

Documenters

POWERED BY CITY BUREAU & SIGNAL CLEVELAND

Board of Zoning Appeals

Documenter name: Nina Awal

Agency: [Cleveland Board of Zoning Appeals](#)

Date: July 17, 2023

[See more about this meeting at Documenters.org](#)

Summary

- The board swore in its new member, Arleesha Wilson.
- University Circle Inc. appealed zoning restrictions for an addition to its building on Magnolia Drive.
- A private residential veterans home in Cuyahoga County is under construction.

Follow-Up Questions

- Why are small issues of times or days of operation not resolved without appearing in the appeals session?
- Who and what public groups will have the opportunity to use the carriage house at the Magnolia Drive project?
- Do permits for electric fencing have to go through the zoning board?

Notes

Board members

Elizabeth Kukla, secretary

Priscila Rocha

Arleesha Wilson

Alanna Faith, chair

Nina Holzer was absent.

Participants: 23

The meeting began at 9:35 a.m.

The City of Cleveland Zoning Appeals Board welcomed and swore in its newest member, Arleesha Wilson. Today the board had three members in attendance. Appellants were

given the option to reschedule for when the entire board would be available. With only three members present, appellants needed a unanimous vote of approval or else their request is considered denied.

All appellants present acknowledged options to reschedule and then proceeded with appeals. All attendees involved with an appeal were sworn in.

The meeting proceeded with the following appeals:

Calendar No.23-108: 6100 Truscon Ave. Richard Starr Ward 5

[Madprop LLC](#) proposes to install 513 linear feet of ten-foot-high electrified security fence in a C2 General Industry District. The owner appeals for relief from the strict application of the Cleveland Codified Ordinances. The appellant team included Micheal Pate, Mike Pantaleo, and Steve Rizzo. Christopher Alvarado, executive director of Slavic Village Development, was also present.

Outcome

Pate said the maximum fencing height allowed by the zoning code -- six feet -- is too low to prevent repeat vandalism and theft to the property. He said the appellants want to increase the fence height to 10 feet to protect the property.

Pate said the system is solar powered and the voltage of the electric fencing was low, used only as a deterrent and not to inflict serious injury.

Rizzo, the property owner, said he has used this system at another site and the results of the deterrent were successful.

The board asked about the location of the system. Pantaleo said the system equipment would be 4 to 8 inches inside of the fence. He said it will report issues and would eliminate illegal dumping.

Decision: Approved.

Calendar No. 23-111: 10831 Magnolia Dr.
Kevin Conwell, Ward 9

[University Circle Inc.](#) proposes to erect a 7,965-square-foot office addition to the existing non-profit community development organization building(s) and an elevator in an [AA1](#)

[One-Family Residential District.](#) The owner appeals for relief from the strict application of [“Non-Conforming Uses”](#) of expansion of offices and said the installation of an elevator requires Board of Zoning Appeals approval.

Outcome

Faith asked for a representative of the Magnolia Drive project to give details of the project and purpose. Plans include a carriage house for organization meetings and public events.

Appellant team included Steve Jennings of LDA Architects and Elise Yablonsky from University Circle Inc.

Broad approved addition and elevator for the project.

Calendar No. 23-119: 4200 Rocky River Dr.
Charles Slife, Ward 17

Focal Point Properties LLC., owner, proposes to change use from store to restaurant (pizza shop) in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.07(a), which states that a 25-foot specific setback is required along Rocky River Drive and a 6-foot setback is proposed for parking spaces.
2. Section 352.10, which states that a 6-foot-wide landscape strip is required between the parking lot and street along Rocky River Drive and Woodbury Avenue. No landscaping plan is proposed.

Outcome

Landscape plans were submitted. Appellant said air vents were going to be placed on the roof. The goal is for the dumpster and lot entrance and exit to not disrupt neighborhood residents. Pest boxes, trash cans, and black steel ornamental fencing will separate streets and sidewalks. No outside or inside dining at location to start, but it is the goal. Pick up and delivery service Tuesday -Thursday 11 a.m. to 8:30 p.m., Friday from 11 a.m. to 9:30 p.m., Saturday from 11 a.m. to 8:30 p.m., and Sunday from 11 a.m. to 7:30 p.m.

The zoning board approved variances with conditions to see revised drawings for dumpster and bike rack.

POSTPONED FROM JUNE 12

Calendar No. 23-080:

566 East 103rd Street

Anthony Hairston, Ward 10

Dentrice Whitt proposes to establish use as a residential facility for six occupants in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the Cleveland Codified Ordinances saying that unrelated adults who are receiving residential state supplement payments are not permitted in a one-family zoning district.

Outcome

Chair Faith asked the appellant to describe the operation of the site.

Rebecca Walker, mother of the appellant and involved in the proposed project said the six-bedroom house will become a privately operated residential veterans home at [566 East 103rd Street in Cleveland](#). The home will provide non-smoking accommodations with access to outside space, supervision by an in-house tenant, and staffing from CRC Program case managers. Residents will be of male adults 18+. Residents would have a midnight curfew. Personal care services would include three meals a day and a snack. Medication monitoring or distribution will not be a responsibility of the house.

Decision: Approved.

Calendar No. 23-071:

3763 West 136th Street.

Brain Kazy, Ward 16

Jessica Rodriguez, owner, proposes to establish an in-home salon business located in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the Cleveland Codified Ordinances.

Rodriguez said the salon is for permanent makeup work, such as for cancer patients undergoing chemotherapy who have lost their eyebrows.

The board [granted a variance on June 12](#) to establish the use with the condition that the hours of operation would be Monday through Friday, but the appellant wants to be open for appointments seven days a week.

Outcome

The board approved extending the operating times.

Affirmations: The [Shoreway Building](#) is requesting an additional six months to get the permits for work the board previously approved. Appellants have six months after the board approves a variance to get the permits, Kukla explained. In this case, the appellant is asking the board to affirm an additional six months to obtain the permits. The board approved the request.

*Wilson, the new board member, could not vote on **ratifications** -- essentially final approval of its previous rulings -- because she had not heard the cases in question. So ratifications were scheduled for the next meeting.

Meeting adjourned 11:30 a.m.

If you believe anything in these notes is inaccurate, please email us at cleDOCUMENTERS@gmail.com with "Correction Request" in the subject line.