

Ordinance No. 842-2021

By Council Member Conwell

AN ORDINANCE

Changing the Use, Area and Height Districts of parcels of land northeast and southwest of Lakeview Road south of Beulah Avenue to the East Cleveland City line (Map Change 2626).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lakeview Road and the westerly prolongation of the northerly line of a parcel of land known as being part of Sublot Nos. 1, 2, and 3 in Margaret Striebinger's Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 27 of Maps, Page 22 of Cuyahoga County Records and more commonly known as Permanent Parcel Number (PPN) 120-13-012;

Thence, slightly northeasterly along said westerly prolongation of said northerly line to its intersection with the easterly line thereof;

Thence, southeasterly along said easterly line to its intersection with the southeasterly line of a parcel of land known as being all of Sublot No. 32 and part of Sublot No. 33 in House and Cody's Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records and more commonly known as PPN 120-13-050;

Thence, northeasterly along said southeasterly line to its intersection with the northeasterly line thereof;

Thence, northwesterly along said line to its intersection with the northwesterly line of a parcel of land known as being Sublot No. 31 in House and Cody's Subdivision of part of Original One Hundred (100) acre Lots Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records and more commonly known as PPN 120-13-046;

Thence, northeasterly along said northwesterly line and its northeasterly prolongation to its intersection with the centerline of Auburndale Avenue;

Thence, northwesterly along the aforementioned centerline to its intersection with the centerline of East 124th Street;

Thence, southeasterly and northeasterly along the centerline of East 124th Street to its intersection with the northerly line of a parcel of land known as Sublot No. 37 in the aforementioned House and Cody's Subdivision, as shown by the recorded plat in Volume 24 of Maps, Page 5 of Cuyahoga County Records, and part of Sublot No. 31 in the Lakeview Subdivision of part of Original One Hundred (100) Acre Lot nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records and more commonly known as PPN 120-13-052;

Thence, easterly along said northerly line to its intersection with the southeasterly line thereof;

Thence, southerly along said line to its intersection with the northeasterly line of a parcel of land known as being Sublot No. 38 in the aforementioned House and Cody's Subdivision and more commonly known as PPN 120-13-053;

Thence, southeasterly along aforementioned line and its southeasterly prolongation to its intersection with the East Cleveland City Line;

Thence, southeasterly along said East Cleveland City Line to its intersection with the centerline of Auburndale Avenue;

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Thence, continuing southerly along the East Cleveland Centerline to its intersection with the northeasterly line of a parcel of land known as being all of Sublots Nos. 17, 18, 19, 24, 25, 26, 27, 28, 29, 30, 31, 32, and part of Sublots Nos. 33, 34, 35, 36, 37 38 and all of Florence Court, 30 ft. wide (re-named Striebinger Court, now vacated) and a 16 foot alley (formerly Torno Court) in Margaret Striebinger's Subdivision of part of Original One Hundred Acre Lots Nos. 388 and 399, as shown by the recorded plat in Volume 27 of Maps, Page 22 of Cuyahoga County Records and all of Sublots Nos. 14, 15, 16, 17, 18, and 19 in the House and Cody Subdivision of part of Original One Hundred (100) Acre Lot nos. 388 and 389 as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records and more commonly known as PPN 120-13-031;

Thence, northwesterly along said northeasterly line to its intersection with the centerline of Edwin Court;

Thence, southwestly along the centerline of Edwin Court to its intersection with the

Thence, northwesterly along the centerline of Lakeview Road to its intersection with the westerly prolongation of the northerly line of the aforementioned PPN 120-13-012 and the point of origin;

And;

Beginning at the intersection of the centerline of East 122nd Street and the centerline of Ashbury Avenue;

Thence, southeasterly along the centerline of East 122nd Street to intersection with the centerline of Wade Park Avenue;

Thence, easterly along the centerline of Wade Park Avenue to its intersection with the northerly prolongation of the westerly line of a parcel of land known as being part of Sublot No. 53 in H.C. Ford's Allotment of part of Original One Hundred (100) Acre Lot no. 388, as shown by the recorded plat in Volume 14 of Maps, Page 40 of Cuyahoga County Records and more commonly known as PPN 120-25-005;

Thence, southerly along said westerly line to its intersection with the westerly prolongation of the southerly line thereof;

Thence, westerly along said westerly prolongation to its intersection with the centerline of East 120th Street;

Thence, northerly along the centerline of East 120th Street to its intersection with the centerline of Ashbury Avenue;

Thence, easterly and northeasterly along the centerline of Ashbury Avenue to its intersection with the centerline of East 122nd Street and the point of origin;

