



LEGISLATIVE SUMMARY

Cleveland City Planning Commission Division of Zoning & Technology

Ordinance Number: 887-18

Description: Repealing and replacing sections of the zoning code relating side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay

Purpose: The adjusted requirements align modern planning principals with the historic development patterns of Cleveland and the realities of 21st century development. These amendments represent several years of research conducted by the Planning Department and the Board of Zoning Appeals. They will give clearer guidance to developers, will give residents more predicable outcomes with the development in their neighborhood and will improve the efficiency of the zoning review process.

Wards: Citywide

Zoning Code Updates

Creating efficiently in the zoning process





Advance City Goals

- Disconnect between stated City goals and zoning code
 - Some code provisions contradict health, sustainability & equity principals
 - Design Review bodies often ask appellants to create non-conforming conditions

City Planning Commission

- Planning expends staff time reviewing commonly approved variances
 - Meeting with applicants, field photos, BZA packets
 - Staff time and resources could be redirected to advance important City goals

Board of Zoning Appeals

- Applicants wait 5-8 weeks to receive an approval
 - Regularly approved variances clog BZA calendars
 - Staff & Board time could be more efficiently utilized
 - \$7,000 dollars are spent on mailings - could be reduced



Goals of the update:

- Produce better outcomes in the neighborhoods by-right
- Reduce permitting time (new construction & rehab)
- Reduce staff time and public dollars spent on BZA processes
- Clarify clunky language in the zoning code – Sunday morning test

Achieving the goals by:

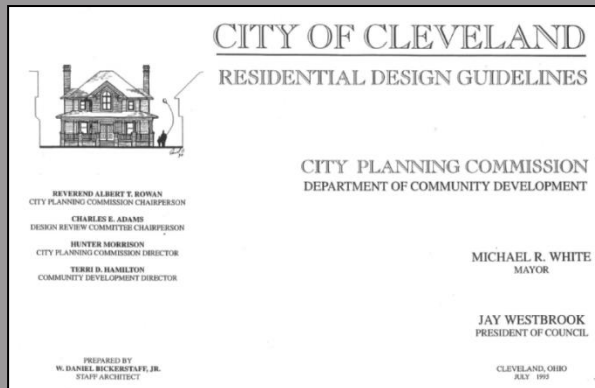
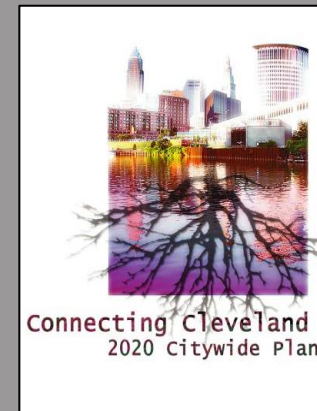
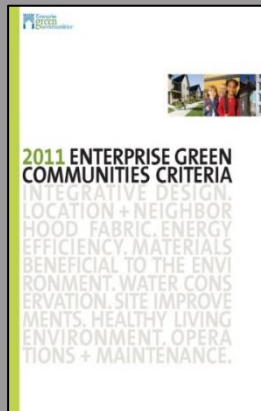
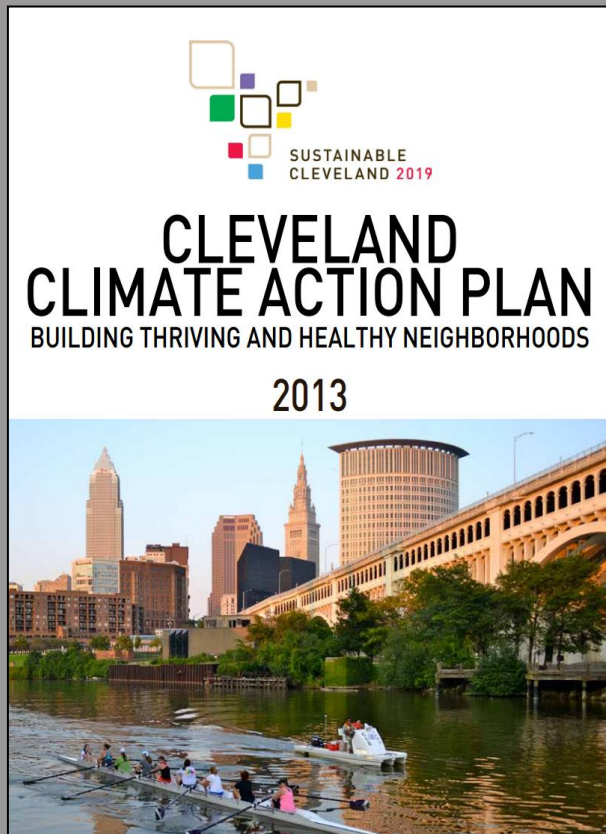
- Add clear language to reflect desired outcomes
- Simplifying existing requirements
- Removing unnecessary text

By incorporating the most common design review comments from Planning Commission and local committees, the updated code will reduce the number of required applicant revisions and speed up the application to permit time.

