



CITY OF CLEVELAND
Mayor Justin M. Bibb

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

JUNE 8, 2026
9:30AM

ALL MEMBERS PRESENT

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 June 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. 26-048:

3258 West 73rd St.

Ward 11

Nikki Hudson

Granted

Bobby Soha, owner proposes to establish use as a bar/restaurant with billiards table on the first floor and a dwelling on the second floor in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b)(2)(F) which states that the proposed bar/restaurant is not permitted in Multi-Family but is first permitted in Local Retail Business per
2. Section 343.11(b)(2)(L) which states that billiards use is first permitted in General Retail Business District provided the use is sufficiently sound insulated to confine the noise to the premises.
3. Section 347.12(a)(1) & (2) which states that no such billiards use shall be established within five hundred (500) feet of a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center. Property is adjacent to residential district.
4. Section 347.12 (a)(2) which states that no such use shall be established within five hundred (500) feet of another such use.
5. Section 349.04 which states that accessory parking spaces shall be provided with one per dwelling unit, plus one (1) for each 6 seats or total parking area equal to 3 times the gross floor area, whichever is greater.

6. Section 349.05 (a) & (b) which states that (a) The required accessory off-street parking facility shall be located on the same lot as the use for which it is provided or on a lot within four hundred(400) feet of the nearest boundary of the lot upon which the use is located measured by a straight line between the two (2) points. All such parking spaces shall be located behind the setback building line. No such 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.
7. Section 349.05(b) which states that the separate lot upon which such accessory parking facilities are provided shall be in the same ownership or control as the building or use to which the parking facilities are accessory.
8. Section 347.08(a) which states that Trash areas and refuse containers shall be located in such manner that they shall not be visible from the public street or from any lot or lots designated for residential purpose. Such trash areas shall be screened with opaque fencing not lower than the height of the refuse containers therein. Adequate vehicular access to and from such area or areas for collection of trash and/or garbage shall be provided at reasonable hours.

Bobby Soha, does not understand how this is brought up. It was an already established tavern. He is lost on this. This came about when he applied for an entertainment license and was denied. Shannan – it was denied because you did not have an Occupancy Permit. Addresses were messed up. Let’s give them . Faith has been operating for several decades. Letter of support from the Councilwoman.

Calendar No. 26-049:

10225 Bernard Ave.

Ward 12

Tanmay Shah

Granted

Cleveland Holding Group LLC, 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 349.03(a) which states that a three-family dwelling unit is not permitted in Two-Family District; first permitted in Multi-Family Residential District.
2. 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.

Roey Shavit – lives in California, - would like to turn the attic into a 3rd unit. Currently unfinished attic. Considering turning it into a third separate unit. Not planning any addition to the property – it would look the same as a two family from the street. Graveling the lot to park their car in the backyard. Wilson – how is the apartment accessed. Shavit – there is a back stairwell. Faith – utilities? Shavit they will be 3 separate meters. Faith – you would need to amend the parking plan to remove the parking space within 10 feet of the house. Shavit – parking is available in the garage as well. Faith – what is the second form of ingress? Shavit – one can be added from the front of the home- could add a metal ladder. Rocha – what is the hardship if the

variances are not granted today? Shavit – it would be a financial hardship. Shannan Leonard – the city planner nate lull does not support the variance – the owner bought it with knowledge of the zoning. We do not support parking in the setback or the driveway. Shavit – had knowledge of the zoning but thinks that the 3 units is the cleanest way to go .

Calendar No. 26-050:

11709 Lorain Ave.

Ward 12

Tanmay Shah

Postponed at the request of the appellant - July 13

May Morscher, owner, and Anew Behavior Health LLC., propose to change use from office to mental health center in a Local Retail Business Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that Mental health center not permitted; permitted in Institutional Research District 340.02(b).
2. Section 349.04(d) which states that 1 parking space for each 300 square feet of gross floor area is required.

REVERSED AND REMANDED BACK TO THE BOARD FROM THE COURT OF COMMON PLEAS

Calendar No. 24-089:

4843 Wendell Avenue

Ward 3

Deborah Gray

New date July 27

Shelter The People Cleveland, owner, proposes to establish use as a church, nonprofit charitable offices and assembly space in a B1 Two-Family Residential District. The owner appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03(b) which states Two-Family Residential District allows uses as regulated in a One-Family Residential District.
2. Section 337.02 (f)(1) which states that churches and other places of worship must be at least 15 feet away from other premises in a Residential District. Proposed use is less than 15 feet away from adjoining premises.
3. Section 337.02(3)(g) which states that charitable institutions, not for correctional purposes, must be at least 30 feet away from other premises in a Residential District. Proposed use is less than 30 feet away from other premises in a Residential District.
4. Section 349.04(e) which states accessory off-street parking spaces for places of worship and assembly uses require 1 space per 6 seats. No parking is provided on site.
5. 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.

The Court of Common Pleas reversed and remanded the Board's decision in Case Number CV-24-107470 on December 22, 2025. Judge Richard A. Bell concluded that "The Board of Zoning Appeals is to correctly apply sections 337.02(f)(1), 337.02(3)(g) and 337.03(b), in that churches and charitable institutions are permissible uses at the property provided that the structures on the property comply with setback restrictions or an area variance is approved. The Board of Zoning Appeals is instructed to conduct a new hearing and to consider the evidence already presented under the appropriate standard using the criteria outlined in Duncan."

