

**BOARD OF ZONING APPEALS
JANUARY 3, 2006**

9:30

Calendar No. 05-325: 835 Brayton Avenue- Unit B-1

**Joe Cimperman
Ward 13
9 Notices**

Civic Builders, owner, and Lee Chilcote, agent, appeal to erect a single family dwelling unit in a five unit, three-story townhouse building, proposed to be situated on a 60' x 157' corner parcel, located in a Two-Family District on the southwest corner of Brayton Avenue and West 9th Street at 835 Brayton Avenue, where the proposed townhouse building is subject to the limitations of Section 337.03 and not permitted in a Two-Family District, and contrary to Section 357.04 no front yard depth is proposed and 15' is required; with a building height of 38' contrary to Section 353.01, where a height of 35' is allowed; and the maximum gross floor area is 1,165 s/f as opposed to 295 s/f, with a minimum lot area of 590 s/f where 2,400 s/f is required, and a lot width of 19.68' where the minimum lot width allowed is 50' as stated in Sections 355.05 and 355.04(b) of the Codified Ordinances. (Filed 12-5-05)

9:30

Calendar No. 05-326: 835 Brayton Avenue- Unit B-2

Ward 13

Civic Builders, owner, and Lee Chilcote, agent, appeal to erect a single family dwelling unit in a five unit, three-story townhouse building, proposed to be situated on a 60' x 157' corner parcel, located in a Two-Family District on the southwest corner of Brayton Avenue and West 9th Street at 835 Brayton Avenue, where the proposed townhouse building is subject to the limitations of Section 337.03 and not permitted in a Two-Family District, and contrary to Section 357.04 no front yard depth is proposed and 15' is required; with a building height of 38' contrary to Section 353.01, where a height of 35' is allowed; and the maximum gross floor area is 895 s/f as opposed to 225 s/f, with a minimum lot area of 450 s/f where 2,400 s/f is required, and a lot width of 15' where the minimum lot width allowed is 50' as stated in Sections 355.05 and 355.04(b) of the Codified Ordinances. (Filed 12-5-05)

9:30

Calendar No. 05-327: 835 Brayton Avenue- Unit B-3

Ward 13

Civic Builders, owner, and Lee Chilcote, agent, appeal to erect a single family dwelling unit in a five unit, three-story townhouse building, proposed to be situated on a 60' x 157' corner parcel, located in a Two-Family District on the southwest corner of Brayton Avenue and West 9th Street at 835 Brayton Avenue, where the proposed townhouse building is subject to the limitations of Section 337.03 and not permitted in a Two-Family District, and contrary to Section 357.04 no front yard depth is proposed and 15' is required; with a building height of 38' contrary to Section 353.01, where a height of 35' is allowed; and the maximum gross floor area is 901 s/f as opposed to 225 s/f, with a minimum lot area of 450 s/f where 2,400 s/f is required, and a lot width of 15' where the minimum lot width allowed is 50' as stated in Sections 355.05 and 355.04(b) of the Codified Ordinances. (Filed 12-5-05)

**BOARD OF ZONING APPEALS
JANUARY 3, 2006**

9:30

Calendar No. 05-328: 835 Brayton Avenue- Unit B-4

Ward 13

**Joe Cimperman
9 Notices**

Civic Builders, owner, and Lee Chilcote, agent, appeal to erect a single family dwelling unit in a five unit, three-story townhouse building, proposed to be situated on a 60' x 157' corner parcel, located in a Two-Family District on the southwest corner of Brayton Avenue and West 9th Street at 835 Brayton Avenue, where the proposed townhouse building is subject to the limitations of Section 337.03 and not permitted in a Two-Family District, and contrary to Section 357.04 no front yard depth is proposed and 15' is required; with a building height of 38' contrary to Section 353.01, where a height of 35' is allowed; and the maximum gross floor area is 907 s/f as opposed to 225 s/f, with a minimum lot area of 450 s/f where 2,400 s/f is required, and a lot width of 15' where the minimum lot width allowed is 50' as stated in Sections 355.05 and 355.04(b) of the Codified Ordinances. (Filed 12-5-05)

9:30

Calendar No. 05-329: 835 Brayton Avenue- Unit B-5

Ward 13

Civic Builders, owner, and Lee Chilcote, agent, appeal to erect a single family dwelling unit in a five unit, three-story townhouse building, proposed to be situated on a 60' x 157' corner parcel, located in a Two-Family District on the southwest corner of Brayton Avenue and West 9th Street, where the proposed townhouse building is subject to the limitations of Section 337.03 and not permitted in a Two-Family District and contrary to Section 357.04 no front yard depth is proposed and 15' is required; with a building height of 38' contrary to Section 353.01, where a height of 35' is allowed; and the maximum gross floor area is 932 s/f as opposed to 230 s/f, with a minimum lot area of 460 s/f where 2,400 s/f is required, and a lot width of 15.34' where the minimum lot width allowed is 50' as stated in Sections 355.05 and 355.04(b) of the Codified Ordinances. (Filed 12-5-05)