Supporting Plans



The proposed regulations align the zoning code with the city's sustainable initiatives, not by allowing for good design, but by making it the default.



Porches

Section 357.13(b)(4)





Current Language:

Open porticos or porches projecting not more than six (6) feet, enclosed porches or vestibules projecting not more than four (4) feet and balconies projecting not more than three (3) feet, provided they do not extend within ten (10) feet of the street line and do not aggregate a vertical area in any story more than twenty percent (20%) of the area of the facade in that story.

Proposed Language:

Open porticos or porches projecting not more than eight (8) feet, and enclosed porches, balconies or vestibules projecting not more than four (4) feet.



- Front yard setback requirements do not change
- Adjusts max. porch encroachment from 6' to 8'
- Simplifies requirements to allow new houses to better match their context by removing min. 10' setback for porches







BZA 16-115

CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
EY NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

04/28/2016

Owner: B.R. Kutz Construction
Attn: Tony Naughton
Address: 7555 Fredie Dr
Concord, Oh 44077

Location: 4304 Bailey Ave [B16013045] revised 5-16-2016

Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 47' 2 story frame single family residence with detached 20' x 20' 1 story frame detached garage is denied due to the following:

Zoning Code	Text
357.09C(2)B	Required Interior Side Yard shall be not less than 7'-7"; proposed 5'.
357.13(b)(4)	Open Porches shall not be less than 10 feet from street line; proposing 4'.

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.

R. Wells
Rodney Wells, (216) 664-2925
Plan Examiner

R. Ricciardi
Richard Ricciardi,
Zoning Administrator

cc: Thomas Vanover, Chief Building Official



BZA 16-116

CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
EY NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

04/28/2016

Owner: B.R. Kutz Construction
Attn: Tony Naughton
Address: 7555 Fredie Dr
Concord, Oh 44077

Location: 4306 Bailey Ave [B16013046] Revised 5-16-2016

Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 47' 2 story frame single family residence with detached 20' x 20' 1 story frame detached garage is denied due to the following:

Zoning Code	Text
357.09C(2)B	Required Interior Side Yard shall be not less than 7'-7"; proposed 5'.
357.13(b)(4)	Open Porches shall not be less than 10 feet from street line; proposing 4'.

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.

R. Wells
Rodney Wells, (216) 664-2925
Plan Examiner

R. Ricciardi
Richard Ricciardi,
Zoning Administrator

cc: Thomas Vanover, Chief Building Official



Filed in BZA: 5.16.16
Decision date: 6.28.16
Total time in BZA: 7 weeks
Decision: Approved



CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
BY NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

01/19/2017

Owner: B.R. Knez Construction
Attn: Tony Naughton
Address: 7555 Fredrie Dr.
Concord, Oh 44077

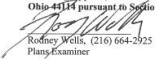
Location: 1789 W 54th Street [B17000622]

Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 46' 2 story frame single family residence with detached 24' x 24' 1 story frame detached garage is denied due to the following:

Zoning Code	Text
357.06(a)	The Required Front Yard Setback 21.83'; proposing 13'
357.09C(A)	No residence building shall be erected less than 10' from main building on an adjoining lot; proposing 6'.
357.13(b)(4)	Open Porches shall not be less than 10 feet from street line; proposing 7'.

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.


Rodney Wells, (216) 664-2925
Plans Examiner


Richard Riccardi,
Zoning Administrator

cc: Thomas Vanover, Chief Building Official

Filed in BZA: 2.9.17
Decision date: 3.6.17
Total time in BZA: 5 weeks
Decision: Approved

Side Yard Setbacks

Section 357.09(b)(2)





(2) *Other Residence Districts.*

A. In Residence Districts other than Limited One-Family Districts the aggregate width of side yards on the same premises shall be not less than one-half ($1/2$) the height of the main building but in no case less than ten (10) feet. No building shall be erected less than ten (10) feet from a main building on an adjoining lot within such Residence Districts.

B. In a One-Family District or in a Two-Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth ($1/4$) the height of the main building on the premises.

C. In Multi-Family Districts no interior side yard, and in any use district not a Residence District no required interior side yard in connection with multiple dwellings or buildings of Institutional H Occupancy Classification except Class B Multiple Dwellings located within the Central Business District defined in Section [325.12](#), shall be less in width than one-fourth ($1/4$) the height of the main building on the premises nor less than eight (8) feet. However, when the length of such main building measured parallel to an adjoining interior lot line exceeds forty (40) feet, the area of that part of the interior side yard abutting the building, including the area of any outer court opening on such interior side yard, shall be not less than one-third ($1/3$) the height of the building multiplied by the length of the building measured parallel to the adjoining interior lot line; provided further that when the side yard provides all required light and ventilation for all the habitable rooms of any dwelling unit, such area shall be not less than one-half ($1/2$) the height of the building multiplied by the length of the building.

