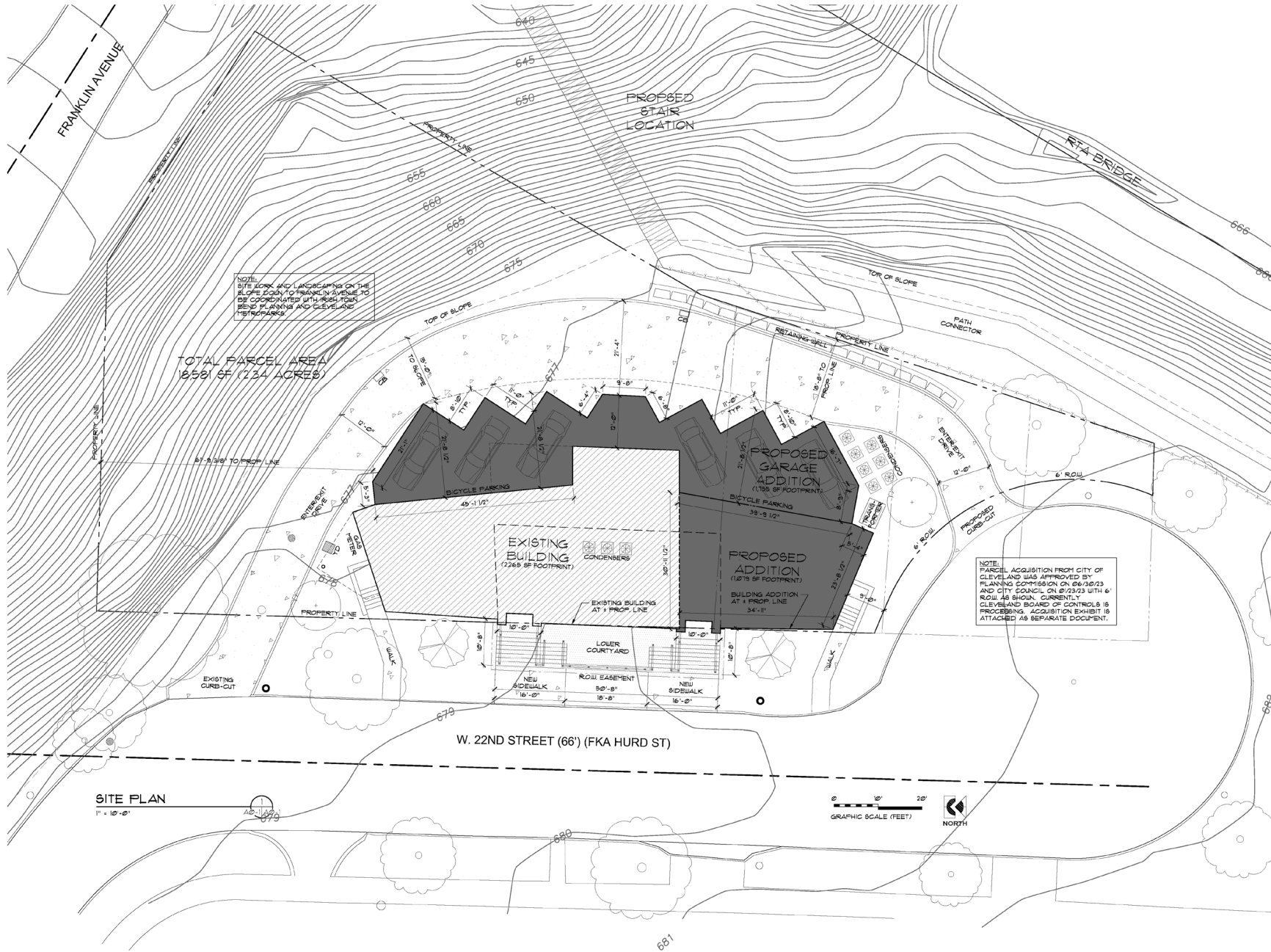
1865 W. 22 Street.

Ward 3









ISSUE	DATE	DESCRIPTION
1	01.25.23	design & zoning review



PAUL R. BEEGAN, LICENSE #12574
EXPIRATION DATE: 12.31.2023

BEEGAN

ARCHITECTURAL DESIGN

15703 MADISON AVENUE
LAKEWOOD, OHIO 44107
WWW.BEEGAN-AD.COM

216.521.9000 PHONE
216.916.4591 FAX
PAUL@BEEGAN-AD.COM

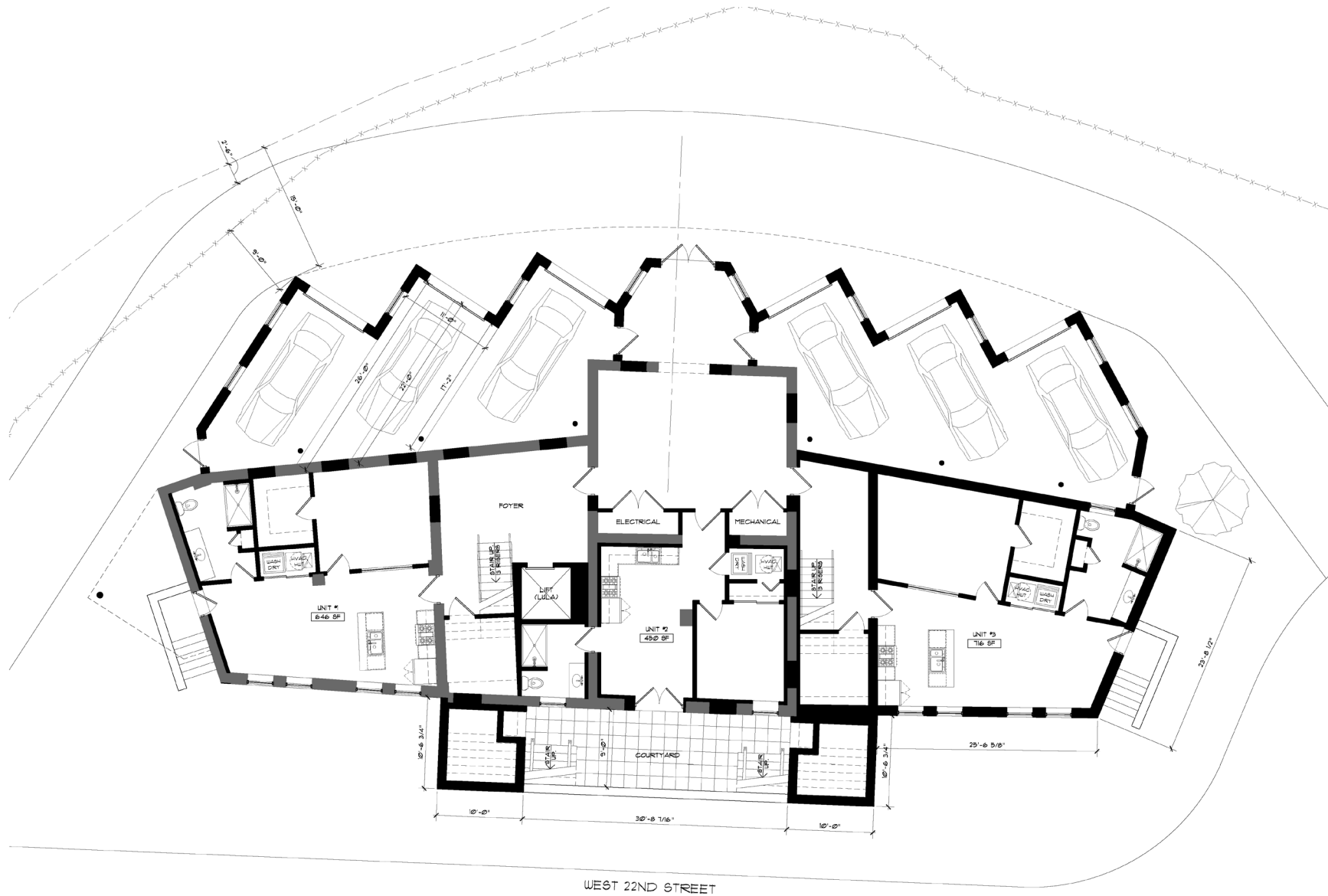
project no. 22-019

1869 W. 22nd St., LLC West 22nd Street Redevelopment

1865-69 west 22nd street
cleveland, ohio 44113

Architectural Site Plan

A0-1



ISSUE	DATE	DESCRIPTION
1	09.07.22	SD revisions
2	11.08.22	garage option
3	11.22.22	SD revisions



PAUL R. BEEGAN, LICENSE #12574
EXPIRATION DATE: 12.31.2023

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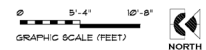
1869 W. 22nd St., LLC West 22nd Street Redevelopment

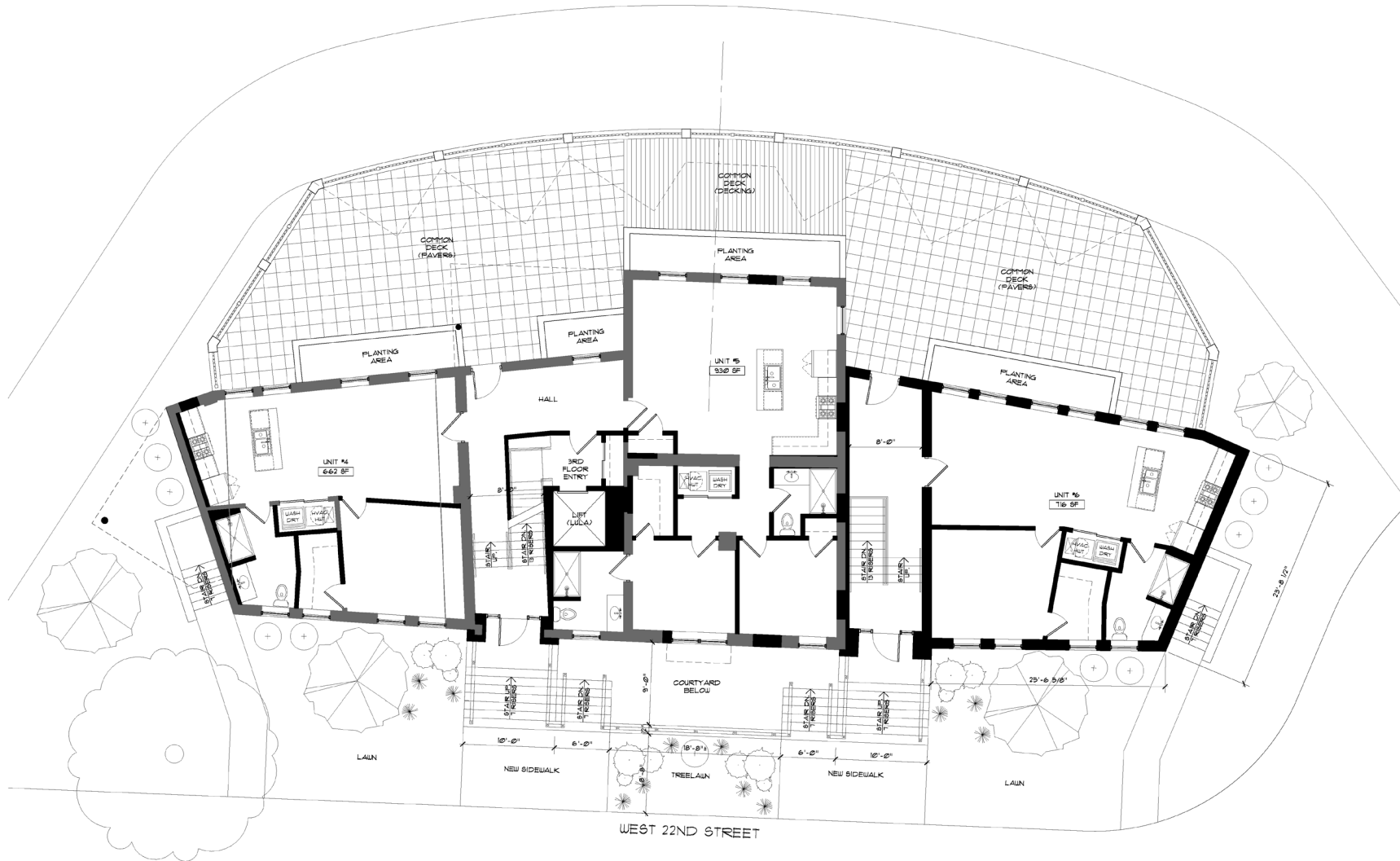
1865-69 west 22nd street
cleveland, ohio 44113