9:30

Calendar No. 05-376: 1850 Superior Avenue

Ward 13

**Joe Cimperman
6 Notices**

Famicos Foundation, owner, and Beth Graham appeal to construct a 500 square foot one-story addition to an existing four-story apartment building, situated on a 38' x 150' corner parcel in a Semi-Industry District on the southwest corner of Superior Avenue and East 19th Street at 1850 Superior Avenue; as proposed, the addition is contrary to the Yards and Courts requirements, providing a 1 ½' interior side yard distance, as opposed to 12' or one-fourth of 48' (the main building height), as stated in Section 357.09(b)(2)C of the Codified Ordinances. (Filed 12-2-05)

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JANUARY 3, 2006**

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Calendar No. 05-377: 3341 Broadview Road

**Ward 15
Brian Cummins
12 Notices**

Tom Pavlicka, owner, and Marcia Wrick, tenant, appeal to establish a two room space in an existing two-story office building a use for medical and cosmetic tattooing, situated on a 135' x 89' corner parcel in a Local Retail Business District on the southwest corner of Broadview and Pearl Roads at 3341 Broadview Road; the proposed use being subject to the provisions of Section 343.11P(1 and 2), that tattooing and body piercing as used in this division: (1) that "Body Piercing" means the piercing of any part of the body by someone other than a physician licensed under Chapter 4731 of the revised Code, who utilizes a needle or other instrument for the purpose of inserting an object into the body for non-medical purposes; body piercing includes ear piercing except when the ear piercing procedure is performed on the ear with an ear piercing gun; and (2) that "Tattoo" means any method utilizing needles or other instruments by someone other than a physician licensed under Chapter 4731 of the Revised Code, to permanently placer designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink or any other substance resulting in an alteration of the appearance of the skin; and tattooing and body piercing are first permitted in a General Retail Business District, provided that all conditions of Section 347.12(b) are satisfied, with the proposed use here being within 1,000' of a church and a residential district and not permitted in a Local Retail Business District, according to Section 343.01 of the Codified Ordinances. Filed (12-7-05)

9:30

Calendar No. 05-250: 3664 West 46th Street

**Ward 15
Brian Cummins
2 Notices**

Patricia Jordan, owner, appeals to install approximately 203 linear feet of 6' high chain link fence in the side street yard of an irregular shaped corner lot, located in a Two-Family District on the northwest corner of West 46th Street and Hannon Drive; contrary to Section 358.04(c)(1), in a residential district, only ornamental fence shall be installed and within 4' of the property line in an actual side street yard; and it may not exceed a 4' height, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 7-27-05; Heard 11-21-05; Rehearing Request 11-25-05; Rehearing Granted 11-28-05).

POSTPONED FROM NOVEMBER 28, 2005

10:30

Calendar No. 05-332: 2849 East 55th Street

**Ward 12
Anthony Brancatelli
12 Notices**

Joe Immormino, owner, appeals to install approximately 190 linear feet of 6' tall privacy fencing to enclose a 40' x 151' corner parcel, located in a Semi-Industry District on the southeast corner of East 55th Street and Bower Avenue at 2849 East 55th Street; as proposed, the fence installation is contrary to Section 358.03(a), where it is stated that no portion of a fence within 30' of an intersection within two right-of-way street lines shall exceed 2 ½' in height, unless all portions above the height limit are at least 75% open, and the same restriction applies to any portion of a fence located along or parallel to a driveway within 15' of its intersection with a public sidewalk or public street if there is no sidewalk; and fences in actual front and side street yards shall not exceed a 4' height and above 2' must be at least 50% open, as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 10-31-05; no testimony taken.)

First postponement granted to the appellant due to an unexpected scheduling conflict with staffing at his business operation.

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JANUARY 3, 2005**

POSTPONED FROM NOVEMBER 28, 2005

10:30

Calendar No. 05-335:

7202 Union Avenue

Ward 12

Anthony Brancatelli

8 Notices

Dwayne Smith, owner, appeals to add a 22' x 26' one-story expansion to a tire shop and include a tire repair service with the existing business that is situated on a 46' x 150' corner lot, located in a General Retail Business District on the southeast corner of Union Avenue and East 72nd Street at 7202 Union Avenue; contrary to Section 343.11, tire repair is first permitted in a Semi-Industry District, Section 345.03(c)(2), provided that it is located at least 100' from a Residence District; and no additional parking is provided where two additional off-street spaces are required, as stated in Section 349.2(g) of the Codified Ordinances. (Filed 11-2-05; no testimony taken.)

First postponement granted for additional review of the appellant's plan with the Councilman and Slavic Village Development Corporation.