Changes Proposed

Where applicable		Min. distance to property line	Aggregate width of side yards	Min. distance between main buildings on adjoining lots
A. One Family		½ height of main building or min. 10'	No requirement	10'
A. Two Family		3'	6'	6'
A. Multi-Family	One or Two family Building	3'	6'	10'
	Multi-Family Building	7'	14'	10'
A. All other Residence Districts		5'	10'	10'
A. All other Districts	Abutting a Residence District	7'	No requirement	10'
	Abutting all other Districts	0'		0'

Limited One Family: No change

One Family: No change

Two Family:

- Min. to property line unchanged.
- Distance between buildings adjusted from 10' to 6'.

Aggregate adjusted from 10' to 6'.

- Removed ¼ height of building requirement

made for types of building

property line adjusted to 7'

¼ height of building requirement

aggregate width

Districts

Districts abutting Residence District

its set at max. in code

buildings in other districts now

the district's requirements for side

arks

with PRO, UO, UCO and CBD



17-84

CITY OF CLEVELAND
DIVISION OF CONSTRUCTION PERMITTING
PLAN REVIEW
NOTICE OF NON-CONFORMANCE

B17007792

Examined by M. Torres
Date: 3/24/2017

Owner: W.20th LLC
Contact Person/ Architect: Westleigh Harper
Location: 2017 Follett Ct.
Zoning: Use: Multi-Family District

Address: 812 Huron Rd. E. #301
Address: 812 Huron Rd. E. #301
Area: B Height: 1

Application to erect a 2.5 story, ±2,274 SF single family house on a ±1,785 SF lot is denied due to the following:

Zoning Code	Text
355.04 (a)	Maximum gross floor area in a "B" area district shall not exceed $\frac{1}{2}$ the lot area, or ±893 S.F.; ±1,785 S.F. is proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet; a 27'-0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 S.F.; lot area is approximately 1,785 S.F.
357.08	Depth of required rear yard shall be not less than the height of the main building 33'- 5 1/2"; a ±5'-0" rear yard is proposed.
357.09 (b)(2)(C)	In a Multi-Family District no interior side yard, and in any use district no interior side yard on a lot occupied by a dwelling house shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. <u>However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises.</u> Building mean height is approximately 33'- 5 1/2" thus no interior side yard shall be less than ±8.5'; a 3'-0" side yard is proposed.
341.02 (b)	City Planning approval is required prior to the issuance of a building permit.