First Floor Plan

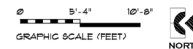
A1-4

1ST FLOOR PLAN
3/8" = 1'-0"





2ND FLOOR PLAN
3/8" = 1'-0"



ISSUE	DATE	DESCRIPTION
1	09.07.22	SD revisions
2	11.08.22	garage option
3	11.22.22	SD revisions
4	01.12.23	SD revisions



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EXPIRATION DATE: 12.31.2023

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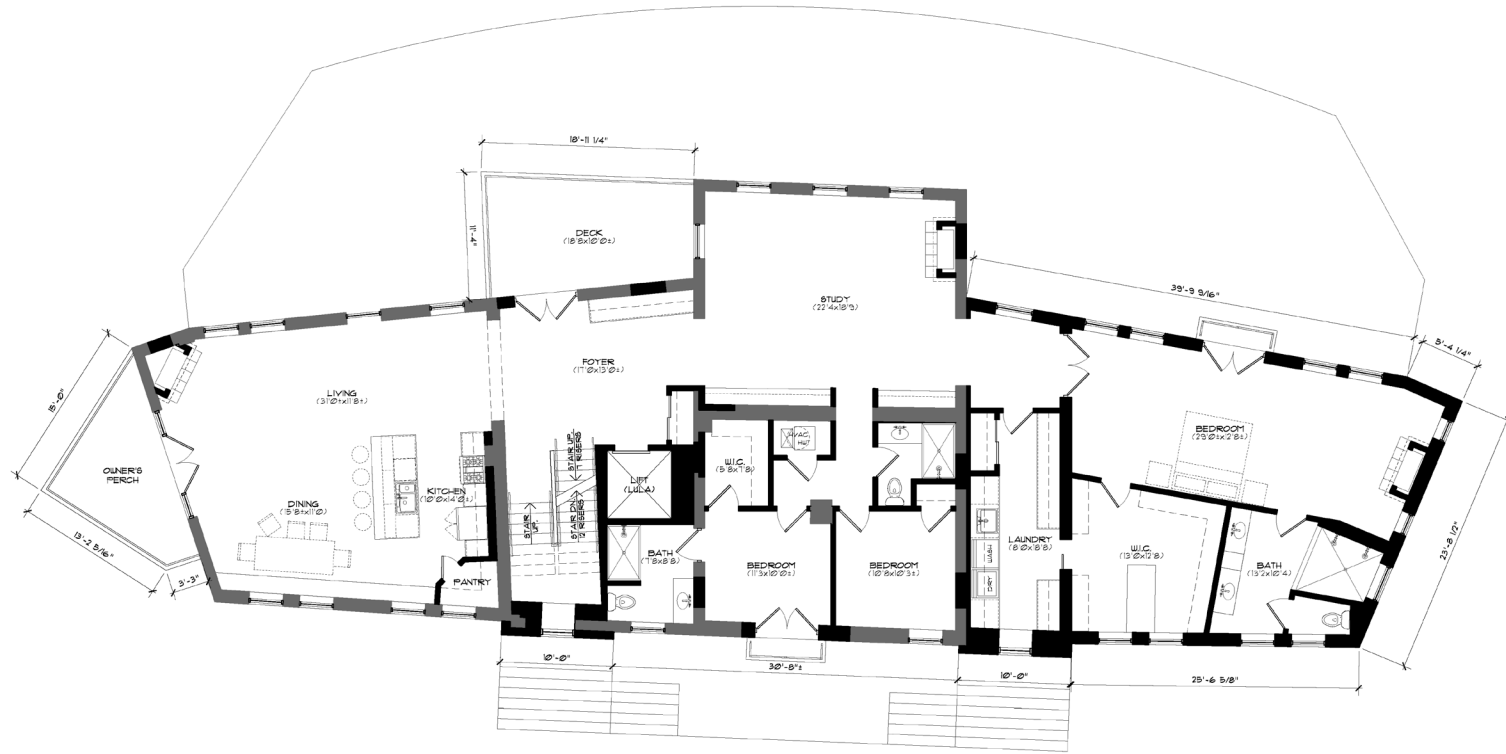
1869 W. 22nd St., LLC West 22nd Street Redevelopment

1865-69 west 22nd street
cleveland, ohio 44113

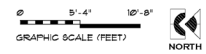
Second Floor Plan

A1-5

ISSUE	DATE	DESCRIPTION
1	09.07.22	SD revisions
2	11.22.22	SD revisions



3RD FLOOR PLAN
3/8" = 1'-0"



PAUL R. BEEGAN, LICENSE #12574
EXPIRATION DATE: 12.31.2023

BEEGAN

ARCHITECTURAL DESIGN

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LAKEWOOD, OHIO 44107
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216.521.9000 PHONE
216.916.4591 FAX
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project no. 22-019

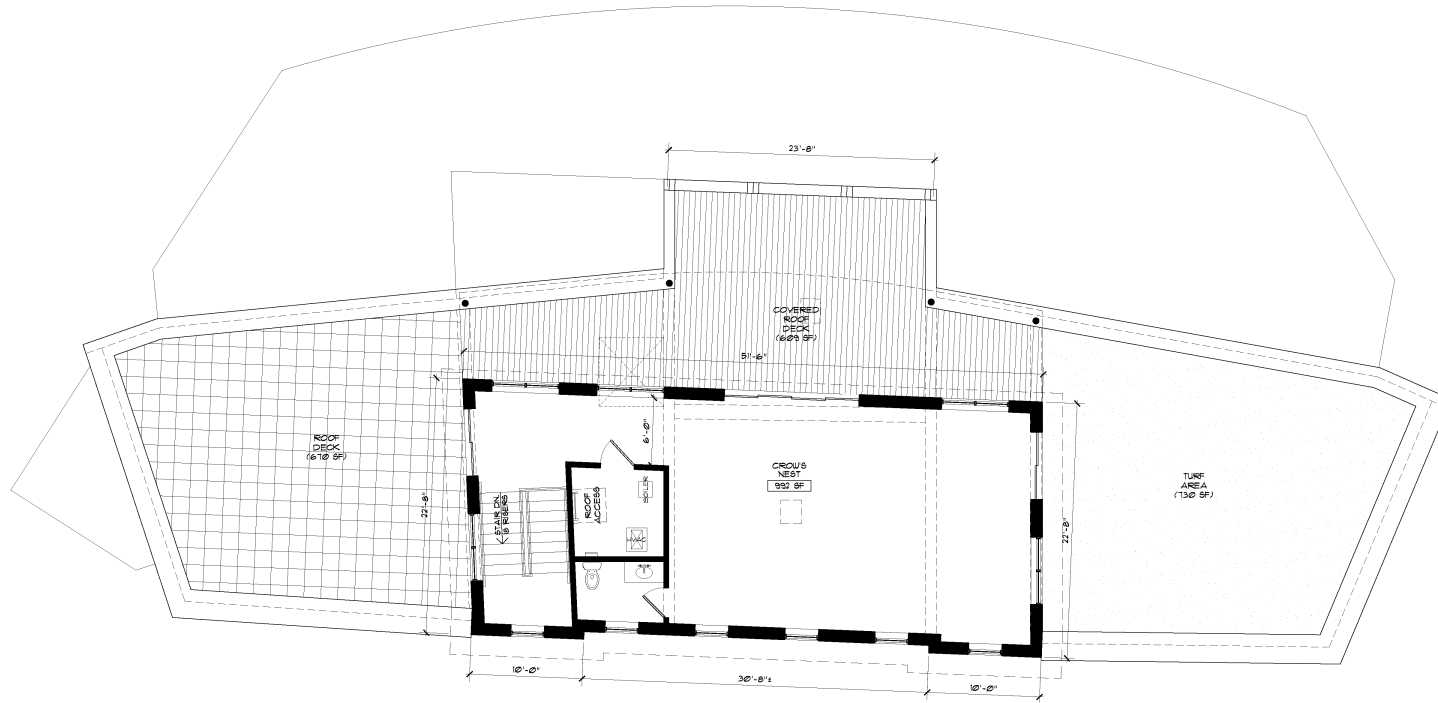
1869 W. 22nd St., LLC West 22nd Street Redevelopment

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cleveland, ohio 44113

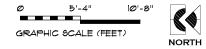
Third Floor Plan

A1-6

ISSUE	DATE	DESCRIPTION
1	01.25.23	design revisions



4TH FLOOR PLAN
3/16" = 1'-0"



