

**BOARD OF ZONING APPEALS
SEPTEMBER 6, 2005
CITY RECORD**

9:30

Calendar No. 05-243: 4447 Lee Road Ward 1

Quinton Durham dba Global Builders, Inc., owner, appeal to renovate and build a 10,280 s/f additional storage unit to an existing warehouse/office building, situated on an approximate 367' x 440' corner parcel in a Local Retail Business District on the southeast corner of South Miles and Lee Roads at 4447 Lee Road; the proposed storage and warehouse being contrary to Section 343.01 for a Local Retail Business District and first permitted in a Semi-Industry District, Section 345.03(c)(33); with no additional parking proposed, contrary to Section 349.04(j) that requires four additional parking spaces; and the Board of Zoning Appeals approval is required for the expansion of a nonconforming use, as stated in Section 359.01 of the Codified Ordinances.

9:30

Calendar No. 05-245: 2804 East 73rd Street Ward 5

Ricardo and Hilda Phillips, owners, appeal to enclose a 7' x 22' open front porch of an existing one family dwelling, situated on a 34' x 149' parcel located in a Semi-Industry District on the west side of East 73rd Street at 2804 East 73rd Street; contrary to Section 357.13(b)(4), there is a 7' projection and an enclosed porch may not project more than 4' and instead of a 3' side yard, the existing nonconforming 2' side yard requires the Board of Zoning Appeals approval, according to Section 359.01 of the Codified Ordinances.

9:30

Calendar No. 05-246: 6816-20 Carnegie Avenue Ward 5

Andrew Jackson, owner, appeals to erect a one-story frame addition to an existing auto repair garage expanding, it to include a car wash and used car sales, that are proposed to be situated with lot consolidation on a 112' x 171' lot, located in a Semi-Industry District on the south side of Carnegie Avenue at 6816-20 Carnegie Avenue; contrary to Section 343.11(b)(2)(l)(4), there must be a 1 ½' barrier at the setback line behind which all vehicles, advertising and parking must be kept and none is proposed; and Section 352.10 requires a 4' wide landscape strip along Carnegie Avenue where the car lot abuts the public street; and 5 off-street, customer parking spaces, or 25% of the gross lot area for used car sales, are required, plus 15 additional spaces, or five times the car wash capacity, equaling a total of 20 parking spaces with none provided, contrary to Section 349.04(f)(g) of the Codified Ordinances.

9:30

Calendar No. 05-247: 1306 West 65th Street Ward 17

Peter Leneghan, owner, appeals to erect an addition and make alterations to a two-story mixed use building occupied by an existing bar, store and dwelling unit, and proposed to be situated on a 30' x 140' lot, located in a Two-Family District on the west side of West 65th Street at 1306 West 65th Street; the use for a bar and store being subject to the limitations of Section 337.03, not permitted in a Two-Family District, with the store being first permitted in a Local Retail Business District, Section 343.01(b)(2)(F); and the bar, serving beverages for consumption on the premises, first permitted in a General Retail Business District, Section 343.11(B)(2)(A); and parking within 10' of a wall of a residential building is contrary to Section 349.05(a); with a 10' wide landscape transition strip being required, where the lot abuts the surrounding Two-Family District at the rear and along both sides of the lot, as stated Section 352.09 of the Codified Ordinances.

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Calendar No. 05-248: 2139 West 10th Street Ward 13

Craig Cupach, owner, appeals to erect a 22' x 49' three-story frame, single family residence on a 53' x 100' irregular shaped lot, located in a Multi-Family District on the east side of West 10th Street at 2139 West 10th Street; contrary to Section 355.05, there is 3,895 s/f provided and 4,800 s/f is required; and the maximum gross floor area of 2,721 s/f exceeds 50% of the lot size, or 1,947.5 s/f; with a building height of 43'-6" provided, contrary to Section 353.01, where a 35' maximum height is allowed; and no building shall be erected less than 10' from a main building on an adjoining lot in a residence district, as stated in Section 357.09(2)A of the Codified Ordinances.

9:30

Calendar No. 05-266: 5515 Ira Avenue Ward 16

The Cleveland Municipal School District, owner, and Michael Brown, agent, appeal to add four 68' x 24' modular classroom units to be placed on the southwest side of the existing William Rainy Harper School, and situated on an approximate 700' x 178' irregular shaped corner parcel, located in a Two-Family District on the south side of Ira Avenue at the intersection with Fulton Road at 5515 Ira Avenue; subject to the limitations of Section 337.03 and by reference as regulated in a One-Family District, Section 337.02(3), a distance of 30' is required from an adjoining premises in a residence district not used for a similar purpose; and contrary to Section 349.04(c), no off-street parking is proposed and 28 spaces are required; and instead of a 20' depth, there is a 10' rear yard, contrary to Section 357.08; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances.

9:30

Calendar No. 05-166: 2137 West 85th Street Ward 17

Paul Johnson, owner, appeals to change a two-story frame, single family dwelling house to an adult group home, situated on a 35' x 136' lot in a B1 Two-Family District on the east side of West 85th Street at 2137 West 85th Street; the proposed change of use is first permitted in a Multi-Family District and is contrary to Section 337.03 that does not permit an adult group home in a Two-Family District. (Filed 6-1-05; reinstated 8-8-05)

9:30

Calendar No. 05-219: 4298 West 189th Street Ward 21

Roberta Munteanu, owner, appeals to erect an 8' x 18' wolmanized wooden deck to the front of an existing single family dwelling, situated on a 50' x 125' lot in an A1 One-Family District on the west side of West 189th Street at 4298 West 189th Street; contrary to Section 357.13(b)(4), there is an 8' projection and no more than 6' is allowed and the Board of Zoning Appeals approval is required for the existing nonconforming dwelling, where interior side yards of 2' are provided instead of 3' as stated in Section 359.01 of the Codified Ordinances. (Filed 6-24-05; reinstated 8-8-05.)