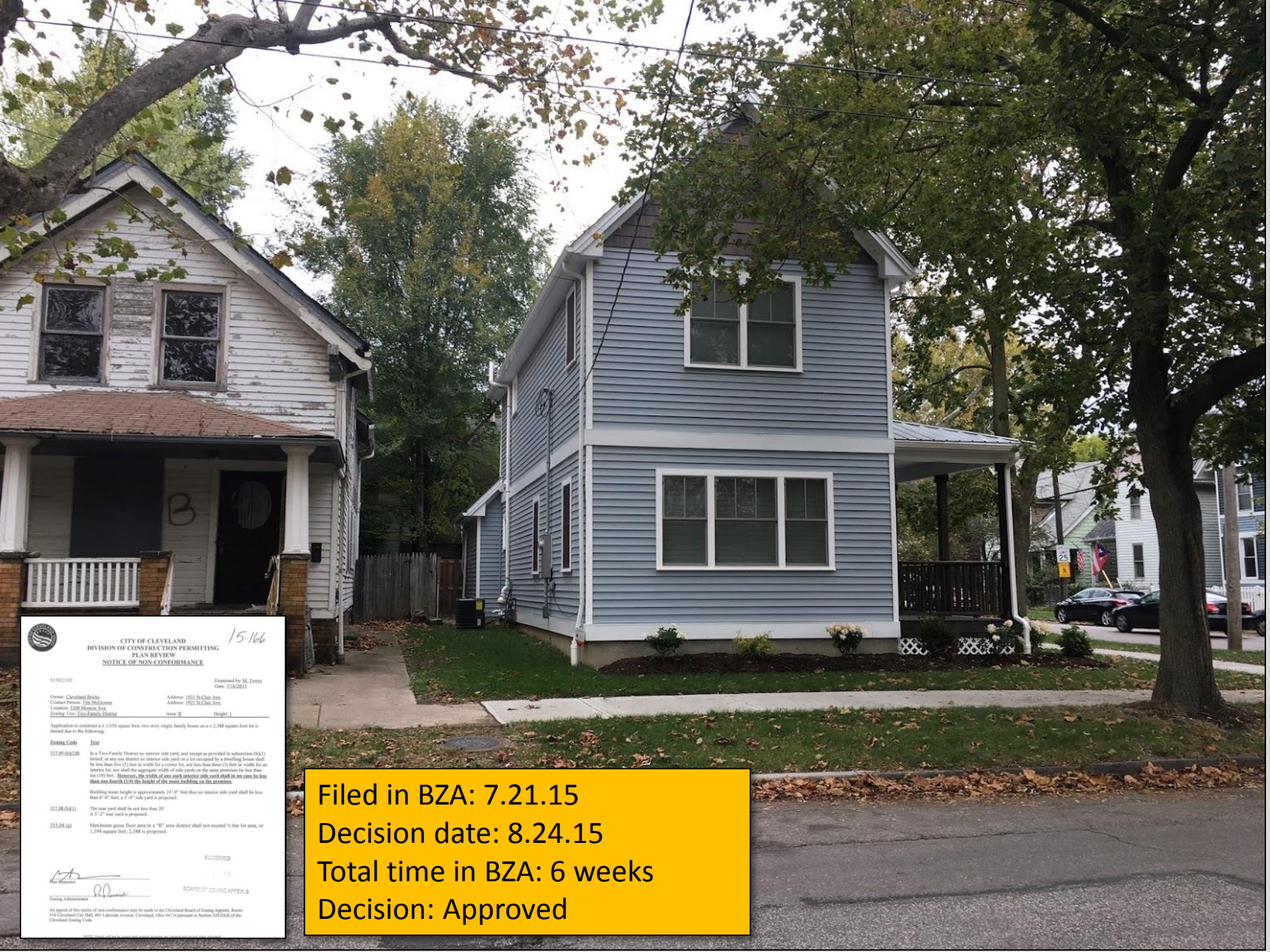

Zoning Administrator



An appeal of this notice of non-conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.02(d) of the Cleveland Zoning Code.



Filed in BZA: 3.3.2017
Decision date: 5.22.17
Total time in BZA: 13 weeks
Decision: Approved



15166

CITY OF CLEVELAND
DIVISION OF CONSTRUCTION PERMITTING
PLAN REVIEW
NOTICE OF NON-CONFORMANCE

519022102 Examined by: M. Tamm Date: 11/02/2015

Owner: Cleveland Bricks Address: 1821 St Clair Ave.
Contact Person: Tim McGowan Address: 1821 St Clair Ave.
Location: 1200 Market Ave.
Zoning: Use: Two-Family Districts Area: B Height: J

Application to construct a 1,450 square foot, two-story single family house on a 3,388 square foot lot is denied due to the following:

Zoning Code	Text
337.09 (B)(2)(B)	In a Two-Family District no interior side yard, and except as provided in subsection (B)(3) hereof, in any one district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than six (6) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the lot.
337.09 (B)(3)	Building mean height is approximately 24'-0" feet thus no interior side yard shall be less than 5'-0" feet, a 7'-0" side yard is proposed.
337.09 (B)(4)	The rear yard shall be not less than 20'. A 5'-12" rear yard is proposed.
335.09 (a)	Maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area, or 1,394 square feet, 2,388 is proposed.

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OCT 15 2015
BOARD OF ZONING APPEALS

Zoning Administrator

An appeal of this notice of non-conformance may be made to the Cleveland Board of Zoning Appeals, Room 314 Cleveland City Hall, 401 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 129.02(D) of the Cleveland Zoning Code.

Filed in BZA: 7.21.15
Decision date: 8.24.15
Total time in BZA: 6 weeks
Decision: Approved



CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
BY NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

01/19/2017

Owner: B.R. Knez Construction
Attn: Tony Naughton
Address: 7555 Frede Dr.
Concord, OH 44077

Location: 1789 W 54th Street [B17006022]

Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 46' 2 story frame single family residence with detached 24' x 24' 1 story frame detached garage is denied due to the following:

Zoning Code: 337.06(A) Text
The Required Front Yard Setback 21.83'; proposing 13'

337.09C(3)(A) No residence building shall be erected less than 10' from main building on an adjoining lot; proposing 6'.

337.13D(4) Open Porches shall not be less than 10 feet from street line; proposing 7'.

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 339.04(A) of the Cleveland Zoning Code.

Rodney Wells, (216) 664-2925
Plans Examiner

Richard Ricciardi,
Zoning Administrator

cc: Thomas Vanover, Chief Building Official

Filed in BZA: 3.15.17
Decision date: 4.24.17
Total time in BZA: 7 weeks
Decision: Approved



CITY OF CLEVELAND
DIVISION OF CONSTRUCTION PERMITTING
PLAN REVIEW
NOTICE OF NON-CONFORMANCE

17-69

B17006868

Examined by M. Torres
Date: 3/13/2017

Owner: B.R. Knez Construction
Architect: Tony Naughton
Location: 1428 W. 57th St.
Zoning: Use: Two-Family District

Address: 7555 Fredle Dr. #210
Address: 7555 Fredle Dr. #210
Area: B Height: 1

Application to erect a new 2.5 story 1,700 square feet single family house is denied due to the following:

Zoning Code	Text
357.09 (b)(2)B	In a Two-Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. <u>However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises.</u> Building height is ± 34'-0" thus no interior side yard shall be less than ± 8'-6"; a ± 4'-0" side yard is proposed (distance: gutter board/ fascia to property line.)
357.09 (b)(2)A	No building shall be erected less than 10'-0" from a main building on an adjoining lot. Distance to main building on adjoining lot is ± 7'-4".
341.02 (b)	City Planning approval is required prior to the issuance of a building permit.

Plan Examiner

Zoning Administrator



An appeal of this notice of non-conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.02(d) of the Cleveland Zoning Code.



