



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

Examined By Richard M. Riccardi  
May 13, 2022

**Owner: Lutheran Metropolitan Ministries**

**Address: 4515 Superior Avenue**

**Location: 4100 Franklin Blvd.**

**Use: Two Family Area: B Height: 1**

Application to renovate facility with exterior and interior alterations to add use of a drop-in and care center for teens and adults, and expand hours of operation at existing, legal non-conforming charitable institution in a Two Family Residential District is denied due to the following:

<u>Zoning Code</u>	<u>Text</u>
337.03(b), 337.02(g)	Charitable institution in Two Family Residential District must be at least 30 feet away from adjoining premises, and requires review and approval by the Board of Zoning Appeals including public notice and public hearing to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. Use is not 30 feet from adjoining premises.
359.01(a)	A use of building or land 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 under the terms of Chapter <a href="#">329</a> , and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use.
341.02	Approval of the Cleveland Landmarks Commission is required.

**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.**

\_\_\_\_\_/s./\_\_\_\_\_  
Richard M. Riccardi  
Zoning Administrator