

# Documenters

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## Board of Zoning Appeals

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

Date: Sept. 25, 2023

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## Summary

- A new residential care facility will be opening in the South Collinwood/Euclid Green neighborhood. It will house five men with developmental disabilities.
- Bodhi Massage is expanding into a new space in Tremont.
- Have Fun Tattoo will be opening in the Edgewater neighborhood.

## Follow-Up Questions

- What is the timeline for updating the zoning code to relieve tattoo shop owners of the current arduous requirements?

## Notes

Present:

Nina Holzer (member)

Alanna Faith (chair)

Priscila Rocha (member)

Elizabeth Kukla (board secretary)

Jason Shachner (assistant law director)

- All appeals will require unanimous approval because they only have three members present. Kukla mentioned that they should have five members by mid-October.

Calendar No. 23-133 | 1750 Hillview Road. | Ward 10 | Council Member Anthony Hairston

- Postponed from Aug. 14 at the request of Hairston so they would have time to meet.
- Safe Shelter Group LLC proposed using an existing single-family residence for a maximum of five people as a residential care facility for people with developmental disabilities.
- Property owner said she has been working on this project for three years as a post-retirement source of income. She plans to work with the state.

- Target demographics: 50+ year-old men with some developmental disabilities. Homeowner said she would be looking for men with minimal physical disabilities as the bedrooms are on the second and third floors.
- The property has three floors with five bedrooms and three bathrooms.
- Hairston had some concerns about third-floor fire safety and requested demonstration of those accommodations.
  - He also said he understands the applicant engaged with residents to ensure support for this.
- Approved conditionally with some additional documents regarding the third floor.

Calendar No. 23-157 | 3929 Daisy Ave. | Ward 14 | Council Member Jasmin Santana

- Walter Gachuk proposed to construct a three-story wood frame garage with storage on the second floor and a deck on the third floor.
- No changes in the zoning since 1929, no other history of the property.
- Purpose of the additional space is just storage, not additional living space.
- Santana is supportive of this project. She mentioned a notice was sent to residents and no opposition was submitted.
- Santana said she hopes to see more investments into the homes in her ward.
- Approved unanimously.

Calendar No. 23-146 | 11221 Detroit Ave. | Ward 15 | Council Member Jenny Spencer

- Michael Tartaglia and Edward Bixler proposed establishing a tattoo shop in a C2 Local Retail Business District.
- Requested relief from:
  - Section 343.01, which states that tattooing use is not permitted in a Local Retail Business District but first permitted in a General Retail Business District. Even when in a General Retail Business District, tattooing use must comply with Section 347.12 (b), and establishments are prohibited within 1,000 feet of a Residence District, school, playground, church, library, or recreation center.
- “Have Fun Tattoo Shop”
- Currently works at a tattoo shop in Oberlin and has been tattooing for 19 years.
- Plans to put blackout curtains in the window for privacy.
- Will be open Tuesday through Saturday from 12 to 7 p.m. Planning to have three tattoo stations.
- Someone mentioned that the city is looking at updating tattoo parlor zoning requirements, but for now owners still have to seek variances if the shop is near schools, parks, churches, etc.
- Unanimously approved.

Calendar No. 23-154 & 23-155 | 2148 & 2150 West 11 St. | Ward 3 | Council Member Kerry McCormack

- Two properties submitted as a package and will be addressed together.
- One building with two residential units that would be converted into Bodhi Tree Massage + Skincare.
  - Current zoning does not allow for a massage studio. It is not allowed in a multi-family district.
- One existing off-street parking space; business owners have a written agreement with a nearby church for additional parking.
- City Planning and Tremont West Development Corp. are in support. They said that they are usually cautious about approving businesses in residential buildings, but this is a long-standing business in the neighborhood and has not been the subject of any complaints.
- Block club was in favor.
- Approved unanimously.

Calendar No. 23-156 | 2020 Follett Court | Ward 3 | McCormack

- Ken Kovash proposed to erect a three-story frame single-family residence with attached garage in a D1 Two Family Residential District.
- Requested height, side yard, and lot size variances.
- McCormack emailed requesting a postponement.
- Donna Grigonis from Tremont West shared concerns about the community engagement process and said this project should go before the block club before it is approved by the Board of Zoning Appeals.
  - She also mentioned that these are very standard variances and she doesn't anticipate a huge amount of push back, but she cannot say that for certain.
- Approved on the condition that the applicant complete the community engagement process.

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