And as identified on the attached map shall be changed to a 'Two Family Residential District', a 'D' Area District and a '1' Height District;

Section 2. That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Beulah Avenue and the centerline of East 120th Street;

Thence, southerly along the centerline of East 120th Street to its intersection with the centerline of Ashbury Avenue;

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Thence, easterly and northeasterly along the centerline of Ashbury Avenue to its intersection with the centerline of East 122nd Street;

Thence, southeasterly along the centerline of East 122nd Street to its intersection with the centerline of Wade Park Avenue;

Thence, easterly along the centerline of Wade Park Avenue to its intersection with the northerly prolongation of the westerly line of the aforementioned PPN 120-25-005;

Thence, southerly along said westerly line to its intersection with the southerly line thereof;

Thence, easterly along said southerly line to its intersection with the southwesterly prolongation of the easterly line of a parcel of land known as being all of Sublots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and part of Sublot No. 13 in The Martin Dodge Subdivision of part of Original One Hundred (100) Acre Lot no. 388 as shown by the recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records and more commonly known as PPN 120-25-007;

Thence, northeasterly along said easterly line and its northeasterly prolongation to the centerline of Lakeview Avenue;

Thence, northwesterly along the centerline of Lakeview Avenue to its intersection with the centerline of Wade Park Avenue;

Thence, southwesterly along the centerline of Wade Park Avenue to its intersection with the southeasterly prolongation of the southwesterly line of a parcel of land known as being Sublot No. 43 in Martin Dodge's Subdivision of part of Original One Hundred Acre (100) Lot No. 388, as shown by the recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records and more commonly known as PPN 120-14-022;

Thence, northwesterly along said line to its intersection with the northwesterly line thereof;

Thence, southwesterly along said northwesterly line to its intersection with the southwesterly line of a parcel of land conveyed to Gaylon & Johnny Fletcher by deed as recorded by Auditor's File Number (AFN) 00311736 on November 28, 1986 in Book 67790, Page 70 in Cuyahoga County Fiscal Records and more commonly known as PPN 120-14-021;

Thence, northwesterly along the aforementioned line to its intersection with the northwesterly line thereof;

Thence, northeasterly along said northwesterly line and its northeasterly prolongation to its intersection with the centerline of Lakeview Road;

Thence, northwesterly along the centerline of Lakeview Road to its intersection with the centerline of Ashbury Avenue;

Thence, northwesterly and westerly along the centerline of Ashbury Avenue to its intersection with the centerline of East 122nd Street;

Thence, northwesterly along the centerline of East 122nd Street to its intersection with the northerly line of a parcel of land conveyed to Jean Washington by deed as recorded by AFN 00520612 on December 31, 1987 as recorded in Book 78219, Page 70 of Cuyahoga County Fiscal Records and more commonly known as PPN 120-11-060;

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Thence, easterly along said northerly line and its easterly prolongation to its intersection with the centerline of Lakeview Road;

Thence, northerly along the centerline of Lakeview Road to its intersection with the centerline of Beulah Avenue;

Thence, westerly along the centerline of Beulah Avenue to its intersection with the centerline of East 120th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Multi-Family Residential' District, a 'D' Area District and a '1' Height District;

Section 3. That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lakeview Road and the centerline of Wade Park Avenue;

Thence, southwesterly along the centerline of Wade Park Avenue to its intersection with the southwesterly line of of a parcel of land known as being Sublot No. 43 in Martin Dodge's Subdivision of part of Original One Hundred Acre (100) Lot No. 388, as shown by the recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records and more commonly known as PPN 120-14-022;

Thence, northwesterly along said aforementioned line to its intersection with the northwesterly line thereof;

Thence, southwesterly along said northwesterly line to its intersection with the southwesterly line of a parcel of land conveyed to Gaylon & Johnny Fletcher by deed as recorded by Auditor's File Number (AFN) 00311736 on November 28, 1986 in Book 67790, Page 70 in Cuyahoga County Fiscal Records and more commonly known as PPN 120-14-021;

Thence, southeasterly along said line to its intersection with the southwesterly line thereof;

Thence, northwesterly along said southwesterly line to its intersection with the northwesterly line thereof;

Thence, northeasterly along said northwesterly line and its northwesterly prolongation to its intersection with the centerline of Lakeview Road;

Thence, southeasterly along the centerline of Lakeview Road to its intersection with the centerline of Wade Park Avenue and the point of origin;

And;

Beginning at the intersection of the centerline of Lakeview Road and Ashbury Avenue;

