



Board of Zoning Appeals

601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
[Http://planning.city.cleveland.oh.us/bza/bbs.html](http://planning.city.cleveland.oh.us/bza/bbs.html)
216.664.2580

APRIL 4, 2016

9:30

Calendar No. 16-033:

15529 Munn Rd.

Ward 17

Martin J. Keane

10 Notices

Charles Barrett, owner, proposes to build a 676 square foot two story, 21'-10" high, wood frame garage in an A1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 353.05 which states that in a residence district an accessory building shall not exceed fifteen feet in height, or the distance from the accessory building to a main building or potential location of main building on an adjoining premises in a residence district, whichever is less. Proposed garage mean height is 19'-11".
2. Section 337.23(a)(7)(A) which states that in a residence district the accessory garage shall be located a minimum of 18" from all property lines. The proposed garage's overhang and gutters are within 12 inches of the property line. (Filed February 24, 2016)

9:30

Calendar No. 16-034:

3934 Lee Rd.

Ward 1

Terrell H. Pruitt

16 Notices

Strawbridge Family Corp., owner, proposes to change use to a funeral home. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(G) which states that a funeral home is first permitted in the General Retail Business District; The proposed location is in the Local Retail Business District.
2. Section 357.14(a) which states that a parking is not a permitted front yard encroachment on Biltmore Avenue
3. Section 352.09 which states that an eight (8) foot wide landscaped transition strip is required where a Local Retail Business District abuts a Single Family Residence District where no landscaped strip is proposed.
4. Section 352.10(c) which states that a minimum six (6) foot wide landscaped frontage strip is required for parking lots and none are proposed. (Filed February 24, 2016)

9:30

Calendar No. 16-035:

2515 Jay Avenue

Ward 3

Joe Cimperman

22 Notices

2515 Company LLC., owner, proposes to add use as Motor Vehicle Sales Facility in a C1 Local Retail Business District. The owner appeals for relief from Section 343.01 which states that Motor Vehicle Sales Facility is not a permitted use in a Local Retail Business District but first permitted in a General Retail Business. (Filed February 24, 2016)

9:30

Calendar No. 16-036:

1901 Freeman Ave.

Ward 3

Joe Cimperman

9 Notices

1901 Freeman LLC, owner, proposes to erect a 26' x 37'-6" three story frame single family residence with attached garage in a B1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that The Required Minimum lot area is 4,800 square feet and the appellant is proposing 3,432 square feet. This section also states that the Maximum Gross Floor Area shall not exceed 50 percent of lot area or in this case 1,716 square feet; the appellant is proposing 2,062 square feet. The required Minimum lot width is 40' where the appellant is proposing 34'.
2. Section 357.06(a) which states that the required front yard setback 13'-8" where the appellant is proposing 10'.
3. Section 357.08(2)(b)(1) which states that the required rear yard is 16' where the appellant is proposing 5' for the building and 4' for roof eaves.
4. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within residence district where the appellant is requesting 6'.
5. Section 357.09(2)(C) which states that the required interior side yard is 8' where the appellant is proposing 3' and 5'.
6. Section 357.13 which states that the side street yard encroachments of 4 feet-open-porch not allowed.
7. Section 357.13(b)(4) which states that an open porch shall not extend within 10 feet of property line; proposing 1'. (Filed February 24, 2016)

9:30

Calendar No. 16-037:

1903 Freeman Ave.

Ward 3

Joe Cimperman

9 Notices

1901 Freeman LLC, owner, proposes to erect a 26' x 37'-6" three story frame single family residence with attached garage in a B1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that The Required Minimum lot area is 4,800 square feet and the appellant is proposing 3,432 square feet. This section also states that the Maximum Gross Floor Area shall not exceed 50 percent of lot area or in this case 1,716 square feet; the appellant is proposing 2,062 square feet. The required Minimum lot width is 40' where the appellant is proposing 34'.
2. Section 357.06(a) which states that the required front yard setback 13'-8" where the appellant is proposing 10'.
3. Section 357.08(2)(b)(1) which states that the required rear yard is 16' where the appellant is proposing 5' for the building and 4' for roof eaves.

4. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within residence district where the appellant is requesting 6’.
5. Section 357.09(2)(C) which states that the required interior side yard is 8’ where the appellant is proposing 3’ and 5’.
6. Section 357.13(b)(4) which states that an open porch shall not extend within 10 feet of property line; proposing 1’. (Filed February 24, 2016)

9:30
Calendar No. 16-38: Violation Notice Ward 5
2685 E. 79 Street

The Opal Industrial Group LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation issued on January 25, 2016 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02 (C) of the Cleveland Codified Ordinances which states that there shall be no change or substitution of the use of any building or premises, nor shall any premises be occupied for any new use until a Certificate of Occupancy has been issued (Filed February 24, 2016).

9:30
Calendar No. 16-039: 15741 Mandalay Ave. Ward 8
Michael D. Polensek
16 Notices

Mandalay Properties proposes to use a City Land Bank parcel to erect a 4,000 square foot building for home winemaking seminars and classes, accessory winery, wine and grape sales, and walk-in-cooler, and additional 8 car parking lot. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that the use is not permitted in two family residential district, first permitted in zoning districts ranging from Multi-Family Residential to Local Retail Business District.
2. Section 352.02 through 352.12 which states that an eight foot wide landscaped transition strip providing 75% year round opacity is required at the rear of the property, and a six foot wide frontage strip providing 50% year round opacity is required where parking lot abuts street. Landscaping plan required.
3. Section 357.08(b)(1) which states that a 20 foot rear yard is required where a 13 foot rear yard is provided. (Filed February 25, 2016)

POSTPONED FROM FEBRUARY 16, 2016

9:30
Calendar No. 15-250: 2631 West 18th Street Ward 3
Joe Cimperman
10 Notices

Ohio Awning LLC, owner, proposes to construct a parking lot in a C1 Multi-Family Residential District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 325.03 which states that the minimum area for a parking space is 180 square feet and 162 square feet are proposed.
2. Section 349.05 (a) which states that no parking space shall be located within ten (10) feet of any wall of a residential building.

3. Section 349.13(c)(1) through (8) which states that parking lots in residential district require approval by the Board of Zoning Appeals for compliance with the following standards:
 - 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;
 - No charge is to be made for parking on the lot;
 - The lot is not to be used for sales, repair work or servicing of any kind;
 - Entrance to and exit from the lot are to be located so as to do the least harm to the Residence District;
 - No advertising sign or material is to be located on the lot;
 - All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board;
 - 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, slightly 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;
 - The building permit number under which the lot is established is to be posted;
4. Section 358.04(a) which states that the height of the fence cannot exceed the distance of the fence line to the neighbor's house. (Filed Nov. 18, 2015-No Testimony). *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT.*

POSTPONED FROM FEBRUARY 16, 2016

9:30

Calendar No. 16-008:

1959 East 59th Street

Ward 7

TJ Dow

11 Notices

Hemingway Development, proposes to construct a building pad and parking lot in a Midtown Mixed Use District 4 (MMUD4) on City of Cleveland Land Bank parcels. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 325.03 which states that off-street parking spaces shall be a minimum of 180 square feet and 162 square feet are proposed.
2. Section 344.05(a)(1) which states that the minimum building setback in MMUD-4 District is 20' where 10' are proposed.
3. Section 349.15(c) which states that 9 bike rack spaces are required and none are proposed.
4. Section 352.10(c)(d) which states that six feet of a landscaped frontage strip is required along East 61 Street and none are proposed.
5. NOTE: a separate permit and zoning review are required for the proposed structures. (Filed January 20, 2016-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT.*

POSTPONED FROM FEBRUARY 16, 2016

9:30

Calendar No. 16-009:

6100 Chester Avenue

Ward 7

TJ Dow
11 Notices

Geis Companies, proposes to construct a building pad and parking lot in a Midtown Mixed Use District 2 (MMUD2) on City of Cleveland Land Bank parcels. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 325.03 which states that off-street parking spaces shall be a minimum of 180 square feet and 162 square feet are proposed.
2. Section 344.05(a)(1) which states that the minimum building setback in MMUD-2 District is 20' where 10' are proposed.
3. Section 349.15(c) which states that 5 bike rack spaces are required and none are proposed.
4. Section 352.10(c)(d) which states that six feet of a landscaped frontage strip is required along East 63 Street and none are proposed.
5. NOTE: a separate permit and zoning review are required for the proposed structures. (Filed January 20, 2016- No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT.*