



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

MAY 22, 2017

9:30

Calendar No. 17-84:

2017 Follett Court

Ward 3

Kerry McCormack

23 Notices

West 20th LLC, proposes to erect a 2.5 story single family house on a 1,785 square foot City of Cleveland Land Bank lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 893 square feet and 2,274 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 27'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 33 feet and a 5 foot rear yard is proposed.
3. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ¼ the height of the main building on the premises. Building mean height is approximately 33 feet thus no interior side yard shall be less than 8.5' and a 3'0 side yard is proposed. (Filed April 3, 2017)

9:30

Calendar No. 17-85:

2260 West 20 Street

Ward 3

Kerry McCormack

23 Notices

Matt Berges, owner, proposes to erect a 2.5 story single family house on a 3,111 square foot lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,556 square feet and 1,901 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-

fourth $\frac{1}{4}$ the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

9:30

Calendar No. 17-86:

2254 West 20 Street

Ward 3

Kerry McCormack

23 Notices

West 20th LLC, proposes to erect a 2.5 story single family house on a 3,111 square foot on a City of Cleveland lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed $\frac{1}{2}$ the lot area or in this case 1,556 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth $\frac{1}{4}$ the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.
3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)
(Filed April 3, 2017)

9:30

Calendar No. 17-87:

2248 West 20 Street

Ward 3

Kerry McCormack

23 Notices

West 20th LLC, proposes to erect a 2.5 story single family house on a 3,111 square foot lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed $\frac{1}{2}$ the lot area or in this case 1,556 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-

fourth ¼ the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)
(Filed April 3, 2017)

9:30

Calendar No. 17-88:

2242 West 20 Street

Ward 3

Kerry McCormack

23 Notices

West 20th LLC, proposes to erect a 2.5 story single family house on a 2,949 square foot on a City of Cleveland Land Bank lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,474 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ¼ the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.
3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

9:30

Calendar No. 17-89:

2238 West 20 Street

Ward 3

Kerry McCormack

23 Notices

West 20th LLC, proposes to erect a 2.5 story single family house on a 2,949 square foot lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,474 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ¼ the height of the main building on the premises. Building mean height is

approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

9:30

Calendar No. 17-90:

2234 West 20 Street

Ward 3

Kerry McCormack

23 Notices

West 20th LLC, proposes to erect a 2.5 story single family house on a 3,112 square foot lot in a B1 Multi-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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,556 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet
2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ¼ the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.
3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

9:30

Calendar No. 17-91:

2066 West 17 Street

Ward 3

Kerry McCormack

13 Notices

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,623 square foot lot 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:

4. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,312 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 27'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.
5. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36'-7" and a 23 foot rear yard is proposed.
6. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-

fourth $\frac{1}{4}$ the height of the main building on the premises. Building mean height is approximately 36'-7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet..

7. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

9:30

Calendar No. 17-92:

2070 West 17 Street

Ward 3

Kerry McCormack

13 Notices

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot 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(a) which states that the maximum gross floor area in a "B" area district shall not exceed $\frac{1}{2}$ the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.
2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36'-7" and a 23 foot rear yard is proposed.
3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth $\frac{1}{4}$ the height of the main building on the premises. Building mean height is approximately 36'-7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet..
4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

9:30

Calendar No. 17-93:

2074 West 17 Street

Ward 3

Kerry McCormack

13 Notices

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot 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(a) which states that the maximum gross floor area in a "B" area district shall not exceed $\frac{1}{2}$ the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36'-7" and a 23 foot rear yard is proposed.
3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ¼ the height of the main building on the premises. Building mean height is approximately 36'-7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.
4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

9:30

Calendar No. 17-94:

2078 West 17 Street

Ward 3

Kerry McCormack

13 Notices

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot 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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.
2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36'-7" and a 23 foot rear yard is proposed.
3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ¼ the height of the main building on the premises. Building mean height is approximately 36'-7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.
4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

9:30

Calendar No. 17-95:

2082 West 17 Street

Ward 3

Kerry McCormack

13 Notices

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome on a 2,500 square foot lot 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(a) which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area or in this case 1,250 square feet and 3,492 square feet are

proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36'-7" and a 23 foot rear yard is proposed.
3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth $\frac{1}{4}$ the height of the main building on the premises. Building mean height is approximately 36'-7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.
4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

9:30

Calendar No. 17-96:

2086 West 17 Street

Ward 3

Kerry McCormack

13 Notices

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot 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:

5. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed $\frac{1}{2}$ the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.
6. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36'-7" and a 23 foot rear yard is proposed.
7. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth $\frac{1}{4}$ the height of the main building on the premises. Building mean height is approximately 36'-7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.
8. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

9:30

Calendar No. 17-109: Appeal from the decision of Ward 10
Department of Public Works/ Jeffrey D. Johnson
1524 Clermont Rd.