Filed in BZA: 3.15.17
Decision date: 4.24.17
Total time in BZA: 7 weeks
Decision: Approved



CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

06/10/2016

Owner: B.R. Knez Construction
Attn: Tony Naughton
Address: 7555 Fredle Dr
Concord, Oh 44077

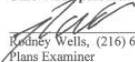
Location: 2816 York Ave [B16019451]

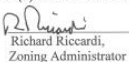
Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 48' 2 story frame single family residence with detached 20' x 20' 1 story frame detached garage is denied due to the following.

- | Zoning Code | Text |
|---------------|---|
| 357.04(a) | Required Front Yard setback is 10'; providing 9.25'. |
| 355.04(b) | Maximum gross floor area allowed is 50 percent of the lot size 1,650sqft; proposing 1,720sqft. |
| 357.09(2)A | No building shall be less than 10' from main building on an adjoining lot; proposing 9.76' and 9.87'. |
| 357.09(2) A | The total width of Side Yards on same premises shall not be less than 10'; proposing 9.95'. |
| 357.09(2)B | Required Interior Side Yard shall be not less than 7'-6"; proposed 5.02' and 4.83' |
| 357.13.(b)(4) | Open front porch shall not be less than 10' from property line; proposing 4'. |

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.


Rodney Wells, (216) 664-2925
Plans Examiner


Richard Riccardi,
Zoning Administrator

RECEIVED

JUN 17 2016

cc: Thomas Vanover, Chief Building Official

BOARD OF ZONING APPEALS

16-156



Filed in BZA: 6.7.16
Decision date: 7.25.16
Total time in BZA: 8 weeks
Decision: Approved



16-282

**CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
NOTICE OF NON-CONFORMANCE**

Examined By Richard M. Riccardi
October 26, 2016

Owner: Ashley Balascoe, Charles Lowe Address: 2814 York Ave.

Location: 2814 York Avenue

Use: Two Family Residential Area: B Height: 1

Application to install air conditioner condenser in required side yard is denied due to the following:

Zoning Code
357.09(b)(2)(A)

Text

An interior side yard equal in width to one-half the height of the building is required.
Required yard spaces shall be maintained free and unobstructed.
Air conditioner condenser is not a permitted side yard encroachment.

357.13

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.


Richard M. Riccardi
Zoning Administrator

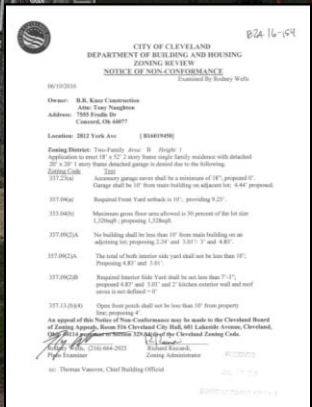
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OCT 26 2016

BOARD OF ZONING APPEALS

Filed in BZA: 10.26.16
Decision date: 12.5.17
Total time in BZA: 6 weeks
Decision: Approved





Filed in BZA: 6.7.16
Decision date: 7.25.17
Total time in BZA: 8 weeks
Decision: Approved



82A 16-155

CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

06/06/2016

Owner: B.R. Knez Construction
Attn: Tony Naughton
Address: 7555 Fredle Dr
Concord, Oh 44077

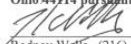
Location: 2833 Monroe Ave [B16019449]

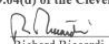
Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 68' 2 story frame single family residence with attached garage is denied due to the following.

- | | |
|--------------|---|
| Zoning Code | Text |
| 327.02E | All easements require approval from Engineering and Construction Room 518. (drive accessway) |
| 355.04(b) | Maximum gross floor area allowed is 50 percent of the lot size 1,650sqft and 1,744sqft. |
| 357.09(2)A | No building shall be less than 10' from main building on an Adjoining lot. Proposing 4.98' and dwelling not defined = 0'. |
| 357.09(2)A | The total width of side yards on same premises shall not be less Than 10'; proposing 9.98' |
| 357.09(2)B | Required Interior Side Yard shall be not less than 6'-8"; proposed 5' and 4.98'. |
| 357.13(b)(4) | Open Porches shall not be less than 10 feet from street line; proposing 4'. |

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.


Rodney Wells, (216) 664-2925
Plans Examiner


Richard Riccardi,
Zoning Administrator

RECEIVED

JUN 17 2016

cc: Thomas Vanover, Chief Building Official

BOARD OF ZONING APPEALS

Filed in BZA: 6.17.16
Decision date: 7.25.17
Total time in BZA: 8 weeks
Decision: Approved





BZA 16-153

CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
ZONING REVIEW
NOTICE OF NON-CONFORMANCE

Examined By Rodney Wells

06/10/2016

Owner: B.R. Knez Construction
Attn: Tony Naughton
Address: 7555 Fredle Dr
Concord, Oh 44077

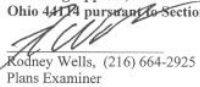
Location: 2263 W 30th Street [B16019455]

Zoning District: Two-Family Area: B Height: 1

Application to erect 20' x 74' 2 story frame single family residence with attached garage is denied due to the following.

