



**BOARD OF ZONING APPEALS**

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

<https://planning.clevelandohio.gov/bza/cpc.html>

216.664.2580

**APRIL 17, 2023**

**9:30AM**

**Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings using the WebEx Platform. 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/>

**In order to keep the WebEx session manageable, we are asking individuals that wish to participate in the meeting to contact the Board of Zoning Appeals office by phone or email **by noon on April 14, 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](mailto:boardofzoningappeals@clevelandohio.gov).**

**Calendar No. 23-053:**

**2169 E. 74 Street.**

**Ward 5**

**Richard Starr**

Ocean Property Management, proposes to establish use as a Banquet Hall on a parcel located in a C2 Local Retail District and a C1 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states Banquet Hall/ Entertainment is not permitted in Local Retail District; first permitted in General Retail District 343.11(b)(2)(L)
2. Section 352.08-10 which state that a 6 foot wide transition is required at the rear between parking and Multi-Family District.
3. Section 347.12(1) which states that Entertainment use shall be at least 500 feet from a Residential District and the property abuts Multi-Family Residential.
4. Section 347.12(2) which states that Entertainment use shall be at least 500' from another entertainment use.
5. Section 349.09(e) which states that 95 parking spaces are required and 54 parking space proposed.

**Calendar No. 23-056:**

**3608 East 118<sup>th</sup> Street.**

**Ward 2**

**Kevin Bishop**

Anthony Dial, propose to establish use as a Residential Facility for five occupants 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 325.571 which states that "Residential facility" means a publicly or privately operated home of 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 another Residential Facility at 3529 East 118<sup>th</sup> St.

**Calendar No. 23-059:**

**15009 Puritas Ave.**

**Ward 16**

**Brian Kazy**

ASAM LLC, proposes to erect an addition to expand the existing gas station and convenience store on a parcel of land located in a G2 Local Retail Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Sections 352.08 through 352.10 which state that an 8-foot wide transition strip is required at the rear where 5 feet are proposed.
2. Section 359.01(a) which states that expansion of a nonconforming use requires Board of Zoning Appeals approval.

\*Note: City Planning Commission approval is required

**POSTPONED FROM MARCH 6, 2023**

**Calendar No. 23-029:**

**11725 Lorain Avenue.**

**Ward 11**

**Danny Kelly**

Yassen Corp LLC, owner, proposes to change of use from store to assembly hall in a C1 Local Retail Zoning District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances

1. Section 343.01 which states that Entertainment/Assembly is not permitted in Local Retail District but first permitted in Gen. Retail District (343.11(L)).
2. Section 349.04(e) which states that 18 parking spaces are required and none proposed.

*POSTPONED FROM MARCH 6 AT THE REQUEST OF CITY PLANNING TO ALLOW TIME FOR PEDESTRIAN RETAIL OVERLAY REVIEW.*