PAUL R. BEEGAN, LICENSE #12574
EXPIRATION DATE: 12.31.2023

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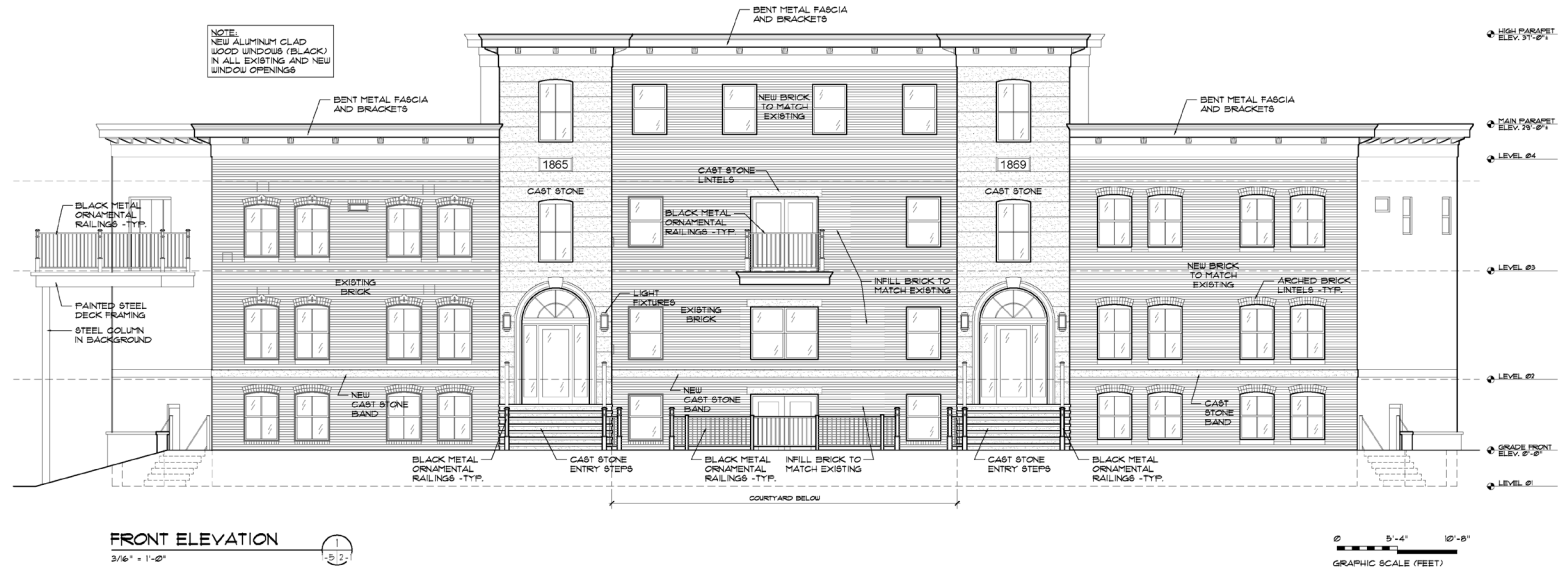
1869 W. 22nd St., LLC
West 22nd Street
Redevelopment

1865-69 west 22nd street
cleveland, ohio 44113

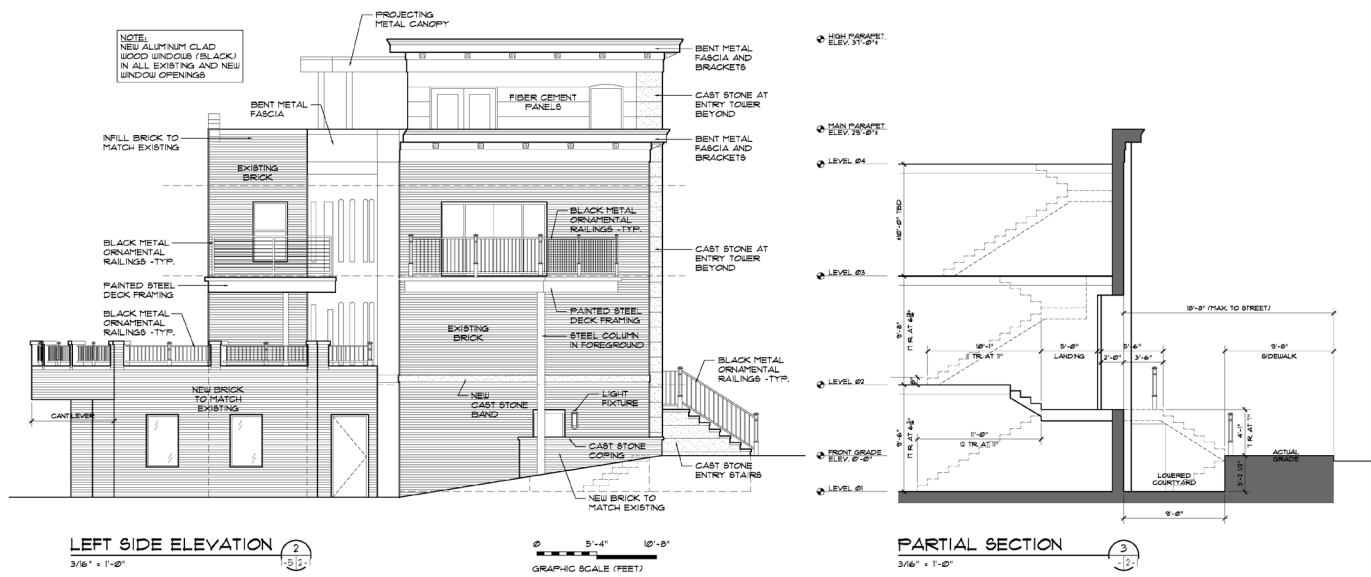
Fourth Floor Plan

A1-7

ISSUE	DATE	DESCRIPTION
1	01.25.23	design & zoning review



FRONT ELEVATION
3/16" = 1'-0"



LEFT SIDE ELEVATION
3/16" = 1'-0"

PARTIAL SECTION
3/16" = 1'-0"



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EXPIRATION DATE: 12.31.2023

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project no. 22-019

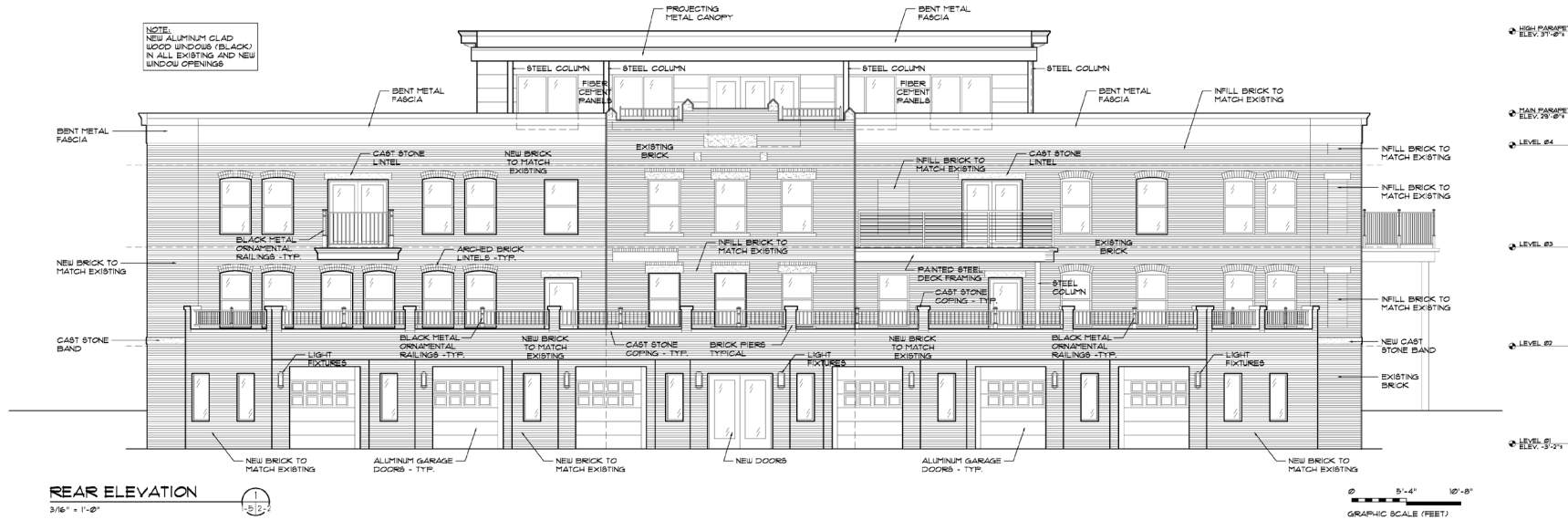
1869 W. 22nd St., LLC West 22nd Street Redevelopment

1865-69 west 22nd street
cleveland, ohio 44113

Exterior Elevations

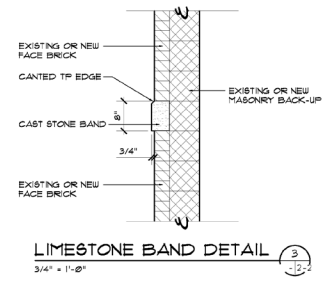
A2-1

ISSUE	DATE	DESCRIPTION
1	01.25.23	design & zoning review

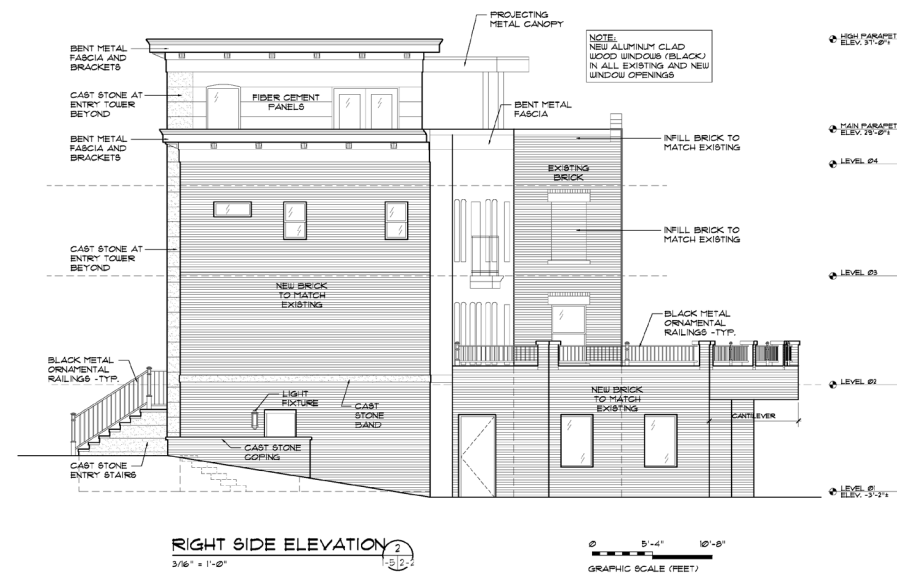


REAR ELEVATION
3/16" = 1'-0"

0 5'-4" 10'-0"
GRAPHIC SCALE (FEET)



LIMESTONE BAND DETAIL
3/4" = 1'-0"



RIGHT SIDE ELEVATION
3/16" = 1'-0"

0 5'-4" 10'-0"
GRAPHIC SCALE (FEET)



PAUL R. BEEGAN, LICENSE #12574
EXPIRATION DATE: 12.31.2023

BEEGAN

ARCHITECTURAL DESIGN

15703 MADISON AVENUE 216.521.9000 PHONE
LAKEWOOD, OHIO 44107 216.916.4591 FAX
WWW.BEEGAN-AD.COM PAUL@BEEGAN-AD.COM

project no. 22-019

1869 W. 22nd St., LLC West 22nd Street Redevelopment

1865-69 west 22nd street
cleveland, ohio 44113

Exterior Elevations

A2-2

Public Hearing



Calendar No. 23-009:

4630 Broadway Avenue.

Ward 5

Julie Abuaun, owner, proposes to establish use as Outside/Open Storage and install a six (6) foot high fence 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 345.03(c)(33) which states that "Outside/Open Storage" is first permitted in Semi-Industrial District. Any material stored in unenclosed premises to a height greater than four (4) feet above grade level shall be surrounded by a substantial seven (7) foot high wall or fence erected to observe all required building lines.
2. Section 349.04 (j) which states that for "open storage" one (1) parking space for each employee plus 15% of the gross lot area and no parking is proposed.
3. Section 349.07(a) which states accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking space, surfaced with concrete, asphaltic concrete or asphalt.
4. Section 352 which states that a landscape plan is required; none proposed.