Zoning Code	Text
327.02(c)	All Easements require approval from Engineering and Construction room 518
357.04(a)	Required Front Yard setback is 12'-1"; providing 10'.
355.04(b)	Maximum gross floor area allowed is 50 percent of the lot size 1,215sqft ; proposing 1,720sqft.
357.09(2)A	No building shall not be less than 10' from main building on an adjoining lot; proposing 7'-6".
357.09(2)B	Required Interior Side Yard shall be not less than 7'-6"; proposed 5' and 5'-11".
357.13.(b)(4)	Open front porch shall not be less than 10' from property line; proposing 4'.

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 329.04(d) of the Cleveland Zoning Code.


Rodney Wells, (216) 664-2925
Plans Examiner


Richard Riccardi,
Zoning Administrator

RECEIVED

cc: Thomas Vanover, Chief Building Official

JUN 17 2016

BOARD OF ZONING APPEALS



Filed in BZA: 3.15.17
Decision date: 4.24.17
Total time in BZA: 7 weeks
Decision: Approved

CITY OF CLEVELAND
DIVISION OF BUILDING AND HOUSING
PLAN REVIEW
NOTICE OF NON-CONFORMANCE

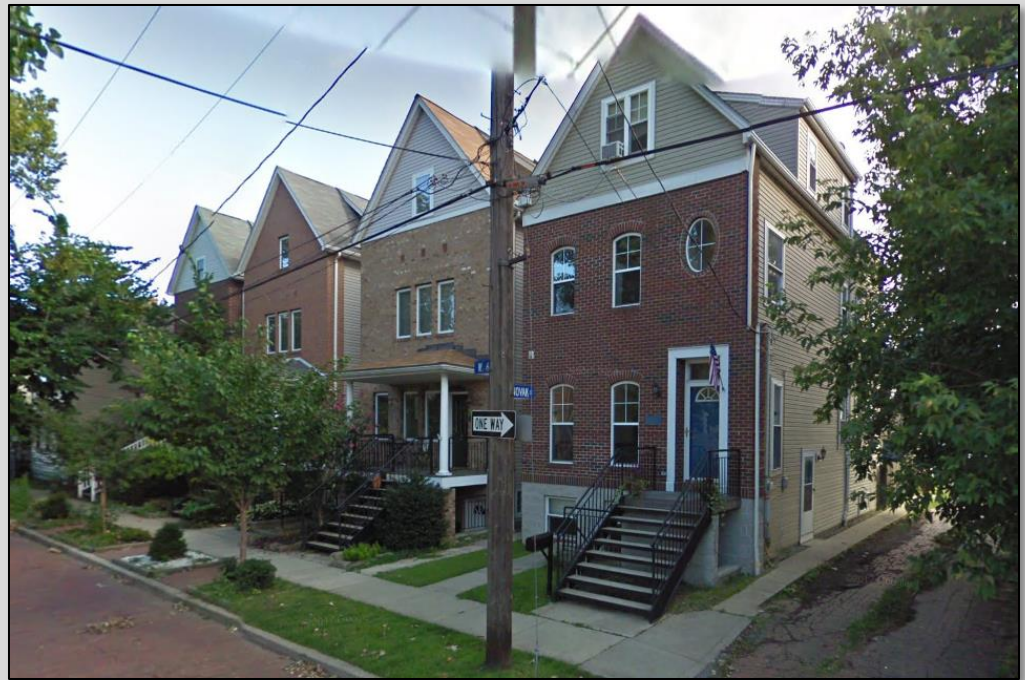
Examined by R. P. P. P.
MARCH 20 1998

Owner TRESCOTT REAL ESTATE LTD. PRINC Address 1009 UNIVERSITY ROAD, CLEVELAND 44113
Arch. or Engr. _____ Address _____
Location 2203 W. 6th ST Construction Classification _____
Occupancy Classification _____ Size _____ No. of Stories _____
Ground Area _____ Floor Area _____ Fee _____
Zoning: Use TWO FAMILY Area B Height 1
Fire Limits: Inner _____ Outer _____ Urban _____

Referred to following departments: ☐ Building ☐ Zoning ☐ Electrical
☐ Elevators ☐ HVAC ☐ Plumbing

The drawings submitted do not conform to the following sections of the State and City Code.