Charles W. Sterner, owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) and Section 209.06 of the Cleveland Codified Ordinances from the decision of the Department of Public Works and the Division of Park Maintenance and Properties to issue invoice WO-7010-388101(Filed April 10, 2017)

9:30

Calendar No. 17-110: 16301 Harvard Ave. Ward 1
Terrell Pruitt
10 Notices

James D. Gregory, owner, proposes to erect a 23' x 24' 1 story frame garage addition attached to the existing 18' x 24' 1 story frame garage in an A1 One Family Residential District . The owner appeals for relief from Section 337.23 of the Cleveland Codified Ordinances which states the maximum square footage allowed for an accessory garage is 738 square feet and the appellant is proposing 984 square feet. This section also states that accessory buildings shall not occupy more than 40% of the required rear yard area. (Filed April 12, 2017)

9:30

Calendar No. 17-112: 3625 Independence Rd. Ward 12
Anthony Brancatelli
27 Notices

Christina Motyka, owner, proposes to establish use as a Motor Vehicle Service Garage in a B1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.487 which states that "Motor vehicle service garage" means a building or part thereof in which the motor vehicle servicing and repairs performed are limited to "minor Repair" of motor vehicles as defined in Section 325.483.
2. Section 343.01 which states that Motor vehicle service garage is not a permitted use in a Local Retail Business district, first permitted in a General Retail District, and even then only if it meets the provisions of Section 343.18, including (a) Location With Respect to Zoning District. No motor vehicle service garage shall be located on a parcel that is within one hundred (100) feet of a Residence District unless the following conditions are met: (1) A solid board-onboard wood fence or brick or stone wall at least six (6) feet in height is placed along any property line abutting a Residence District, in addition to any otherwise required landscaping; 3) No service bay or garage door is oriented toward a Residence District; and (d) Number and Orientation of Service Bays. For corner properties, service bays shall be oriented to a street characterized by commercial or industrial uses as opposed to residential or local retail uses. Proposed use does not meet these conditions.
3. Sections 352.08 through 352.12 which state that a six foot wide landscaped frontage strip is required where property abuts Independence Road and E. 46 St. A 10 foot wide landscaped transition strip is required where property abuts residential district Landscaped plan required.

4. Section 357.01 and 357.13 which state that parking is not permitted encroachment in front yard setback. Parking is proposed in front setback. (Filed April 13, 2017)

POSTPONED FROM MARCH 27, 2017

9:30

Calendar No.17-51:

10308 Yale Avenue

Ward 9

Kevin Conwell

19 Notices

S. Yates LLC., owner, proposes to establish use as a state licensed residential facility for 5 adults in an A1 One-Family Residential District. The owner appeals for relief from Section 337.02(h) of the Cleveland Codified Ordinances which states that a residential facility for one to five unrelated persons is not permitted in a One-Family Residential District if it is located not less than one thousand feet from another residential facility. The proposed residential facility is within 70 feet of another residential facility at 10320 Yale Avenue (Riggins Family Home) and within 1,000 feet of two other residential facilities at 9703 Empire Avenue (So Close to Home Family Home) and 9602 Empire Avenue (So Close to Home 3 Family Home). (Filed February 22, 2017-Testimony Taken)*FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO MEET WITH THE COUNCILMAN.*

POSTPONED FROM NOVEMBER 21, 2016

9:30

Calendar No. 16-276:

4600 West 160 Street

Ward 16

Brian Kazy

3 Notices

MWTP, owner, proposes to remove existing static 14' by 48' billboard sign and replace with the same size automatic, changeable copy. The owner appeals for relief from Section 350.10(j) of the Cleveland Codified Ordinances which states that Billboards shall be illuminated only by means of continuous reflected light. Internally illuminated or back lit billboards shall not be permitted. Billboards shall not include automatic changeable copy signs (i.e. electronic message centers). Applicant seeks the Board's re-approval of Calendar Number 13-253 as the variance rights have expired. (Filed October 21, 2016-No Testimony)*FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT.*

REINSTATED FROM MAY 1, 2017

9:30

Calendar No. 16-283:

4115 Howlett Ave.

Ward 3

Kerry McCormack

23 Notices

Strongsville Investments, Inc., owner, proposes to establish use as motor vehicle repair garage in a C2 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 345.03(c)(2) which states that a Motor Vehicle Repair Garage in Semi-Industry District must be at least 100 feet from a residential district and the proposed use is abutting a residence district.
- 2.) Section 349.04(g) which states that one parking space per 500 square feet of gross floor area is required therefore, in this case 14 spaces are required. Only 7 spaces are shown on the plan represented as "existing parking" off West 41st Street; that area was never legally established as parking lot.
- 3.) Section 352.07(b) which states that a determination is required by the Board of Zoning Appeals for a change of use on a site that is non-conforming with respect to the required landscaping. The subject property is non-conforming in that it lacks a required six foot wide landscaped transition strip which would screen the parking lot from West 41st Street and lacks a 10 foot wide transition strip with 75% opacity abutting the residential district, per sections 352.08 through 352.12. (Filed October 27, 2016-Testimony Taken) *ON MAY 1ST THIS CASE WAS DISMISSED DUE TO THE APPELLANT'S ABSENCE. SECOND POSTPONMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD SO THAT THE APPELLANT CAN WORK WITH THE CDC TO CREATE A PARKING PLAN.*

REHEARING FROM SEPTEMBER 26, 2016

9:30

Calendar No. 16-237:

515 Euclid Avenue

Ward 3

Kerry McCormack

11 Notices

Euclid Avenue Garage LLC., owner, proposes to erect a 19 ½ story residential addition on an existing 8 story parking garage in an E5 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in an "E" area district the maximum gross floor area cannot exceed 1 ½ times the lot area. In this case 55,461 square feet of maximum gross floor area is permitted and 265,160 square feet of maximum gross floor area (excluding parking garage area) is proposed.
2. Section 353.01 which states that in a "5" height district a 250 foot maximum height is permitted and the appellant is proposing a 355 foot height.
3. Section 357.09(b)(2)(c) which states that an interior side yard equal to ¼ the height of the building is required and none proposed.
4. Section 357.08(b)(2) which states that a rear yard equal to ½ the height of the building is required and no rear yard is proposed.
5. Section 357.05(a) which states that a side street yard of five feet is required. (Filed August 29, 2016-Testimony Taken) *REHEARING DUE TO AN ADMINISTRATIVE ERROR REGARDING A CHANGE IN THE HEIGHT OF THE BUILDING.*