Public Hearing

Calendar No. 23-009:

4630 Broadway Avenue.

Ward 5



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 fencing, parking, grading, and landscaping requirements 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

Calendar No. 23-009:

4630 Broadway Avenue.

Ward 5



East 46th Place

East 47th Street

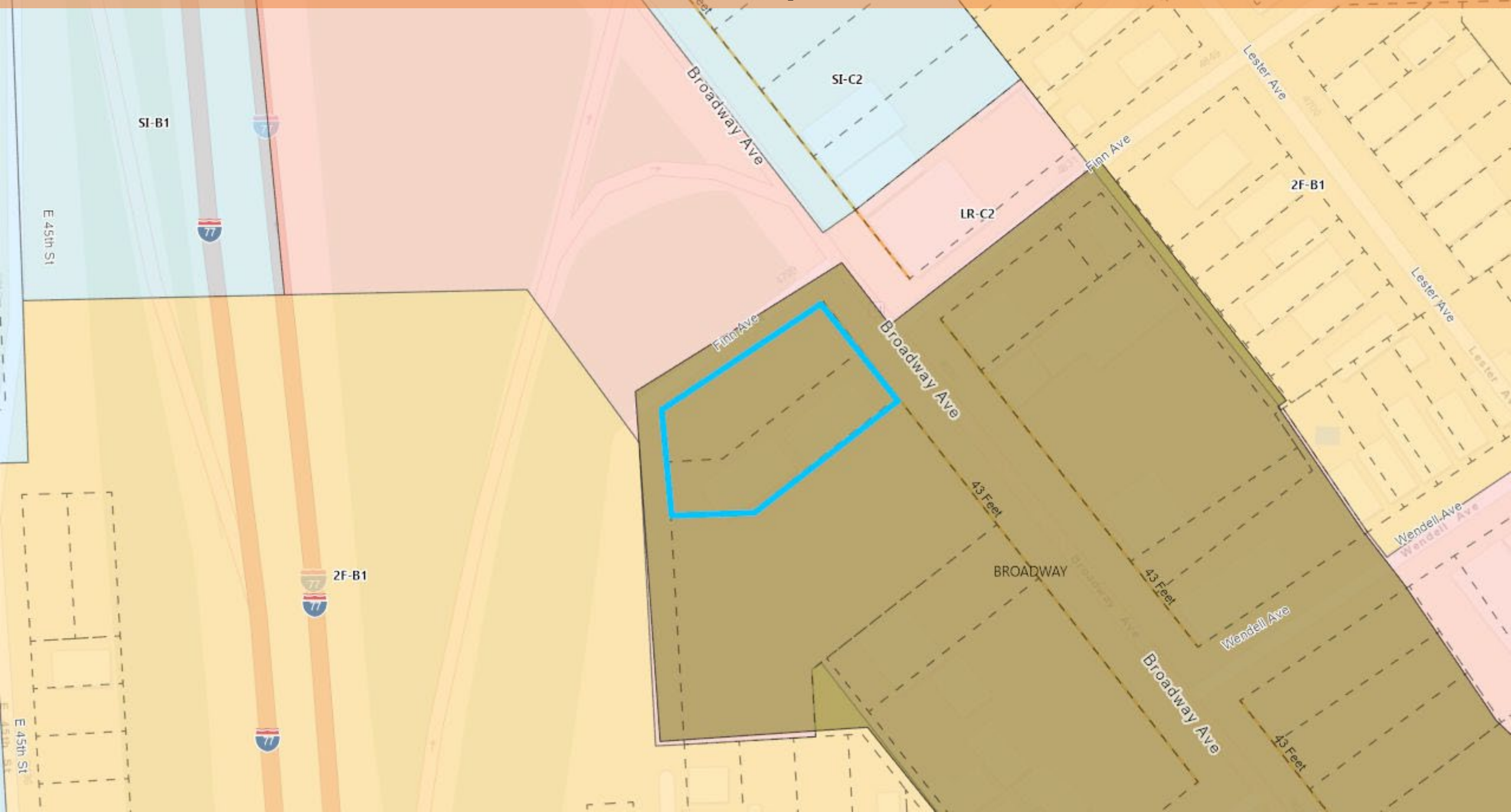
Czar Avenue

Broadway Avenue (SR 14)

Lester Court

Finn Avenue





Public Hearing

Calendar No. 23-010:

4636 Broadway Avenue.

Ward 5

Julie Abuaun, owner, proposes to establish use as Outside/Open Storage and install a six (6) foot high fence 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 345.03(c)(33) which states that "Outside/Open Storage" is first permitted in Semi-Industrial District. Any material stored in unenclosed premises to a height greater than four (4) feet above grade level shall be surrounded by a substantial seven (7) foot high wall or fence erected to observe all required building lines.
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4. Section 352 which states that a landscape plan is required; none proposed.



Public Hearing

Calendar No. 23-010:

4636 Broadway Avenue.

Ward 5



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HISTORY OF THE PROPERTY



LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and area variances from the fencing, parking, grading, and landscaping requirements 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

Public Hearing

Calendar No. 23-016:

1546 E 65th Street

Ward 7



Famicos Foundation, proposes to erect a 1 ½ story frame single-family residence with attached garage on a City of Cleveland land bank lot. The appellant is requesting relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that the required rear yard is 14 feet and 10 inches and the appellant is proposing 13.3 feet.
2. Section 337.23(6)(B)(2)(b) which states the required side street setback for attached garage is 18 feet and the appellant is proposing 12'.
3. Section 341.02(b) which states that City Planning approval is required before issuance of building permit.



Public Hearing

Calendar No. 23-016:

1546 E 65th Street

Ward 7



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HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting area variances from the rear yard and side street setback requirements 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.

