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Board of Zoning Appeals

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

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Summary

- The board spent the most time discussing minutiae involving parking congestion and front yard setback regulations, some of which might be difficult to follow for the layperson.
- Larger proposals for such projects as the new Cleveland Police Headquarters seemed to offer more details to the board, requiring less discussion.
- Ohio City residents appear to have an active block club.

Follow-Up Questions

- How can property owners gain more access to resources when it comes to requesting variances from the board?
- How can residents educate themselves further on the role of zoning laws?

Notes

The Cleveland Board of Zoning Appeals meeting began on time. Board Member Terri Hamilton Brown stood in for Chair Alanna Faith. Board Secretary Elizabeth Kukla called the meeting to order. The other board members present were Nina Holzer, Arleesha Wilson and Priscilla Rocha. With Faith absent, Kukla said that, with four out of five members present, there was the possibility for a tie vote on all motions, and in such an event the appeal is denied.

Postponements

The board announced that two cases would be postponed. One case involved a proposal to build a gas station and convenience store on 4495 Lee Road in Ward 1. The other postponed case was withdrawn by the LLC due to a change in the site plan. It proposed building a 20-unit apartment building in Ward 9 at 1555 East 118th St. It was

reported that the LLC plans to reapply.

It was announced that there were no council members online.

Cases

The board heard its first case from 3007 Detroit LLC requesting an area variance from parking lot requirements at 3007 Detroit Ave. in Ohio City. The owner of the property presented a site plan for the “Three Houses Project.” The property includes three structures, which the owner said are some of the oldest homes in Cleveland. The property is surrounded by a dog bakery and apartment building and is located in a historic district.

Plans for the property include using the homes for retail. The brick house on the property will be converted into restaurants. The site plan proposes connecting the structures with a gazebo breezeway that will provide an easily accessible way to move between buildings.

The property owner spoke to the block club for feedback.

The owner said current parking requirements cause unnecessary hardship. He plans to build a bike rack and transportation kiosk on the property. The board asked the owner how many employees he plans to have for his retail business, to which the owner replied that he would not have a lot. The restaurants will be sit-down restaurants with open seating concepts, bars, and no servers. He said he would encourage employees to ride bikes or use public transportation in order to avoid congested parking.

Six neighbors wrote letters of objection citing the difficulties presented by parking in Ohio City.

One resident, William C. Merriman, was present in the meeting and said he and his wife have “stabilized” the neighborhood by buying up and fixing properties. While he expressed support for the proposal, he said that since Ohio City has become a popular entertainment destination, parking has become increasingly problematic.

The owner of the properties expressed support for residential parking permits, which he observed was an effective policy in Cleveland Heights. The owner also reported that the hours of operation for his retail businesses would be 10 a.m. to 11 p.m. and therefore would not contribute to overnight parking congestion.

The board deliberated before approving the application unanimously on the condition that the owner gain approval from the Landmarks Commission.

The board heard the next case—a proposal to change the two-family dwelling on 2805 Bridge Ave. in Ward 3 to a three-family dwelling. The owner and his wife purchased the property in 2015 and created plans to remodel and convert the large attic into a dwelling for a long-term resident. The owner said it made sense due to a significant rise in demand for housing in the area.

The floor plan for the attic was approved by the Landmarks Commission prior to the board meeting. The board clarified with the owner that the unit would be used for a long-term resident rather than an Airbnb. The owner said it would be.

The board then asked whether the owner had gained approval from the local block club and his neighbors. The owner said one adjacent neighbor approved but said that he did not know his other neighbor well enough.

“It's customary to speak to people and ... let them know what you're going to do,” Brown stated. Nonetheless, the board approved the motion unanimously.

The next case, located at 5817 Detroit Ave. in Ward 15, was proposed by Mark Demchuk, the owner of 56 properties. He requested permission to build a one-story open carport attached to a two-family residence. He reported plans to continue remodeling the property he bought four years ago and said that he had built a structure meant to be an awning over cars for safety reasons.

The board pointed out that he was requesting a variance for something he had already built and that his current site plan does not reflect his proposed plans. Demchuk said his former contractor caused difficulty and did things to the building he should not have done.

The City Planning Commission recommended board approval contingent on an updated site plan. The board unanimously approved the proposal on the condition that Demchuk submit an updated site plan.

The next case involved a proposal for 2819 Monroe Ave. It requests permission to erect a two-story frame single-family residence with a one-story frame attached garage. The owners requested a variance due mostly to section 357.06, which requires a front yard

setback of eight feet. The applicants proposed five feet.

“Typically we do not offer front yard setback variances,” Brown said.

Chief City Planner Shannan Leanord reported that the board does not have the authority to grant the variance based on front yard setback regulations. The chair recommended postponement and that the owners meet with City Planning in advance of the next meeting to come to an agreement.

The final case was thoroughly presented by the developers working on the new Cleveland Police headquarters. It proposed converting an old industrial warehouse into a five-level parking garage at 2530 Superior Ave. in Ward 7. The board approved the proposal unanimously without much deliberation.

The board spent a few minutes approving old business with no objections and then concluded the meeting.

For more information on zoning, read [this](#) document by City Planner Matt Moss. You can also watch a [presentation](#) he gave on zoning to Cleveland Documenters in 2021. For more detailed zoning rules and regulations, click [here](#). To see this meeting’s full agenda, click [here](#).

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