Thence, northwesterly along the centerline of Lakeview Road to its intersection with the northerly line of a parcel of land known as being part of Original One Hundred (100) Acre Lot No. 388 and part of Sublot No. 12 in The Aumick Allotment of part of Original One Hundred (100) Acre Lot No. 388 shown by the recorded plat in Volume 16 of Maps, Page 5 of Cuyahoga County Records and more commonly known as PPN 120-11-037;

Thence, southwesterly along said northerly line and its southwesterly prolongation to its intersection with the centerline of East 123rd Street;

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Thence, southeasterly along the centerline of East 123rd Street to its' intersecting with the centerline of Ashbury Avenue;

Thence, northeasterly and southeasterly along the centerline of Ashbury Avenue to its intersection with the centerline of Lakeview Road and the point of origin;

And;

Beginning at the intersection of the centerline of Lakeview Road and the southwesterly prolongation of the southerly line of parcel of land known as being part of Sublot No. 1 in Margaret Streibinger's Subdivision of part of Original One Hundred (100) Acre Lots Nos. 388 and 389, as shown by the recorded plat in Volume 27 of Maps, Page 22 of Cuyahoga County Records and more commonly known as PPN 120-13-011;

Thence, easterly along said southerly line to its intersection with the southwesterly line of a parcel of land known as Sublot No. 33 in House and Cody's Subdivision of part of Original One Hundred (100) Acre Lots Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records and more commonly known as PPN 120-13-050;

Thence, southeasterly along said southwesterly line to its intersection with the southeasterly line thereof;

Thence, northeasterly along said southeasterly line to its intersection with the northeasterly line thereof;

Thence, northwesterly along said line to its intersection with the southeasterly line of a parcel of land known as being parts of Sublots No. 34 and 35 in House & Cody's Subdivision of a part of Original One Hundred (100) Acre Lots Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records and more commonly known as PPN 120-13-047;

Thence, northeasterly along said southeasterly line and its northeasterly prolongation to its intersection with the centerline of Auburndale Avenue;

Thence, northwesterly along the centerline of Auburndale Avenue to its intersection with the centerline of East 124th Street;

Thence, northeasterly along the centerline of East 124th Street to its intersection with the easterly prolongation of the northerly line of a parcel of land known as Sublot No. 19 in the Lakeview Subdivision of part of Original One Hundred (100) Acre Lot No. 388, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records and more commonly known as PPN 120-13-051;

Thence, westerly along said prolongation and its westerly prolongation to its intersection with the centerline of Lakeview Road;

Thence, southeasterly along the centerline of Lakeview Road to its intersection with the southerly line of a parcel of land known as being part of Sublot No. 1 in Margaret Streibinger's Subdivision of part of Original One Hundred (100) Acre Lots Nos. 388 and 389, as shown by the recorded plat in Volume 27 of Maps, Page 22 of Cuyahoga County Records and more commonly known as PPN 120-13-011 and the point of origin;

And as identified on the attached map shall be changed to a 'Local Retail Business' District, a 'G' Area District and a '2' Height District;

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Section 4. That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lakeview Road and the centerline of Edwin Court;

Thence, northeasterly along the centerline of Edwin Court to its intersection with the northeasterly line of a parcel of land conveyed by Barbara Williams by deed to 1519 Lakeview LLC on December 19, 2019 as recorded by Auditor's File Number 201912191716 of Cuyahoga County Fiscal Records and more commonly known as PPN 120-13-031;

Thence, southeasterly along said northeasterly line to its intersection with the East Cleveland City line;

Thence, southerly along the East Cleveland City Line to its intersection with the centerline of Lakeview Road'

Thence, northwesterly along the centerline of Lakeview Road to its intersection with the centerline of Edwin Court and the point of origin;

And;

Beginning at the intersection of the centerline of Lakeview Road and the northeasterly prolongation of the southeasterly line of a parcel of land known as being all of Sublots Nos. 1, 2, 23, 4, 5, 6, 7, 8, 9, 10, 11, 12 and part of Sublot No. 13 in The Martin Dodge Subdivision of part of Original 100 Acre Lot No. 388 as shown by the recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records and more commonly known as PPN 120-25-007;

Thence, southwesterly along the aforementioned line and its southwesterly prolongation to its intersection with the southerly line of a parcel of land conveyed by Sheriff's Deed to the City of Cleveland Land Reutilization Program as recorded on December 5, 1996 by Auditor's File Number (AFN) 00390771 in Book 11985, Page 38 of Cuyahoga County Fiscal Records (PPN 120-25-005);

Thence, easterly along the easterly prolongation of said southerly line to its intersection with the East Cleveland City Line;