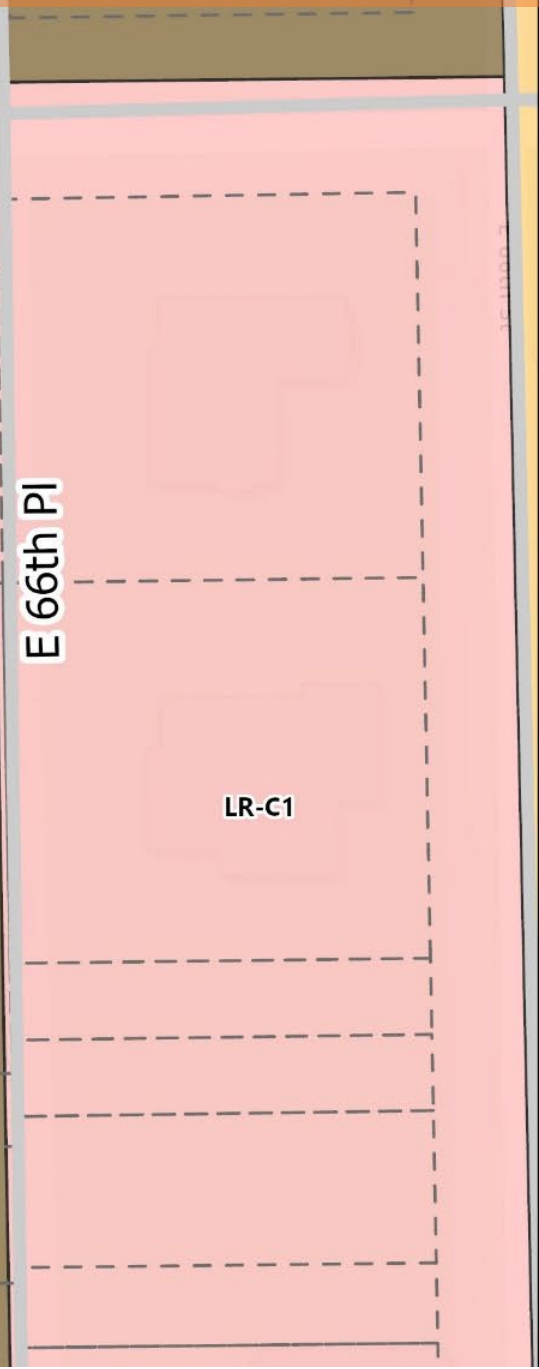
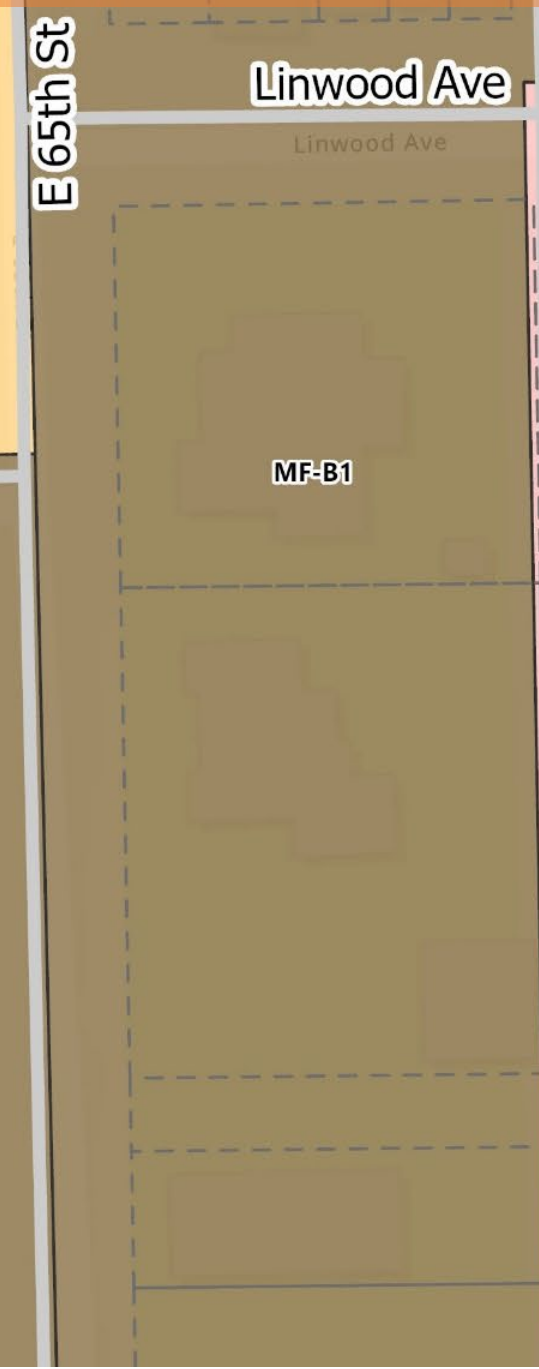
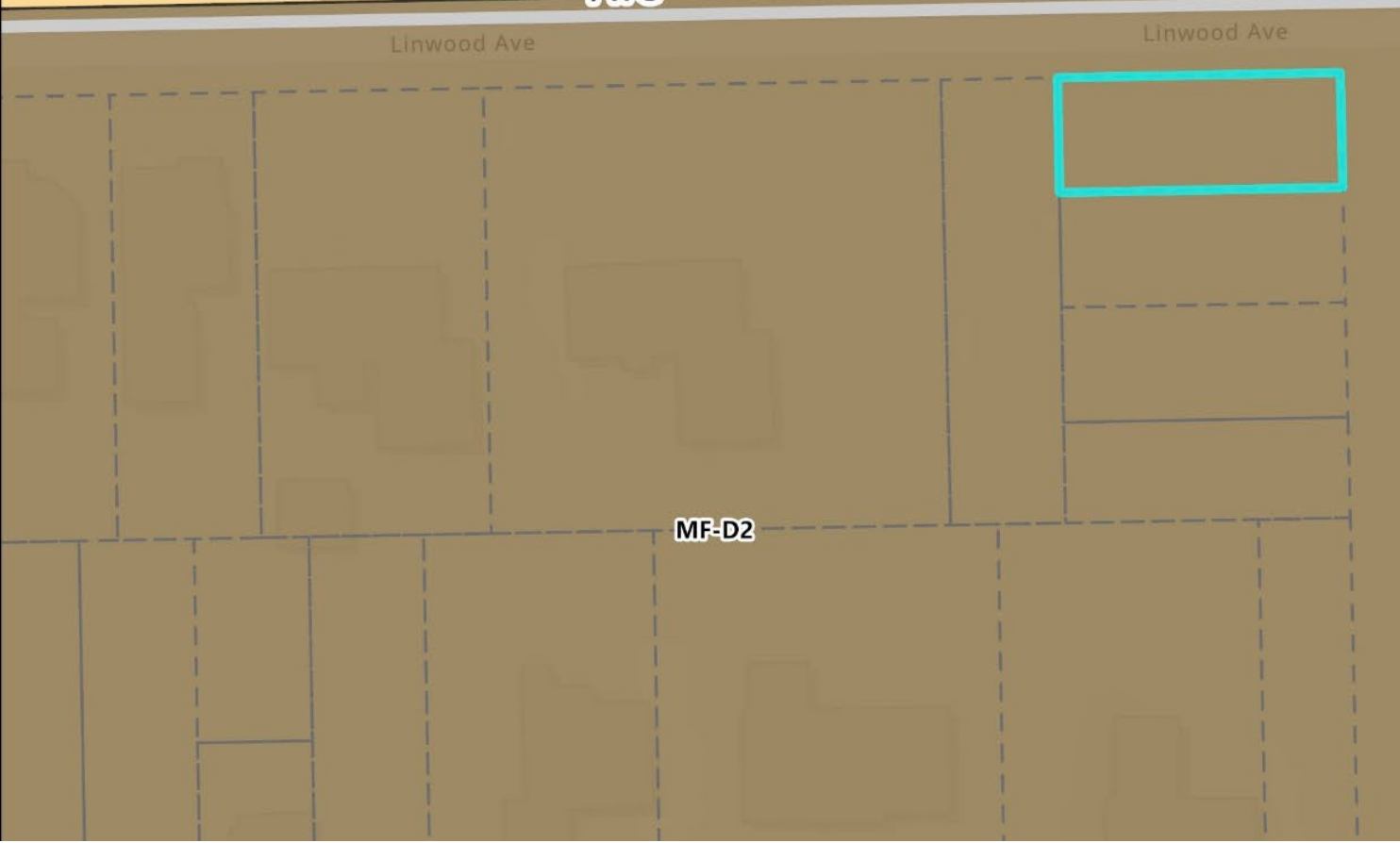


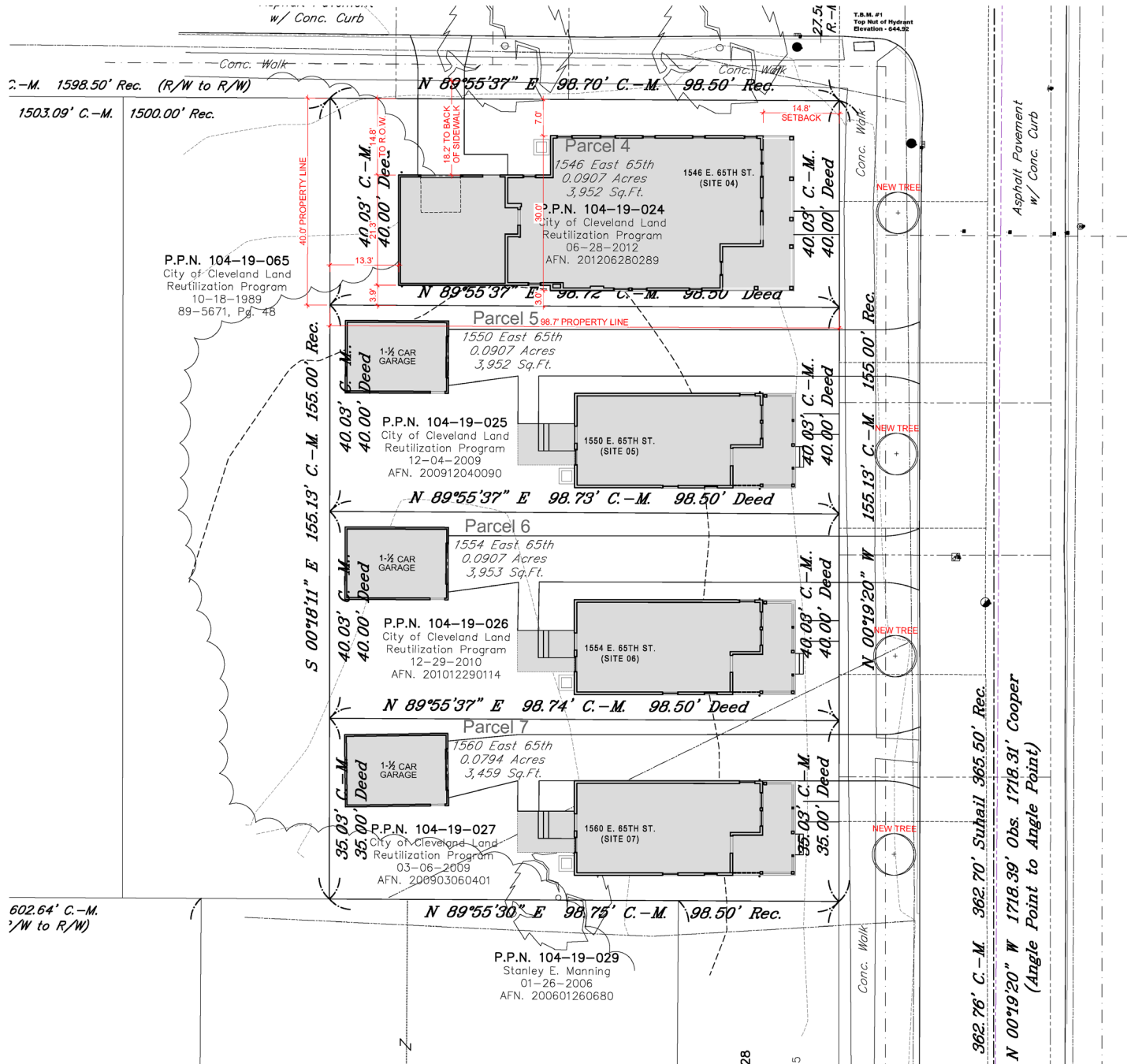


Calendar No. 23-016:

1546 E. 65th St.

Ward 7





AST 65TH STREET 60'
 (FORMERLY NORWOOD STREET)
 (A PUBLIC RIGHT-OF-WAY)

SITE PLAN
 1" = 10'-0"
 ZONING: 2F-B1
 15% OF LOT DEPTH SETBACK = 98.7' X 0.15 = 14.8'

UTILITY F
 O.U.P.S. Reference No
 Date: July 14, 2022

UTILITY F
 O.U.P.S. Reference No
 Date: July 14, 2022

UTILITY I
 O.U.P.S. Reference No
 Date: July 14, 2022

PRELIMINARY
 NOT FOR
 CONSTRUCTION

HENRIETTA HOMES

FAMICOS FOUNDATION

CLEVELAND, OHIO

SCATTERED SITES

Issue:

2023-02-21 - FOR PERMIT

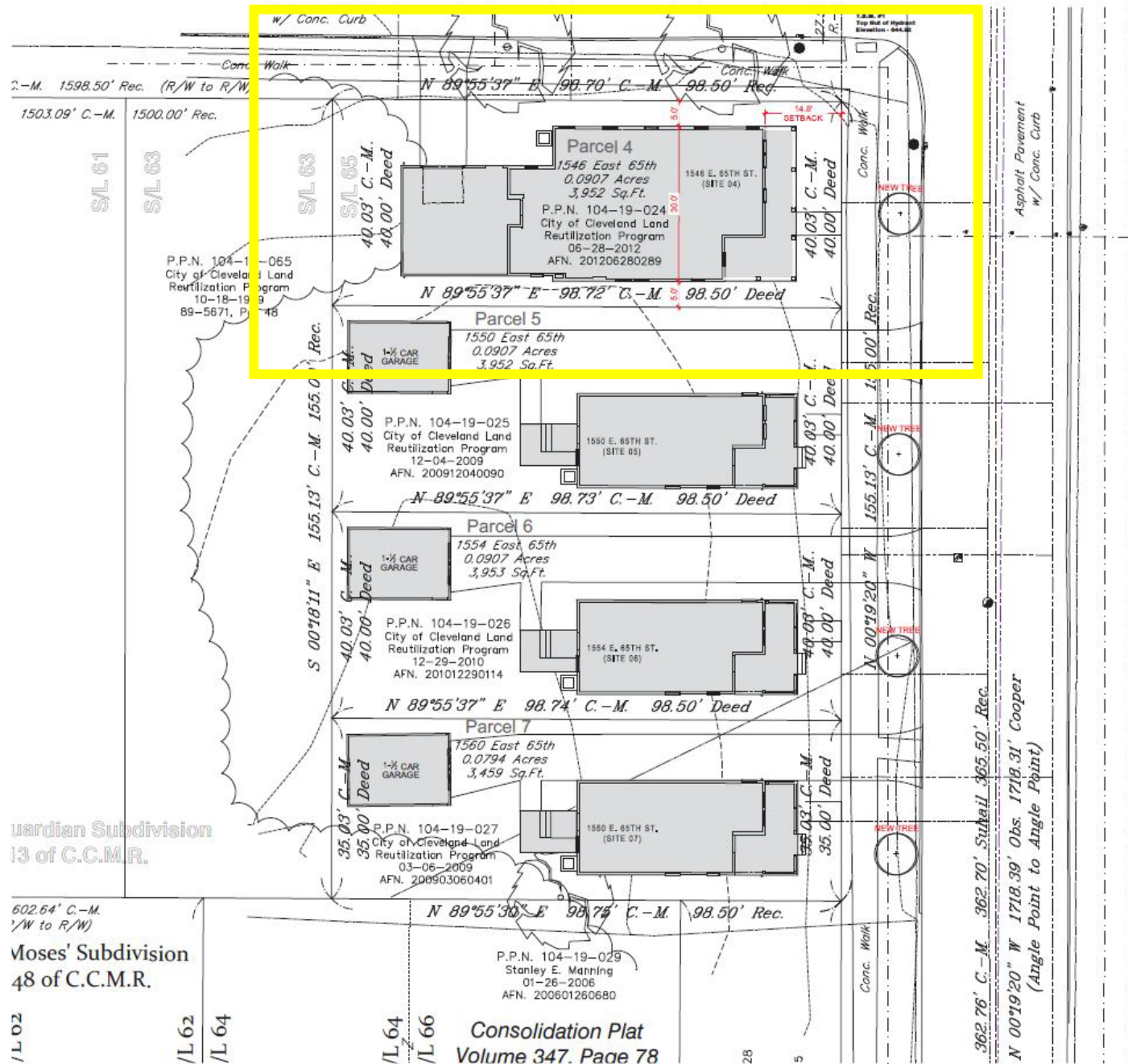
1546 E. 65TH ST.
SITE PLAN
(SITE #4)

City Architecture
 12205 Larchmere Boulevard
 Cleveland, OH 44132
 phone 216.881.2444
 www.cityarch.com

Project Number:
22029
 Sheet Number:

AS1.4

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AST 65TH STREET 60'
(FORMERLY NORWOOD STREET)
(A PUBLIC RIGHT-OF-WAY)

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UTILITY F
O.U.P.S. Reference No.
Date: July 14, 2022

UTILITY I
O.U.P.S. Reference No.
Date: July 14, 2022

**PRELIMINARY
NOT FOR
CONSTRUCTION**

HENRIETTA HOMES
FAMICOS FOUNDATION
SCATTERED SITES
CLEVELAND, OHIO

1546 E. 65TH ST.
SITE PLAN
(SITE #4)

**2023-01-03 -
ZONING ONLY**

City Architecture
12206 Lorainwood Boulevard
Cleveland, OH 44130
phone: 216.981.2444
www.cityarch.com

Project Number:
22029
Sheet Number:

AS1.4

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/L 02

/L 62
/L 64

/L 64
/L 66

**Consolidation Plat
Volume 347. Page 78**

28

5

Public Hearing

Calendar No. 22-233:

9119 Kempton Ave.

Ward 9

Bill Paige, owner, proposes to establish use as a Residential Facility/Family Home for a maximum of 5 residents in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states 325.571 Residential Facility "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 the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.03(b) which states such facility/home shall not be located less than 1,000 feet from another residential facility. The proposed residential facility is within 1,000 feet of an existing residential facility at 9602 Empire Ave Cleveland.



Public Hearing

Calendar No. 22-233:

9119 Kempton Ave.

Ward 9



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

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**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 an area variance from the minimum distance requirements 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.

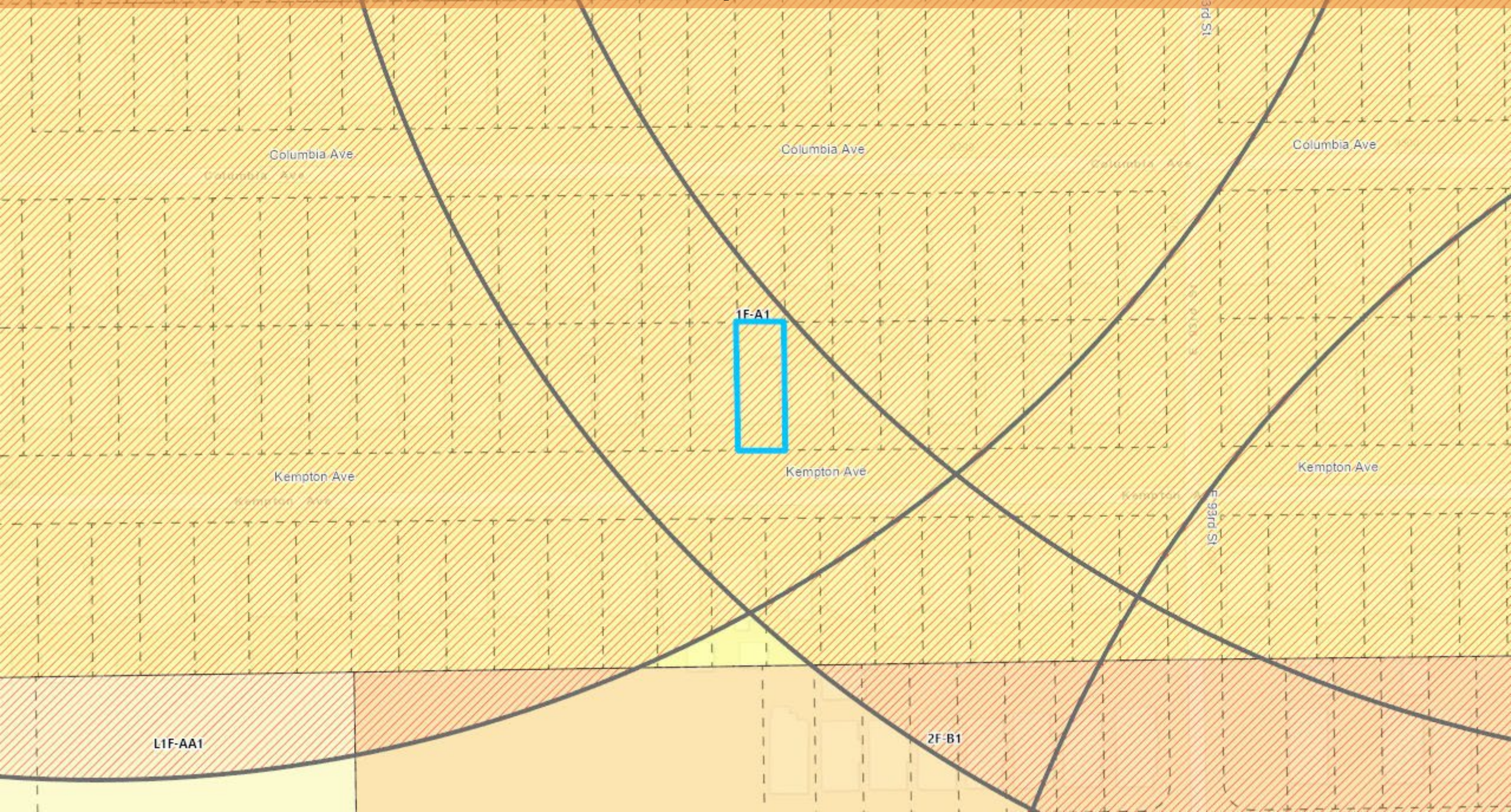


Calendar No. 22-233:

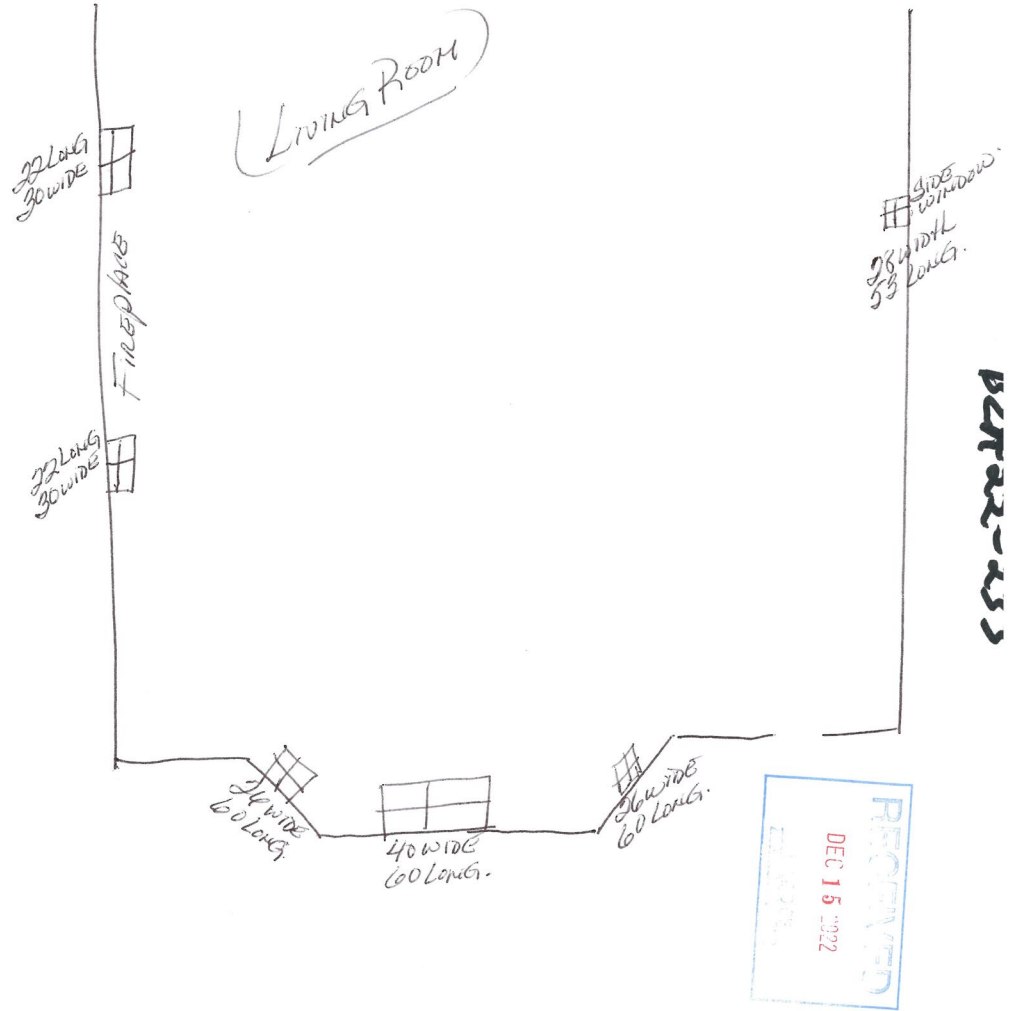
9119 Kempton Ave.

