



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 14, 2023

Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings using the WebEx Platform and in-person meetings in City Hall Room 514. 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/>

Individuals that wish to participate in the meeting virtually should contact the Board of Zoning Appeals office by phone or email by noon on August 11, 2023. 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 boardofzoningappeals@clevelandohio.gov.

You may also come to the City Hall, room 514, to give testimony. City Hall is located at 601 Lakeside Avenue, Cleveland, OH. 44114. A picture ID must be shown for each admission to Cleveland City Hall.

Calendar No. 23-128:

3119 West 50th Street.

Ward 3

Kerry McCormack

Adrian Ortega, proposes to build a parking lot on a City of Cleveland Land Bank Parcel (PPN 016-14-016) 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 349.13(c) which states the Board of Zoning Appeals must approve parking lots in residential districts. This code section also states that The Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than a Limited One- Family District, for a parking lot when the best interests of the community will be served, and provided that:
 - (1) The lot is to be used only for the parking of passenger automobiles of employees, customers or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance;
 - (2) No charge is to be made for parking on the lot;
 - (3) The lot is not to be used for sales, repair work or servicing of any kind;
 - (4) Entrance to and exit from the lot are to be located so as to do the least harm to the Residence District;

- (5) No advertising sign or material is to be located on the lot;
- (6) All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board;
- (7) The parking lot and that portion of the driveway back of the building line are to be adequately screened from the street and from adjoining property in a Residence District by a hedge, sightly fence or wall not less than four (4) feet six (6) inches high and not more than five (5) feet high located back of the setback building line. All lighting is to be arranged so that there will be no glare that is annoying to the occupants of adjoining property in a Residence District, and the surface of the parking lot is to be smoothly graded, hard surfaced and adequately drained;
- (8) The building permit number under which the lot is established is to be posted;
- (9) Such other and further conditions may be imposed as the Board may deem necessary in any specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District in which the parking lot is to be located.

Please note that a lot consolidation is required and that an accessible space is required.

Calendar No. 23-130:

11931 Bellaire Rd.

Ward 11

Danny Kelly

Quan Am Temple of Vietnamese B, proposes for addition to existing place of worship in a One Family District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

2. Section 337.02 which states that in a One Family District a Church (place of worship) is permitted if located less than 15 feet from residential district the proposed addition is about 12 feet from a Two Family District across 10 foot wide alley at the rear.
3. Section 359.01(a) which states that an Addition/Expansion of non-conformance use requires BZA approval.*Note: CPC approval is required.

Calendar No. 23-131:

1356 W 65 St.

Ward 15

Jenny Spencer

Elizabeth Martin, proposes to erect a single family residence with a wooden deck on the second floor of a two car garage (existing single family residence in front) 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 355.04(b) which states that a minimum lot width of 50 feet is required and 30 feet are proposed. This section also states that the Minimum Floor Area per Residential Building is 950 square feet and the appellant is proposing 876 square feet. Minimum Lot Area shall not be less than 6000 square feet and 4200 square feet are proposed.
2. Section 357.08(a) which states that the Required Rear Yard is 24 feet and the appellant is proposing 2 feet.
3. Section 357.15(a) which states that the distance between a main building and rear building shall not be less than 40 feet and the appellant is proposing 27.3 feet.
4. Section 341.02(b) which sates City Planning Approval is required prior to the issuance of a building permit.

Calendar No. 23-132:

8121 Detroit Ave.

Ward 15

Jenny Spencer

Kirsis Tavarez, proposes to change use from single family to Type A Day Care in RA2 (Residential Attached 2) Zoning District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.031(d) and 337.02(g)(3) which state that Day Care use in RA zoning district must be located not less than thirty (30) feet from any adjoining premises in a Residence District not used for a similar purpose, and is subject to the review and approval of 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 buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.

Calendar No. 23-133:

1750 Hillview Road.

Ward 10

Anthony Hairston

The Safe Shelter Group LLC, proposes to use existing single family residence for maximum of 5 people Residential Care Facility 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 337.03(b) and 337.02 (h) which state that a residential facility, as defined in Chapter 325 of the Zoning Code, for one (1) to five (5) unrelated persons, provided it is located not less than one thousand (1,000) feet from another residential facility. Residential facilities shall comply with area, height, yard and architectural compatibility requirements of this Zoning Code applicable to residences in One-Family Districts. (Ord. No. 586-16. Passed 7-13-16, eff. 7-17-16) Existing Residential Care Facility is QGI Group LLC. at 1757 Wickford Ave Cleveland Ohio 44112.

POSTPONED FROM JULY 10, 2023

Calendar No. 23-103:

**Appealing Public
Works Invoices Issued at
495 Cleveland Road.**

Ward 10

Anthony Hairston

Ronald D. Pace, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer dated December 22, 2022 to uphold the City of Cleveland's Department of Public Works to issue invoice WO-7010-1400662, WO-7010-1441916, WO-7010-1280343, WO-7010-1262969 regarding abating nuisances (grass cutting) at the subject property. (Filed May 17, 2023). *POSTPONED AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR INTERNAL HEARINGS TO BE HELD ON WO-7010-1280343, WO-7010-1262969.*