APPLICATION TO ERECT TWO FAMILY, 3 STORY RESIDENCE,
GARAGE, AND SECURITY FENCE DENIED DUE TO FOLLOWING:
327.02(d) PLANS REQUIRED.
ELEVATION PLANS SHOWING HEIGHT OF STRUCTURES, AND PLAN SHOWING
LOCATION, HEIGHT, AND TYPE OF SECURITY FENCE ARE REQUIRED.
355.04 MAXIMUM GROSS FLOOR AREA TABLE. A RESIDENTIAL BLDG WITH A MAXIMUM
GROSS FLOOR AREA OF 1750 SQUARE FEET IS PERMITTED; A 3200 SQUARE
FOOT RESIDENTIAL BLDG. IS PROPOSED.
355.05 LOT AREA/EXISTING LOTS OF RECORD A TWO FAMILY RESIDENCE ON AN
EXISTING LOT OF RECORD REQUIRES MINIMUM 4800 SQUARE FEET LOT AND
MINIMUM 40 FOOT WIDE LOT, LOT AREA OF 2500 AND WIDTH OF 25' PROPOSED.
357.04 FRONT YARD REGULATIONS. 15% OF LOT DEPTH OR 15' REQUIRED; 10'
PROPOSED.
357.09 REQUIRED INTERIOR SIDE YARDS.
*SIDEYARDS, MINIMUM OF 3' AND 10' AGGREGATE, BUT NOT LESS THAN 1/4 OF
HT. OF MAIN BLDG (ELEVATION PLAN REQUIRED) ARE REQUIRED; 3.5' AND 15' AGGREGATE
PROPOSED.
*NO BUILDING SHALL BE ERECTED LESS THAN 10' FROM A MAIN BLDG
ON ADJOINING PREMISES. PROPOSED BETWEEN 5' AND 2'.



Filed in BZA: 3.23.98
Decision date: 6.15.98
Total time in BZA: 13 weeks
Decision: Approved

Garage Placement

Section 337.23(a)(6)



The Issue

Front loaded garages:

- Eliminate eyes on the street by orienting active uses away from public realm
- Creates inhospitable experience for the pedestrian
- Creates visually unappealing façade; streets start to look like alleys
- Removes street trees; trees improve property values & support Cleveland Tree Plan
- Eliminates on-street parking
- Creates wider lanes on residential streets, which encourage speeding



Rear-loaded Garages:

- Promote eyes on the street
- Support walkable neighborhoods
- Protect pedestrian zone
- Preserve on-street parking
- Encourage tree lined streets
- Create sense of enclosure - reduces speeding



Front-loaded Garages:

- Remove on-street parking
- Create unusable paved areas
- Encourage speeding
- Remove street trees
- Create car/pedestrian conflicts
- Allows parking over the sidewalk



The Issue

A healthy, equitable, sustainable city must be walkable

Front loaded garages create conflicts for pedestrians



Cleveland, OH

Precedent

For safety and aesthetic reasons, many cities have placed restrictions on the placement of garage doors.

Columbus, Philadelphia, Baltimore, Denver, Portland, Chicago, Alexandria, St. Paul, MN, Parkside, IL, Boise, ID

Chicago - Garage Requirements

1. Garage door entrances for individual units are not allowed to face a public street whenever an alley exists or when interior driveways may be used.
2. When garages for individual units must face a public street, the garage door must be set back at least 20 feet from the property line to prevent obstruction of the sidewalk by parked cars.

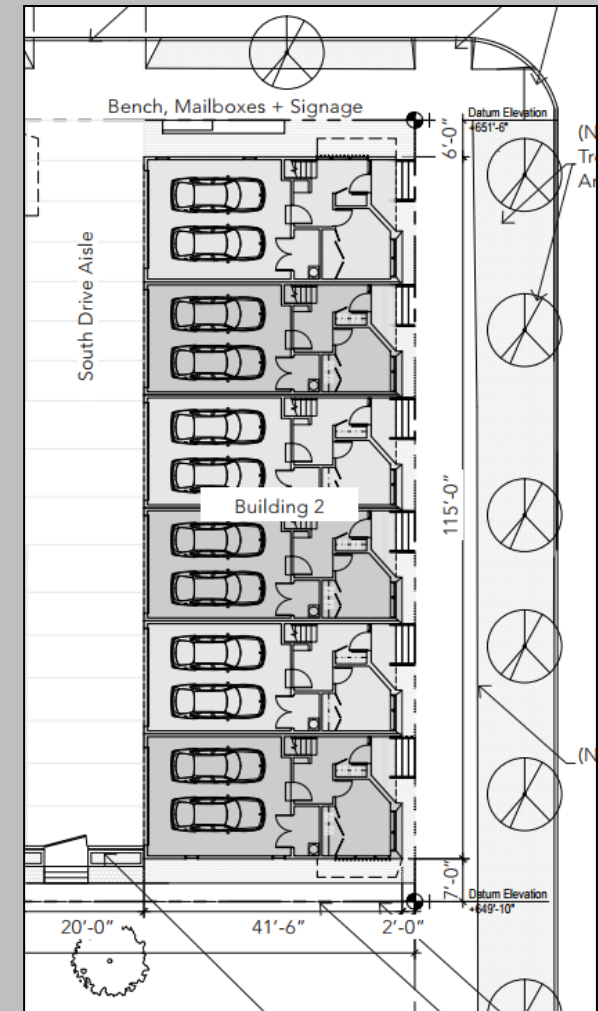


Proposed Language - Lot width: more than 40'

Interior Lots.

Detached garages. Permitted provided they are located in the rear half of the lot.

Attached Garages. Permitted provided they are located in the rear half of the lot, or provided that they have their entire width and height screened from a required or actual Front Yard Setback Building Line by an Active, Habitable interior living space of at least 9 (nine) feet in depth.