Ward 9

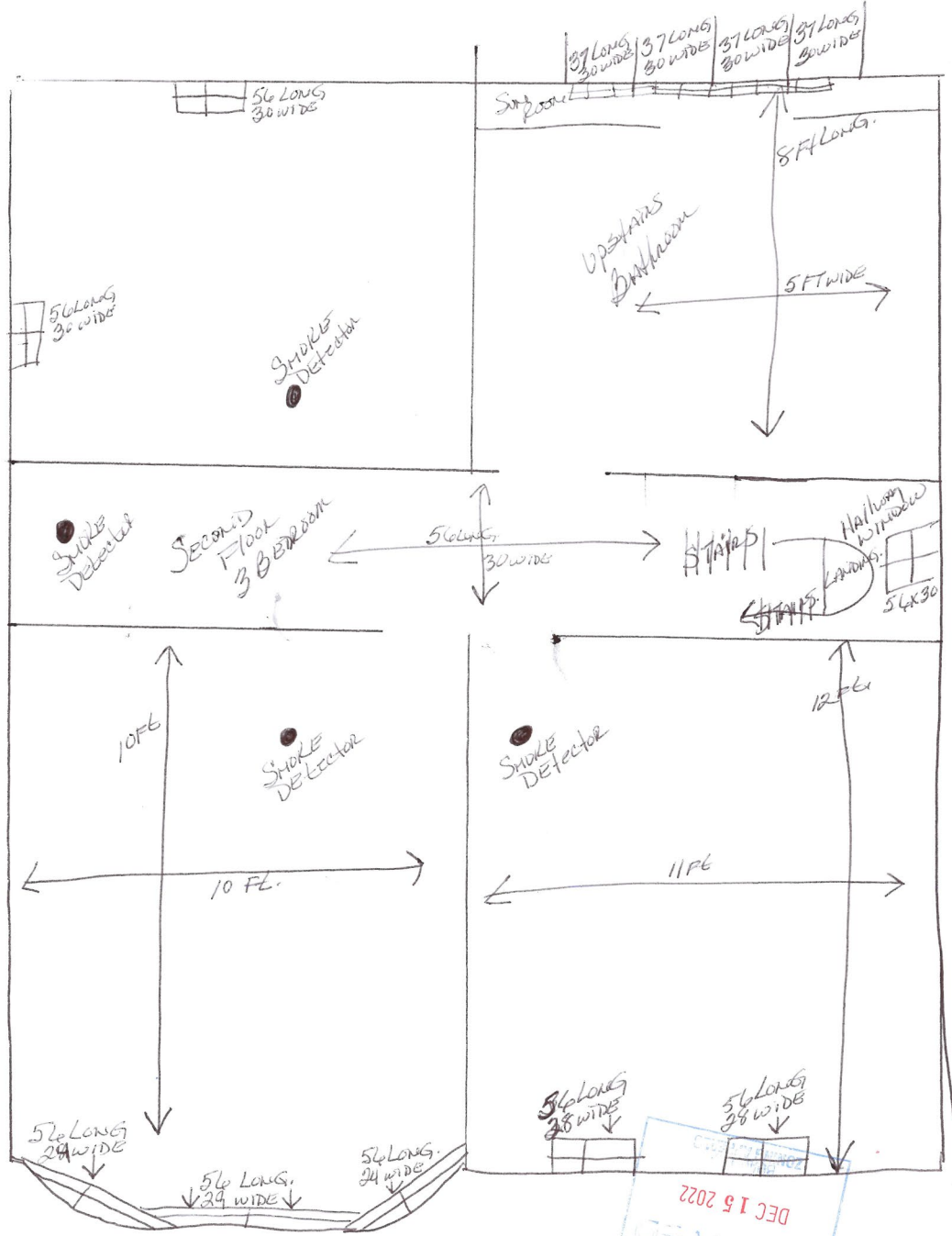




Property: 9119 Kempton
Cleveland, OH 10
'44108

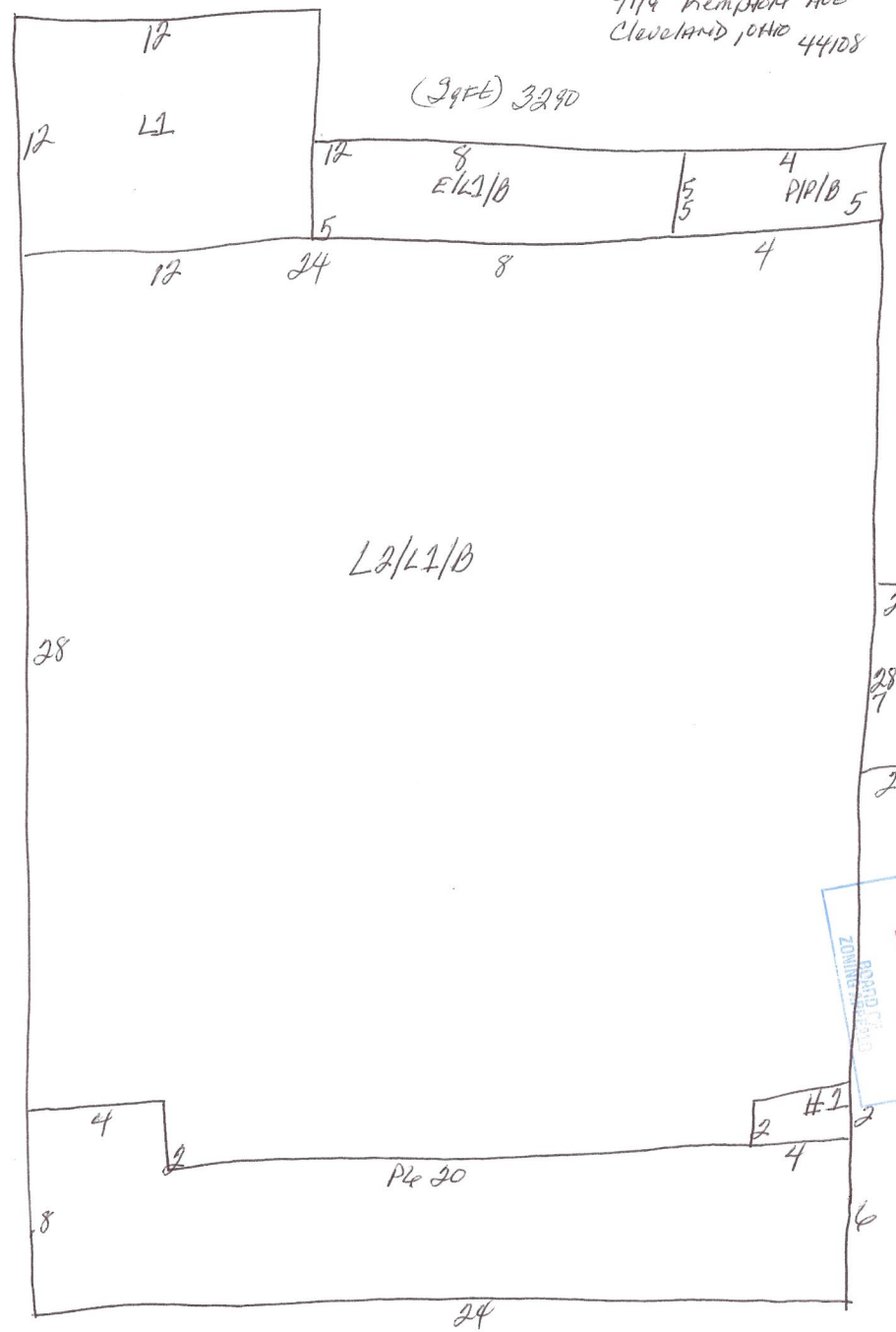


DEC 15 2022



Parcel 104-02-017
9119 Kempton Ave
Cleveland, OH 44108

(34FE) 3290

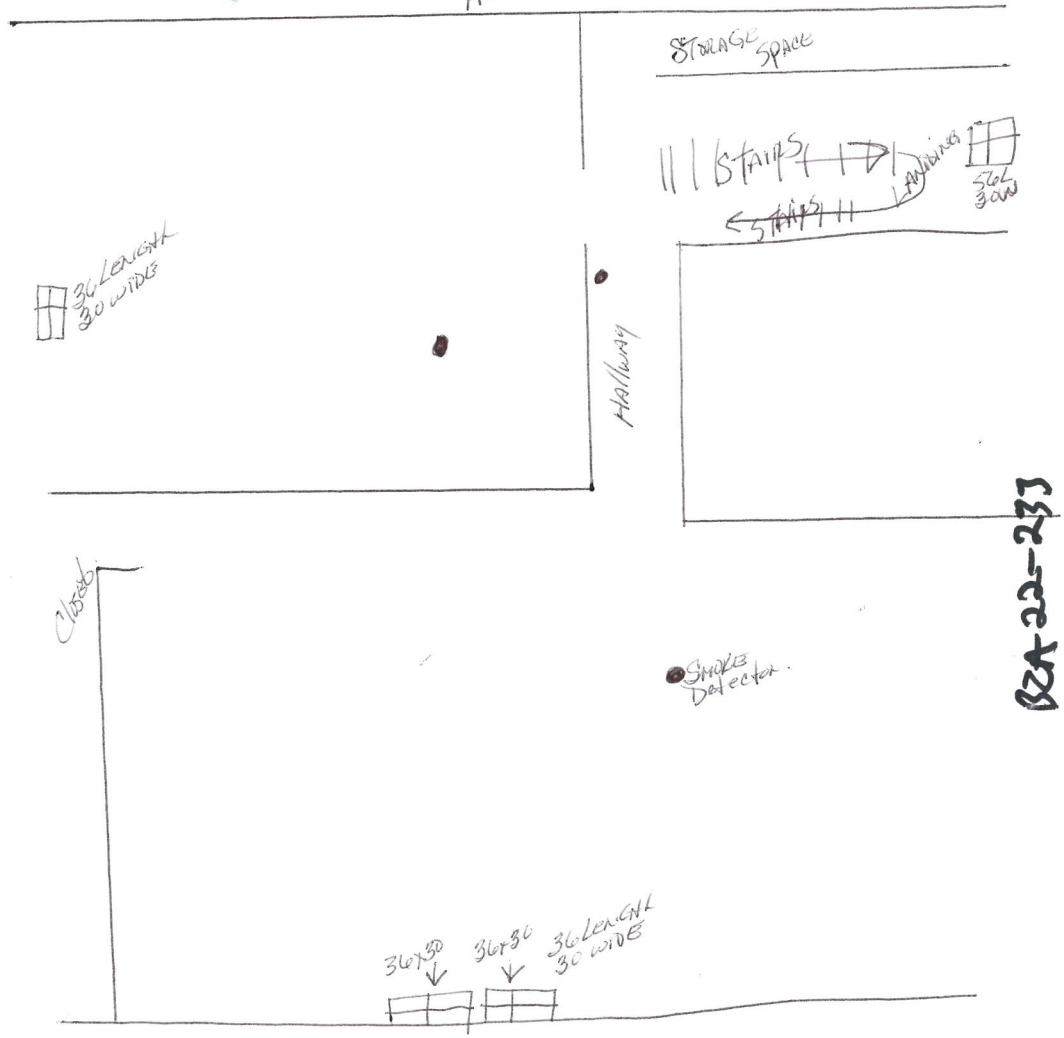


152R22-435

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DEC 15 2022
ZONING DEPARTMENT

