



BOARD OF ZONING APPEALS
601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
216.664.2580

AUGUST 10, 2026
9:30AM

Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on August 5, 2026. You can also email us boardofzoningappeals@clevelandohio.gov.

The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.

Those individuals not planning to attend are encouraged to view one of the live streams:

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or <https://www.youtube.com/channel/UCB8ql0JrhmpYIR1OLY68bw/>

Calendar No. 26-089:

873 Sheryl Dr.

**Ward 4
Kris Harsh**

Alaina Darby, owner, proposes to install 45 linear feet of 6 feet tall cedar shadowbox fence and 58 linear feet of 5 foot tall aluminum fence with gate 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 358.06(b) which states that all fences shall be uniform in material and color.
Applicant proposes 45 linear feet of 6 feet high cedar shadowbox fence and 58 linear feet of 5 feet high aluminum fence with gate in the rear yard.

POSTPONED FROM JULY 20, 2026

Calendar No. 26-060:

10325 Joan Ave.

**Ward 12
Tanmay Shah**

Roey Shavit, owner proposes to change use of existing two-family dwelling to a three-family dwelling in a Two-Family Residential District. The owner appeals for relief from the strict application of the following

sections of the Cleveland Codified Ordinances:

1. Section 337.03(a) which states that three-family dwelling unit is not permitted in Two-Family District; first permitted in Multi-Family Residential District.
2. Section 337.03(c) which states that the Board of Zoning Appeals, after public notice and public hearing, and upon prescribing proper safeguards to preserve the character of the neighborhood, may grant special permits for the remodeling of existing dwelling houses or the erection of row houses to provide for more than two (2) dwelling units but not more than six dwelling units in each building, provided that:
 - (1) The square feet of lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter [355](#);
 - (2) The dwelling units to be created will be not smaller than two (2) rooms and a bathroom;
 - (3) There will be no exterior evidence that a remodeled dwelling house is occupied by more than two (2) families, except such as may be permitted by the Board;
 - (4) The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes and as the Commissioner of Building and the Commissioner of Housing so certify;
 - (5) Garage space or hard surfaced and drained parking space will be provided upon the premises for the cars of the families to be accommodated on the premises at the rate of not less than one (1) car per family.
3. Section 349.05(a) which states that No parking space shall be located within ten (10) feet of any wall of a residential building or structure if such wall contains a ground floor opening designed to provide light or ventilation for such building or structure. *POSTPONED FROM JUNE 22 AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT. NO TESTIMONY TAKEN. POSTPONED FROM JULY 20 AT THE REQUEST OF THE APPELLANT DUE TO LACK OF 5 MEMBER BOARD.*

POSTPONED FROM JULY 20, 2026

Calendar No. 26-073:

14301 Sylvia Ave.

Ward 9

Kevin Conwell

Family First Enterprises LLC, owner proposes to establish use as three dwelling units and a household appliance store 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 337.03 which states that a retail household appliance store is not a permitted use in a Two-Family Residential District but is first permitted in Local Retail Business District 343.01.
2. Section 337.03 which states that a three-dwelling unit building is not permitted in a Two-Family Residential District but is first permitted in a Multi-Family Residence District 337.08.
3. Section 337.03 (c) which states that The Board of Zoning Appeals may grant special

permits for remodeling of existing dwelling house to provide for more than two dwelling units but not more than six dwelling units provided that:

- 1) The square footage of the lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter 355. In this case 7,200 square feet are required and the appellant is proposing 5,206.5 square feet.
 - 2) The dwelling units to be created will not be smaller than two (2) rooms and a bathroom.
 - 3) There will be no exterior evidence that a remodeled dwelling house is occupied by more than two (2) families, except such as may be permitted by the Board.
 - 4) The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes and as the Commissioner of Building and the Commissioner of Housing so certify.
 - 5) Garage space or hard-surfaced and drained parking space will be provided upon the premises for the cars of the families to be accommodated on the premises at the rate of not less than one (1) car per family.
4. Section 359.02 (a) which states that A nonconforming use of a building or premises which has been discontinued shall not thereafter be returned to such nonconforming use. A use of building or land lawfully existing on the effective date of this Zoning Code or of any amendment or supplement thereto, or for which a permit has been lawfully issued, may be continued even though such use does not conform to the provisions of this Zoning Code for the use district in which it is located, but no enlargement or expansion shall be permitted except as a variance.

POSTPONED FROM JULY 20 AT THE REQUEST OF THE COUNCILMAN TO ALLOW TIME FOR FURTHER REVIEW.

Calendar No. 26-085:

9903 Clifton Blvd./

Ward 12

City Planning Commission Decision

Tanmay Shah

Maria Tent and Virgil Tent, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City Planning Commission to award Conditional Use Approval of a Townhome project in a One-Family Residential District on June 5, 2026. The standard of review is whether the administrative decision was illegal, arbitrary, capricious, unreasonable or unsupported by the preponderance of substantial, reliable, and probative evidence. If the Appellant fails to meet this burden, the administrative decision must be affirmed.

POSTPONED FROM JULY 20, 2026

Calendar No. 26-062:

4195 Bradley Rd.

Ward 4

Kris Harsh

River Smelting & Refining Co., owner proposes to erect a 30,225 square foot building addition of business offices and warehouse to an existing nonconforming 47,163 square foot building in an A3 Unrestricted Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Sections 351.08 and 351.09, which state that soil disturbing or land clearing activities, asphalt or concrete paving, new construction, and warehousing, are prohibited within the wetland/riparian setback.
2. Section 351.10(a), (b) which states that a non-conforming use and/or structure that is within a riparian and wetland setback that is in existence at the time of passage of this regulation and is not otherwise permitted under these regulations, may be continued. However, the use or structure shall not be changed or enlarged unless it is changed to a use permitted under these regulations.
3. Section 345.05(b)(2) which states that except as may be permitted by the Board of Zoning Appeals in a specific instance, in an Unrestricted Industry District, no open or unroofed yard for the storage of used building material, junk, unrepaired or uncleaned containers or other salvaged articles, may be established within 50 feet of any public thoroughfare, public land or Residence District.
4. Sections 351.02(a) and 351.07 which states that Applicant must follow procedures for submitting application/plans in a/adjacent to designated wetland/riparian setback. Chapter 351 is attached to and made a part of this notice.

POSTPONED FROM JULY 20, 2026 AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.