

**SEPTEMBER 21, 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 September 18, 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/UCB8qI0Jrhm_pYIR1OLY68bw/

Calendar No. 26-101:

4002 Jennings Rd.

Ward 4

Kris Harsh

ICB 1 Inc, owner, proposes to erect a 4,200 square foot retail building and establish use as state-licensed marijuana adult-use dispensary with accessory parking in a B1 General Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.07 which states that applicants must follow procedures for submitting application/plans in a designated wetland/riparian setback.
2. Sections 351.08 & 351.09 which state that ground clearing, new construction, parking lots, and establishment of adult-use retail dispensary as regulated in Sect. 347.191 is not permitted use in a designated wetland/riparian setback.
3. Section 341.02(c) which states that City Planning Commission approval is required prior to issuance of a building permit.

Calendar No. 26-111:

3498 W. 59th St.

Ward 14

Jasmine Santana

Anthony Garcia Jr., owner proposes to erect an attached garage in the actual rear yard in a Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that in a Residence District the depth of a rear yard

shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty (20) feet; provided that a Two-Family District, such depth shall be not less than the height of the main building. The attached garage is proposed to be 5 feet and 8 inches from the rear property line.

Calendar No. 26-115:

780-784 London Rd.

Ward 10

Michael Polensek

Edward Davis, owner proposes to establish use as a surface parking lot for neighboring barber shop 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 337.14 which states that in Residential Districts, surface lot as a main use is not permitted unless approved by BZA under the following conditions:
 - a. That there is no way to provide such parking spaces on the same lot as the use;
 - b. That for a permitted apartment house, such parking spaces are within two hundred (200) feet of or for any other permitted use, 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;
 - c. That the separate lot upon which such parking spaces are provided is in the same ownership as the permitted use, and is subject to deed restrictions recorded in the office of the County Recorder binding the owner, his or her heirs and assigns to maintain and provide for the required number of such parking spaces throughout the life of such use in accordance with the provisions of this Zoning Code; and
 - d. That the Commissioner of Traffic Engineering and Parking has caused a study to be made of the proposed location and finds that safe and adequate access can be provided and that the potential traffic will not be injurious or detrimental to the adjoining streets.
2. Section 349.08 which states that Accessory parking spaces shall be screened from all adjoining lots in the Residence District by an opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least four (4) feet wide and densely planted with shrubs that form a dense screen year-round. Such screening must be between three (3) and six and a half (6.5) feet tall.
3. Section 325.03 which states that all accessory parking spaces must be at least 153 square feet in size. Applicant proposes parking spaces of 141 square feet.

*****THE BOARD WILL RECEIVE SPECIAL CODE TRAINING AFTER THE REGULAR HEARING. NO SPECIFIC CASES WILL BE DISCUSSED.*****