



Board of Zoning Appeals

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

OCTOBER 30, 2017

9:30

Calendar No. 17-290: 2317 Denison Avenue Ward 12
Anthony Brancatelli
25 Notices

Mober Group LLC., owners, proposes to add live entertainment and patio to an existing non-conforming bar/restaurant in a B1 Local Retail Business District and an Urban Frontage District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified

1. Section 343.01(b)(2)(F) which states that Bars/restaurants with entertainment and dancing are specifically prohibited in a Local Retail Business District, first permitted in a General Retail business District, and when in that district must be at least 500 feet from a residence District per section 347.12(a)(1). Proposed use is adjacent to a residence district.
2. Section 348.04(d) which states that the Minimum on site accessory off street parking is required at the rate of 25% of the regularly required spaces per 349.04. A parking area in the amount of three times the gross floor area or 11,400 square feet, divided by 25% resulting in a parking area in the amount of 2,800 square feet is required and no onsite parking is provided. Leased parking on other premises requires the approval of the Board of Zoning Appeals. (Filed September 20, 2017)

9:30

Calendar No. 17-291: 8604 Chester Parkway Ward 6
Blaine A. Griffin
7 Notices

Nabeel Palla, owner, proposes to install approximately 40 linear feet of six foot high vinyl, solid fence in the side street yard. The owner appeals for relief from the strict application of section 358.04(a) which states that in actual side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open, except that, in an actual side street yard, a fence that is set back at least four (4) feet from the side street property line may be a maximum of six (6) feet in height and may be open or solid. The proposed fence is six feet high and set back one foot from the side street property line. (Filed September 23, 2017)

9:30

Calendar No. 17-292: 1339 West 65 Street Ward 15
Matt Zone
7 Notices

Eddie Martinez, owner, proposes to build a 36'-6" x 24' (876 square foot) wood frame garage on a 4,560 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 353.05 which states that in residence districts an accessory building shall not exceeded fifteen (15) feet in height, or the distance from the accessory building to a building or potential location of a main building on an adjoining lot in a residence district, whichever is less. The proposed garage mean height is approximately 17'.
2. Section 337.23(a)(6)(A) which states that in a dwelling house district the floor area of a private garage erected as an accessory building shall not exceed six hundred fifty (650) 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. (Filed September 25, 2017)

9:30

Calendar No. 17-293:

1324 W. 65 Street

Ward 15

Matt Zone

11 Notices

Case Development, owner, proposes to erect a 19' x 57'- 10" two story masonry frame single family residence 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 349.07(a) which states that accessory off street parking spaces, driveways and maneuvering areas shall be properly graded and paved. Provided width of access way or driveway is 5 feet.
2. Section 357.09(b)(2)(B) which states that the required Interior side yard shall not be less than 6'-6" and the appellant is proposing 5'.
3. Section 357.13(b)(4) which states that open porches shall not project more than 6' and the appellant is proposing 7'-6". (Filed September 26, 2017)

9:30

Calendar No. 17-300:

15111 Miles Avenue

Ward 1

Terrell H. Pruitt

49 Notices

CMUSD, owner, proposes to construct a new high school 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 337.02(f)(3) which states that a school in an A1 One Family Residential District is required to be not less than 30 feet from any adjoining premises in a residence district not used for a similar purpose and subject to Board of Zoning Appeals Approval.
2. Section 349.04(c & e) which states that 173 off street parking spaces are required and 167 spaces are proposed.
3. Section 352.10(e) which states that 100 square foot island strips are required on a parking lot to separate parking spaces to no more than twenty spaces in a row. (Filed October 2, 2017)

POSTPONED FROM SEPTEMBER 25, 2017

9:30

Calendar No. 17-192: 921 East 70 Street

**Ward 10
Jeffrey D. Johnson
25 Notices**

David Katz, owner, proposes to change use to storage/stockpiling/recycling of concrete and dirt from contracting jobs in a B3 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)(33) which states that storage of salvaged materials is not permitted in Semi-Industry District; the use is first permitted in General Industry District. Pursuant to 345.04(a)(3), even when in General Industry District, the storage must be surrounded by a minimum seven foot high, solid fence or wall and at least 500 feet from a residential district. The proposed use is within 500 feet of residential district to the east, and not surrounded with seven foot high opaque fence or wall.
2. Section 345.04(a)(1)(B) which states that Dusty Material storage is not permitted in Semi-Industry District, first permitted in General Industry District, and when in that district must be at least 300 feet from a retail or residential district. The proposed use is within 300 feet of a residential district to the east.
3. Section 347.06(d) which states that in any use district the storage of used material shall not be piled higher than three (3) feet above the height of the wall or fence enclosing the yard, provided that at any point closer than five (5) feet, the uses material shall not be piled above the heights or the wall or fence.
4. Section 349.07(a) which states that driveways, parking areas, and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaces with concrete, asphaltic concrete, asphalt or other surfacing material approved by the Director of Building and Housing. No surfacing details are provided.
5. Section 349.04(j) which states that accessory off-street parking area in the amount of 1 space for each employee plus space equal to 15% of the gross lot area is required and no parking is provided. (Filed June 26, 2017-Testimony Taken)

9:30

Calendar No. 17-193: 923 East 70 Street

**Ward 10
Jeffrey D. Johnson
25 Notices**

David Katz, owner, proposes to change use to storage/stockpiling/recycling of concrete and dirt from contracting jobs in a B3 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

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5. Section 349.04(j) which states that accessory off-street parking area in the amount of 1 space for each employee plus space equal to 15% of the gross lot area is required and no parking is provided. (Filed June 26, 2017 –Testimony Taken) *SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR MORE TIME TO PREPARE PLANS. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR PLAN REVISIONS (CONSOLIDATION AND CHANGE IN ACCESS)*

POSTPONED FROM AUGUST 7, 2017

9:30

Calendar No. 17-208:

12603 Buckeye Road

Ward 6

Blaine A. Griffin

27 Notices

Sunnah and Carlin McNary, owners, propose to add truck rental use to an existing, non-conforming barber shop use in a C2 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified

1. Section 337.10 which states that truck rental use for vehicles exceeding six thousand (6,000) pounds of gross vehicle weight not permitted in Residence Office District but first permitted in Semi- Industry District per 343.11(b)(2)(I)(4) and section 345.03(c)(1).
2. Section 327.02 which states that a scaled, dimensioned site plan showing all features of the property including parking spaces, lot lines, and landscaping, among other features, is required for review.
3. Section 341.02(a) which states that City Planning approval is required for any permit affecting exterior site design in a design review district. (Filed July 5, 2017-Testimony taken) *FIRST POSTPONEMENT MADE AT THE REQUEST OF CITY PLANNING COMMISSION TO ALLOW FOR TIME FOR A CONSOLIDATION PLAN TO BE SUBMITTED.*