Thence, northerly along the East Cleveland City Line to its intersection with the centerline of Lakeview Road;

Thence, northwesterly along the centerline of Lakeview Road to its intersection with the northeasterly prolongation of the southeasterly line of the aforementioned PPN 120-25-007 and the point of origin;

And as identified on the attached map shall be changed to a 'Limited Retail Business' District, a 'G' Area District and a '2' Height District;

Section 5. That the street frontages described as follows:

The southwesterly side of Lakeview Road between the northwesterly line of a parcel of land known as being Sublot No. 42 in the Martin Dodge Subdivision of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records (PPN 120-14-021) and the southeasterly line of a parcel of land known as being Sublot No. 43 in the aforementioned Subdivision as shown by recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records (PPN 120-14-022);

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And;

The southwesterly side of Lakeview Road between the northerly line of PPN 120-11-037 and the southerly line of a parcel of land conveyed by deed to Early Brown as recorded on January 31, 1995 by Auditor's File Number 00956428 in Book 694, Page 29 of Cuyahoga County Fiscal Records (PPN 120-11-034);

And;

The northerly side of Ashbury Avenue between Lakeview Road and East 123rd Street;

And;

The easterly side of East 123rd Street between Ashbury Avenue and the northerly line of a parcel of land known as being part of Sublot No. 12 in the Aumick Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat of said Allotment in Volume 16 of Maps, Page 5 of Cuyahoga County Records (PPN 120-11-060);

And;

The easterly side of Lakeview Road between the southerly line of PPN 120-13-011 and the northerly line of a parcel of land known as being the Westerly part of Sublot No. 9 in The Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat of said Subdivision in Volume 23 of Maps, Page 10 of Cuyahoga County Records and more commonly known as PPN 120-13-009;

And;

The northerly side of Auburndale Avenue and East 124th Street between Lakeview Road and the northerly line of a parcel of land conveyed by Sheriff's Deed to the City of Cleveland Land Reutilization Program as recorded by AFN 00602908 on September 22, 1993 in Book 10141, Page 55 of Cuyahoga County Fiscal Records (PPN 120-13-078);

And;

The southerly side of Auburndale Avenue between Lakeview Road and southeasterly line of a parcel of land conveyed by Sheriff's Deed to the City of Cleveland Land Reutilization Program as recorded by AFN 00268710 on May 26, 1992 in Book 24380, Page 46 of Cuyahoga County Fiscal Records (PPN 120-13-047);

And as identified on the attached map shall be established as 'Urban Form Overlay District'

Section 6. That a Specific Mapped Building Setback of five (5) feet from the property line shall be established on the eastern frontages of parcels of land along the western side of East 123rd Street between Beulah Avenue and the southern property line of a parcel of land known as being part of Original One Hundred Acre Lot No. 388 and more commonly known as PPN 120-11-078;

And;

That a Specific Mapped Building Setback of five (5) feet from the property line shall be established on the western frontages of parcels of land along the eastern side of East 123rd Street between Beulah Avenue and the southeasterly line of a parcel of land conveyed by deed to Vice Tech Inc. as recorded by AFN 0108955 on October 9, 1984 in Book 44718, Page 24 of Cuyahoga County Fiscal Records (PPN 120-11-059);

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And as identified on the attached map, the five (5) foot Specific Mapped Building Setback from the property line is hereby established on the Building Zone Maps of the City of Cleveland;

Section 7. That the Specific Mapped Building Setback of five (5) feet from the property line shall be removed on the frontages of parcels of land on the northern side of Auburndale and East 124th Street between Lakeview Road and the northerly line of a parcel of land conveyed by Sheriff's Deed to the City of Cleveland Land Reutilization Program as recorded by AFN 00602908 on September 22, 1993 in Book 10141, Page 55 of Cuyahoga County Fiscal Records and more commonly known as PPN 120-13-078;

And;

That a Specific Mapped Building Setback of five (5) feet from the property line shall be removed on the frontages of parcels of land along the southern side of Auburndale between Lakeview Road and the northeasterly line of a parcel of land conveyed by Sheriff's Deed to the City of Cleveland Land Reutilization Program as recorded by AFN 00268710 on May 26, 1992 in Book 24380, Page 46 of Cuyahoga County Fiscal Records (PPN 120-13-047);

And as identified on the attached map, the five (5) foot Specific Mapped Building Setback from the property line is hereby removed on the Building Zone Maps of the City of Cleveland;

Section 8. That the change of zoning of lands described in Section 1 through 7 shall be identified as Map Change No. 2626, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

MR:nl
9-27-2021
FOR: Councilmember Conwell

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