

BOARD OF ZONING APPEALS
MARCH 10, 2008

9:30

Calendar No. 08-10:

2701-19 Detroit Avenue

Ward 13

Joe Cimperman

18 Notices

TEG Properties, owner, appeals to construct a 7-story, 54 residential units and retail space, proposed to be on an acreage parcel located in a Semi-industry District on the south side of Detroit Avenue between West 26th and West 28th Streets at 2701-19 Detroit Avenue; contrary to Section 325.03, parking spaces are 162 square feet and shall be at least 182 square feet and a proposed height of 91.6 feet exceeds the limitation of a 60 foot building height in a "2" Height District under the provisions of Section 353.01, and in a "D" Area District the maximum gross floor area shall not exceed the lot area, and a floor area of 77,899 square feet is proposed contrary to the lot area of 31,363 square feet; and in the case of an irregular, triangular or segment shaped lot, the required rear yard shall be interpreted to mean average depth, provided that no required rear yard on any lot in a Residence District or in connection with buildings of residential occupancy shall be less than 10 feet in depth at any point, according to the provisions of Section 357.08(b)(3) of the Codified Ordinances. (Filed 1-23-08) _____

9:30

Calendar No. 08-17:

3245 West 25th Street

Ward 14

Joseph Santiago

40 Notices

D.T.R.G. Inc., owner, appeals to erect a 2,354 square foot building to be used for an adult cabaret on a 62' x 137.07' parcel located in a Semi-Industry District on the east side of West 25th Street at 3245 West 25th Street; subject to the limitations of Sections 347.07(c)(1) and 347.07(c)(5), no adult use may be established on a lot within 1,000 feet of a residence district and the proposed use is adjacent to and abutting a residential district to the east and is within 250 feet of a residence district to the west; and no adult use may be established on a lot within 1,000 feet of a church, a high school, public park, playground or recreational center or a hospital, and the proposed use is within approximately 550 feet of Lincoln West High School, within 200 feet of a church at Meyer Avenue and Scranton Road; within 500 feet of Meyer Public Pool and within 800 feet of Metro Health Medical Center; with a 5 foot wide landscape strip proposed, contrary to a 6 foot wide landscaped strip that provides fifty percent year round opacity along the parking lot where it abuts the street; and no landscaping provided where the property abuts a residential district and an 8 foot wide landscaped transition strip providing seventy-five percent year round opacity is required, as stated in Sections 352.08-352.10 of the Codified Ordinances. (Filed 1-31-08) _____

9:30

Calendar No. 08-25:

4092 East 146th Street

Ward 1

Nina Turner

29 Notices

The Cleveland Metropolitan School District, owner, and Paul Romanic, agent, appeal to construct a Kindergarten through Eighth Grade public school building on a corner acreage parcel in an A1 One-Family District on the southwest corner of East 146th Street and Harvard Avenue at 4092 East 146th Street; the proposed building and uses being subject to the provisions of Sections 337.02(f)(3)(A) and required to be not less than 30' from any adjoining premises in a residence district not used for a similar purpose; and requires the Board of Zoning Appeals approval, after public notice and hearing, to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood; and 74 parking spaces are proposed, where the required parking equals 86 spaces, one for each two staff members and one for each six school gymnasium seats according to the provisions of Sections 349.04(c)(e); and contrary to Section 349.07(c)(3), a proposed driveway along East 146th Street is approximately 140 feet wide and exceeds the allowed maximum 30 foot width of a driveway; and a 6 foot wide frontage landscape strip is required along the parking lot areas that front along East 146th and East 144th Streets, as stated in Sections 352.10 and 352.11 of the Codified Ordinances. (Filed

9:30

Calendar No. 08-26:

10924 Magnolia Drive

Ward 8

Sabra Pierce Scott

13 Notices

Western Reserve Historical Society, owner, appeals to establish use as a school in an existing three-story residential building, Ferris House, located in a Limited One-Family District on a 75.29' x 229.35' parcel on the south side of Magnolia Drive at 10924 Magnolia Drive; subject to the provisions of Section 337.01(a)(2), in a Limited One-Family District schools are permitted if operated by an existing permitted school, providing they are not conducted as a gainful business and, if permitted by the Board of Zoning Appeals after public notice and public hearing to determine there are appropriate safeguards and such special conditions as the Board deems necessary, and if in the judgment of the Board such uses and buildings are appropriately located and designed and will meet a community need without adversely affecting the neighborhood; with a parking credit for 1 space provided and one for each two staff members plus one for each twelve classroom seats, based on the planned classroom capacity, equals 8 required parking spaces, according to the provisions of Section 349.04(c) of the Codified Ordinances. (Filed 2-7-08)

9:30

Calendar No. 08-40:

3403-23 Clark Avenue

Ward 14

Joseph Santiago

13 Notices

Hani and Samira Ziadeh, owners, and Visconsi Land Company, prospective purchaser, appeal to operate 24 hour service proposed at a drive-through window of a drug store pharmacy, located on the southwest side of a corner parcel in a Local Retail Business District; the proposed 24 hour service for retail sales from a drive-through lane of a drive-through establishment abutting a residence use are prohibited from 11:00 PM to 6:00 AM, as stated in Section 347.16(g)(6) of the Codified Ordinances. (Filed 2-22-08)

POSTPONED FROM FEBRUARY 4, 2008

10:30

Calendar No. 08-6:

3588 Martin Luther King, Jr. Blvd.

Ward 3

Zachary Reed

25 Notices

The Cleveland Metropolitan School District, owner, appeals to construct a two-story school for Kindergarten through Eighth Grade on an acreage parcel located in a B1 Two-Family District on the west side of Martin Luther King, Jr. Boulevard at 3588 Martin Luther King, Jr. Boulevard; contrary to Sections 349.04(c)(e) there are 53 parking spaces proposed, where one space is required for each two staff members, plus one for each twelve seats in the classroom based on capacity and a parking area equal to three times the gross floor area of the gymnasium, or 120 required parking spaces; no bumper guards are proposed, contrary to Section 349.07(b) where accessory off-street parking spaces shall be provided with wheel or bumper guards so located that no part of a parked vehicle will extend beyond such parking space; and parking spaces shall be separated by Island Strips of a minimum area of 100 square feet, by no more than 20 parking spaces, according to the provisions of Section 352.01(e); and contrary to Section 357.04(e), a proposed front yard setback of 16 feet is proposed where the required setback is 20 feet and a 5 foot rear yard is proposed where 35 feet is required, as stated in Sections 357.08(b)(1) of the Codified Ordinances. (Filed 1-9-08; testimony taken.)

First postponement granted at recommendation of the Board to allow time for community dialogue between the Cleveland Metropolitan School District and the neighboring property owners.
