

**JULY 20, 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 July 17, 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. 26-062:

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.

Calendar No. 26-071:**10008 Kempton Ave.****Ward 9****Kevin Conwell**

Delia Portor, owner proposes to establish use as Residential Facility for five occupants 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 325.71 which states that "Residential Facility" means a publicly or privately operated home or 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, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons, is not permitted if located less than one thousand (1,000) feet from another residential facility. The proposed Residential Facility use is within one thousand (1,000) feet from another Residential Facility located at Rochelle Williams 9602 Empire Avenue.

Calendar No. 26-072:**12520 Shaw Ave.****Ward 9****Kevin Conwell**

Husan Saeed Salem, owner, proposes to establish use as a Smoke Shop in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.21(d) which states that no Smoke Shop shall establish use within two (2) miles of an existing Smoke Shop. Applicant proposes smoke shop within two (2) miles of multiple existing Smoke Shops.
2. Section 347.21(c) which states that no Smoke Shop shall establish use within five hundred (500) feet of a place of worship, public library, public playground, public park, or school. Applicant proposes to establish Smoke Shop within five hundred (500) feet of an aforementioned parcel.

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 JUNE 22, 2026

Calendar No. 26-057:

17216 Grovewood Ave.

Ward 10

Michael Polensek

4 Generations 2 Come LLC, owner proposes to establish two dwelling units, one storefront unit and one restaurant in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.08 which states that a retail convenience store and restaurant are not permitted uses in a Multi-Family Residential District.
2. Section 349.07(a) which states that accessory off-street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition.
3. Section 349.04(f) which states that nine (9) off-street parking spaces required; none proposed.
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. *POSTPONED FROM JUNE 22 TO ALLOW TIME FOR AN UPDATE IN THE DESCRIPTION OF THE CASE. NO TESTIMONY TAKEN.*

POSTPONED FROM JUNE 22, 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.*