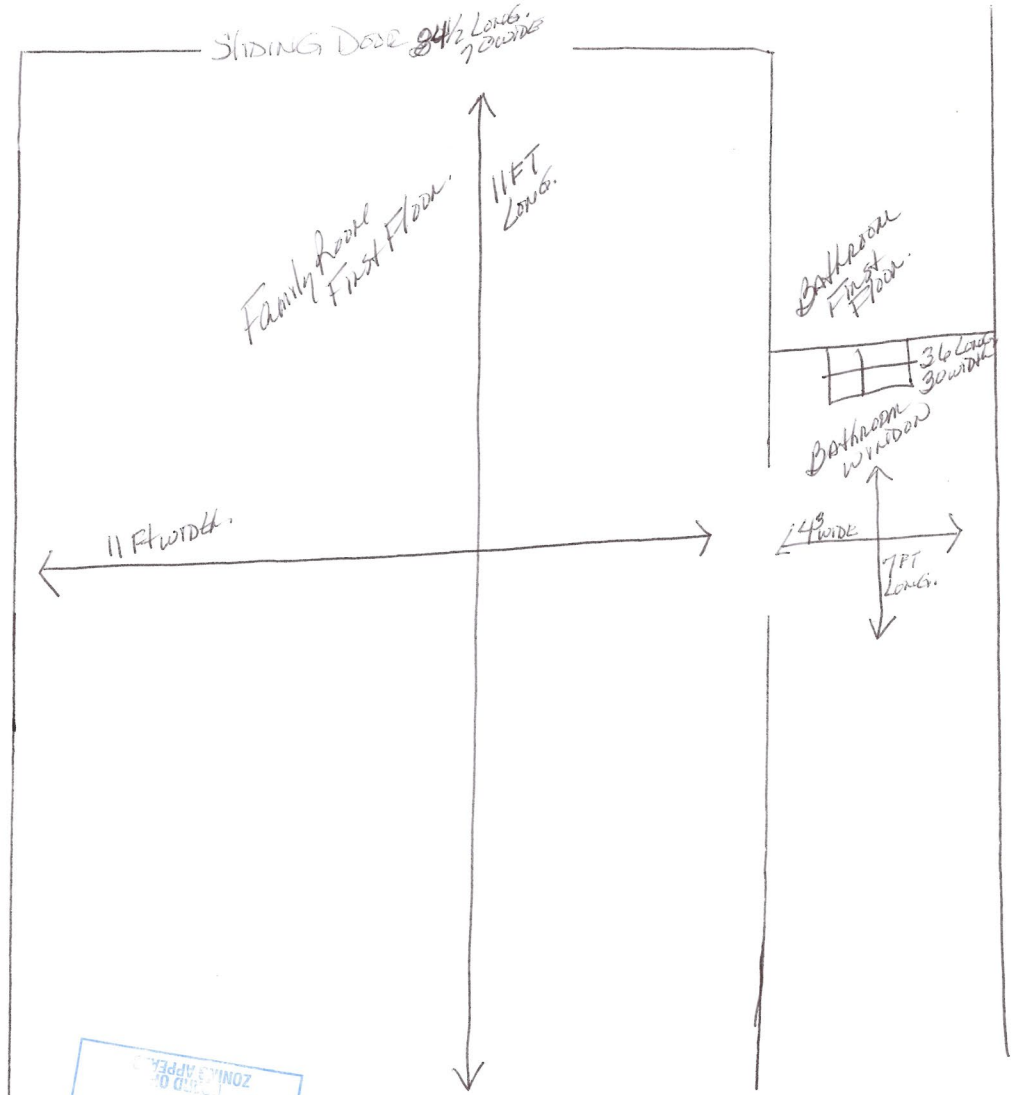
RECEIVED
DEC 15 2022
ZONING DEPARTMENT

Third Floor



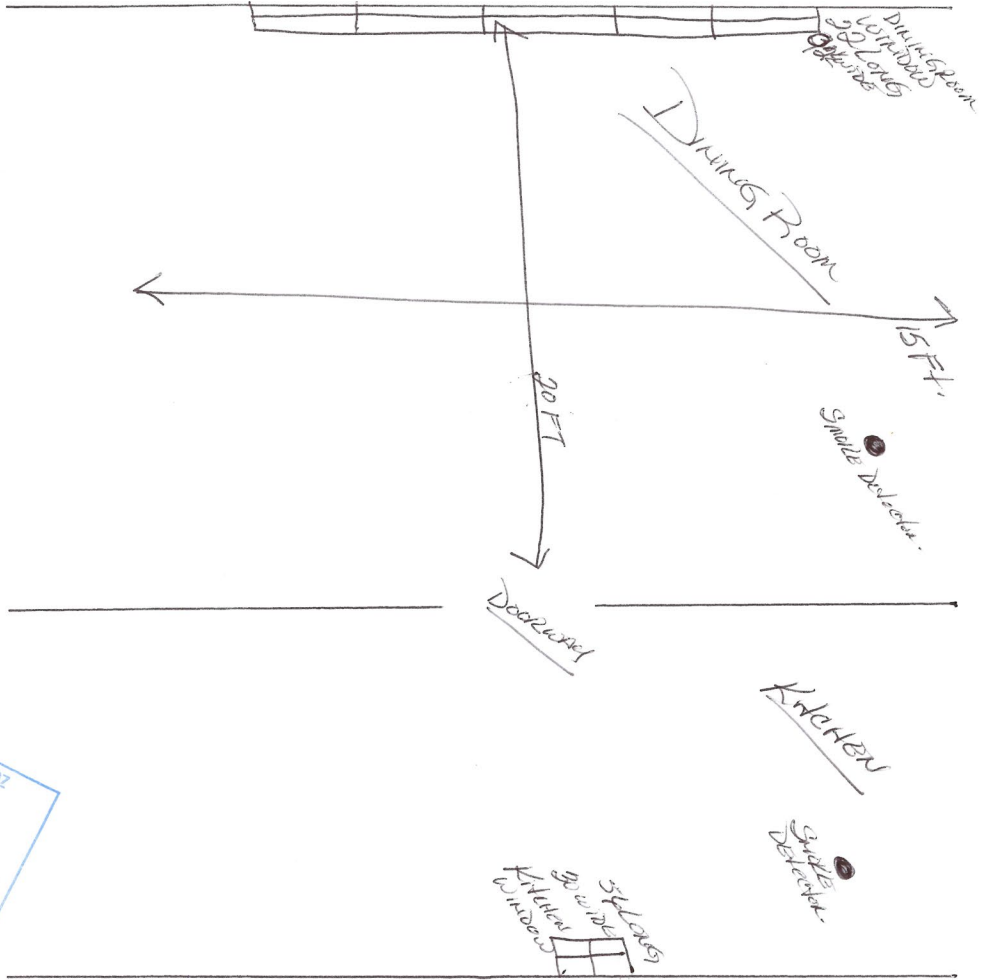
BA-22-233

527-22-1229



RECEIVED
DEC 15 2022
TOWN OF
ZONING APPEAL

BZA 22-233



RECEIVED
DEC 15 2022
CITY OF ANN ARBOR
ZONING DEPT

Cleveland Board of Zoning Appeals

Old Business



Public Hearing

1. Cal. No. 23-031:	3015 Chatham Ave.	(KB, AF, NH, PR)
2. Cal. No. 23-037:	3200 Monroe Ave.	(KB, AF, NH, PR)
3. Cal. No. 23-038:	1407 W. 45 St.	(KB, AF, NH, PR)*
4. Cal. No. 23-039:	4100 Franklin Blvd.	(KB, AF, NH, PR)*
5. Cal. No. 23-042:	5909 Cable Ave.	(KB, AF, NH, PR)
6. Cal. No. 22-232:	12503 Kinsman Ave.	(KB, TB, AF, NH)*
7. Cal. No. 22-182:	1116 Auburn Ave.	(TB, AF, NH, PR)*
8. Cal. No. 22-208:	2458 Tremont Ave.	(KB, TB, AF, NH, PR)
9. Cal. No. 22-186:	17426 Harvard Rd.	(KB, TB, AF, NH, PR)*
10. Cal. No. 22-018:	4420 East 156 St.	(KB, TB, AF, MB)* <i>REMINDER SENT</i>



AFFIRMATION:

BZA22-36 through 39 regarding new single family houses at 1983, 1985, 1987, 1989 W. 58 Street granted April 25, 2022; OKO is requesting an additional 6 months due to unforeseen delays in completing construction drawings. 2nd Affirmation

BZA21-184 and 21-185 regarding new single family homes at 2132 W. 5th Street front and rear; Andrew Gotleib is requesting an additional 6 months due to unforeseen delays in completing construction drawings. 2nd Affirmation

BZA21-194 and 195 regarding single family homes at 11413 and 11415 Britt Oval Keystate Homes is requesting additional 6 months due to unforeseen delays in completing construction drawings. 2nd Affirmation

UPCOMING POSTPONEMENT: NONE.

MISC:

Regarding Cal. No. 23-014: Lutheran Metropolitan Ministry has appealed the decision of the board to deny their Administrative Appeal to overturn the Notice of Nonconformance issued by Building and Housing to establish use as a Youth Drop-In Center.

Regarding Cal. No. 22-213: 4100 Franklin - Ron O'Leary (a neighbor) has appealed the board's decision to grant a variance to Lutheran Metropolitan Ministry to establish use as a Youth Drop in Center.

Also,

Cal. No. 22-213: Ron O'Leary has submitted a "motion to stay" the Board's decision while his appeal is pending at the Court of Common Pleas.

~ Items received

* Pending the receipt of requested information by the Board.

*** Request for Rehearing/Reconsideration.

Cleveland Board of Zoning Appeals

Adjournment

