

BOARD OF ZONING APPEALS
APRIL 13, 2009

9:30

Calendar No. 08-196:

Riverbed Street and Franklin

Ward 13

Joe Cimperman

Cuyahoga Metropolitan Housing Authority and their counsel Michael A. Cyphert appeal under Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation issued by the Harbor Master of the City of Cleveland Department of Port Control October 14, 2008, regarding failed property maintenance for Permanent Parcel Numbers 003-21-005, 003-21-006, 003-22-001, 003-22-002, 003-22-003, 003-23-001A & 1B according to the provisions of Section 573.10 of the Cleveland Codified Ordinances. (Filed 10-21-08)

9:30

Calendar No. 09-38:

1603 East 43rd Street

Ward 13

Joe Cimperman

7 Notices

Chen Wei Zhuo, owner, and Mike Giancola, agent, appeal to erect a two-story single family residence on a 40' x 134.50' parcel in a Multi-Family District; nonconforming to Section 349.04 with no off-street parking spaces provided and two required; and contrary to Section 357.08(b)(1) a rear yard depth of 3 feet and not 20 feet is provided; and contrary to Section 357.15(a) a distance of 10 feet is provided where 40 feet is required between a rear building erected behind a main building; and a nonconforming building more than 50 percent destroyed shall conform to the existing zoning code for its location, according to Section 359.03(b) of the Cleveland Codified Ordinances. (Filed 3-20-09)

9:30

Calendar No. 09-39:

**1301 Marquette Street
aka 1301 Hamilton Avenue**

Ward 13

Joe Cimperman

8 Notices

Bromo Information Technology Ltd. and August Garofoli, owner, appeal to establish use as a day care, including children under five years of age, in an existing one story building on a 30' x 116' parcel located in a Semi-Industry District; subject to the limitations of Section 345.03(b) and referenced in Section 325.26 as an Institutional H Occupancy Classification, no day care that includes children under five years of age is permitted in the Semi-Industry District located within 200 feet of the boundary line of a General Industry District, and the proposed use is located across the street from a General Industry District to the north of the property.

9:30

Calendar No. 09-41:

2154 Thurman Avenue

Ward 13

Joe Cimperman

7 Notices

Charles Slusarczyk, Jr., owner, appeals to erect a 16 foot by 25 foot two story, second floor habitable room addition to an existing single family dwelling on a 50' x 150.75' parcel in a Multi-Family District; the proposed being nonconforming to Section 337.14, that no parking space shall be located within 10 feet of ground floor windows and Section 337.23(a) the accessory off-street parking to be located on the rear half of the lot and a minimum of 18 inches from all property lines; and contrary to Section 349.04 no parking is provided and one parking space for each dwelling unit is required; a minimum lot size of 2,450 square feet is provided contrary to 4,800 square feet, a maximum gross floor area of 1,543 feet exceeds 50 percent of the lot size or 1,225 feet and a minimum lot width of 35 feet is provided contrary to 40 feet and Section 355.04; with a rear yard of 16 feet and not 20 feet as required in Section 357.08(b)(1), and the expansion of a nonconforming dwelling requires the Board of Zoning Appeals approval in the provisions of Section 359.01 of the Cleveland Codified Ordinances. (Filed 3-23-09)

POSTPONED TO MAY 4, 2009

9:30

Calendar No. 09-48:

2247 Professor Street

Ward 13

Joe Cimperman

19 Notices

6530 Carnegie Ltd. and Giancarlo Calicchia, owner, appeal to establish use as a restaurant and to construct a kitchen addition to an existing two-story building on a 132.24' x 100.32' parcel in a General Retail Business District; nonconforming to off-street parking spaces with a credit of 5 spaces and 31 spaces required, one for each employee, plus one for each 100 square feet of floor area devoted to patron use, or one for each four seats based on maximum seating capacity, which ever is greater as stated in Section 349.04(f) of the Cleveland Codified Ordinances. (Filed 3-30-09)

First postponement requested by applicants for time to present the project to the Central Tremont Block Club organization.

POSTPONED FROM MARCH 16, 2009

10:30

Calendar No. 09-23:

7201 St. Clair Avenue

Ward 8

Sabra Pierce Scott

9 Notices

Don Carter, owner, appeals to establish use of an existing gas station as a vehicle repair garage, located on a corner, flag shaped parcel in a Local Retail Business District, where a repair garage is not permitted but first permitted in a Semi-Industry District if located not less than 100 feet from a residence district, and the proposed is within 100 feet of a Multi-Family District; and subject to Section 349.07(b), off-street parking spaces shall be provided with wheel or bumper guards, so located that no part of a parked vehicle extends beyond the parking space; and under Sections 352.08 through 352.11, landscaping strips are required in widths of 6 feet along the frontage of St. Clair Avenue and East 72nd Street and 4 feet where the lot abuts a Multi-Family District; and the substitution for a nonconforming gas station previously established within a General Retail Business District, requires the Board of Zoning Appeals approval, according to the provisions of Section 359.01(a) of the Codified Ordinances. (Filed 2-20-09; no testimony taken.)

First postponement requested by the Councilwoman for further review of the applicant's proposed project with the St. Clair/Superior Development Corporation and City Planning.

POSTPONED FROM MARCH 30, 2009

10:30

Calendar No. 09-33:

2509 West 25th Street

Ward 14

Joseph Santiago

6 Notices

George Sass, owner, appeals to establish use as a parking lot a vacant 38' x 106.25' parcel located in a General Industry District; and the provisions of Sections 352.08 through 352.11 require that a 10 foot wide landscaping transition strip be installed along the east side of the lot where it abuts a Two-Family District. (Filed 3-5-09; no testimony taken.)

First postponement requested by counsel for the applicant due to a scheduling conflict.