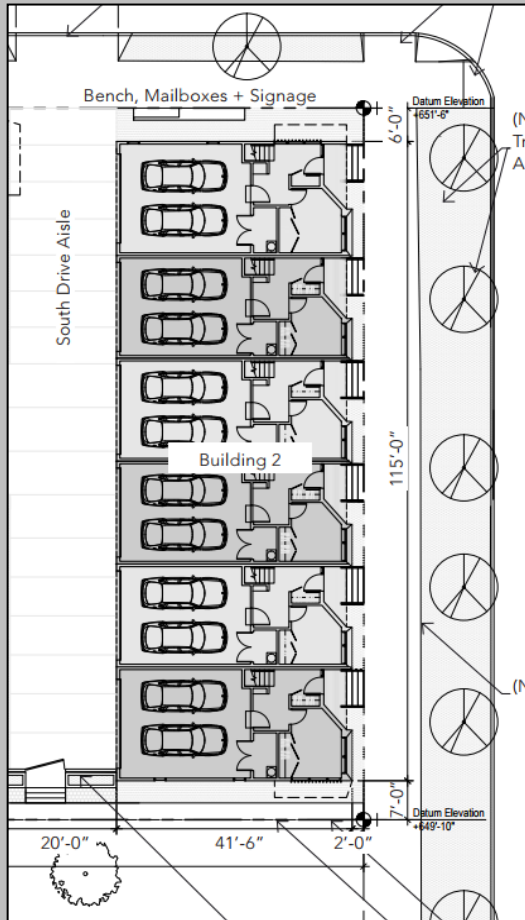


Proposed Language - Lot width: more than 40'

Corner Lots.

Attached and Detached garages. Permitted provided they are located in the rear half of the lot. Garage doors fronting a Side Lot Line shall be set back a minimum of 18 (eighteen) feet from the Side Lot Line, or a minimum of 50% of the established Side Street Setback, whichever is greater.

Option 1



Option 2

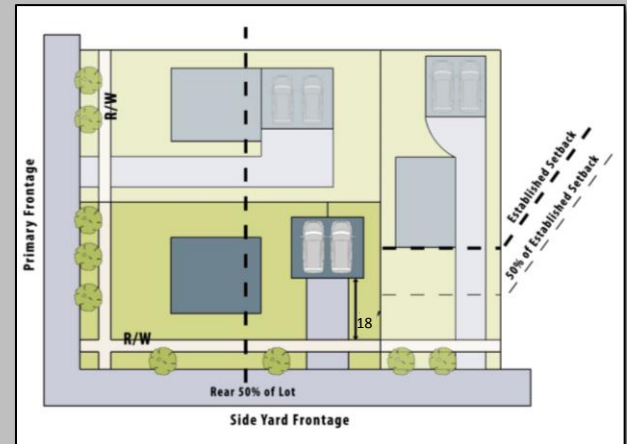


Proposed Language - Lot width: 40' or less

Corner Lots.

Detached garages. Permitted provided they are located in the rear half of the lot. Garage doors fronting a Side Lot Line shall be set back a minimum of 18 (eighteen) feet from the Side Lot Line.

Attached Garages. Permitted provided they are located in the rear half of the lot. Garage doors fronting a Side Lot Line shall be set back a maximum of 24 (twenty-four) feet from the Interior Side Lot Line. Any garage door fronting a Side Lot Line and within 18 (eighteen) feet of a Side Lot Line shall be limited to a maximum of 9 (nine) feet in width.



Parking Space Definition

Section 325.03





feet

a open or enclosed, of not less than one hundred eighty (180) square feet drives or access area and to be used solely for the storage or parking of patients, visitors, patients, clients, customers or employees of the main loading requirements shall not be considered as accessory off-street

feet

a open or enclosed, of not less than one hundred fifty three (153) square feet drives or access area and to be used solely for the storage or parking of patients, visitors, patients, clients, customers or employees of the main loading requirements shall not be considered as accessory off-street

The definition of “Accessory Parking Space” in Cleveland’s Zoning Code was adopted in 1958.



The table below shows the length and width of two popular cars from 1958 and from 2016.

	Length	Width
1958 Chevrolet Impala	211" (17'7")	80" (6'8")
1958 Imperial	226" (18'10")	81" (6'9")
2016 Ford Explorer	198" (16'6")	80" (6'8")
2016 Toyota Camry	191" (15'11")	72" (6'0")

The dimensions of these cars suggests that smaller parking stalls are more than adequate for a typical sedan, today, are will accommodate today’s larger cars as well.

Pedestrian Retail Overlay

Section 343.23 (3)(2)E.





Current:

(2) *Conditional Uses*. For Pedestrian Retail Spaces, as defined in this section, the following uses shall be permitted as Conditional Uses, as approved by the City Planning Commission under the approval criteria provided in this section:

E. Any use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage; and

Proposal: Remove this section from the code.

Most new construction and many existing, historic buildings along Cleveland's mixed use corridors do not meet this requirement and require additional hearings at Planning Commission for this conditional Use.

