

**BOARD OF ZONING APPEALS  
DECEMBER 19, 2005**

**9:30**

**Calendar No. 05-367:**

**4313-4405 Cedar Avenue**

**Ward 5**

**Frank Jackson**

**10 Notices**

Giancarlo Calicchia, owner, appeals to construct a parking lot on consolidated parcels that equal a 148' x 54' corner lot, located in a Multi-Family District on the northwest corner of Cedar Avenue and East 46<sup>th</sup> Street at 4313-4505 Cedar Avenue; subject to the limitations of a Multi-Family District, the Board of Zoning Appeals, if in its opinion the best interests of the community will be served, may permit temporarily or permanently the use of land in a residential district for a parking lot, if the land abuts or is across the street from a district other than a Residence District, but provided that (1) the lot is used only for parking passenger automobiles of employees, customers or guests of the person or firm responsible for operating and maintaining the lot; (2) no charge is to be made for parking on the lot; (3) the lot is not to be used for sales, repair work or servicing of any kind; (4) entrance to and exit from the lot are to be located so as to do the least harm to the Residence District; (5) no advertising sign or material is to be located on the lot; (6) all parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board; (7) the parking lot and portion of the driveway back of the building line are to be adequately screened from the street and adjoining residential district property by a hedge, sightly fence or wall, not less than 4' but not more than 5' high, and located back of the setback building line; with all lighting arranged so that no glare annoys occupants of adjoining property in a Residence District; and the parking lot surface must be smoothly graded, hard surfaced and adequately drained; and a 4.5' landscaping strip is proposed along East 143<sup>rd</sup> Street instead of the required 6' width, as stated in Section 352.11 of the Codified Ordinances (Filed 11-16-05)

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**9:30**

**Calendar No. 05-368:**

**6706-10 Detroit Avenue**

**Ward 17**

**Matthew Zone**

**12 Notices**

Gordon Square Homes LP, owner, and Michael Bier, appeal for an expansion of use to include four residential units on the upper two floors of an existing three-story stores building, situated on an irregular shaped parcel in a General Retail Business District on the north side of Detroit Avenue at 6706-10 Detroit Avenue; no side yard is proposed where the side yard must be one-fourth of the height of the building, or an 11' side yard requirement, as stated in Section 357.09 of the Codified Ordinances. (Filed 11-17-05)

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**9:30**

**Calendar No. 05-370:**

**742-52 Starkweather Avenue**

**Ward 13**

**Joe Cimperman**

**6 Notices**

Cleveland Housing Network, owner, and Christine Robertson appeal to construct six condominiums proposed to be on a flag shaped, consolidated corner parcel in a Local Retail Business District on the north side of Starkweather Avenue between Professor Avenue and Thurman Court at 742-52 Starkweather Avenue; contrary to Section 357.08(b)(3) no rear yard is provided, where the average rear yard depth for irregular shaped lots is 10' and a width of 6' is provided, where Section 357.16(a)(3) requires a 10' width between condominiums; and contrary to Section 355.04, there is a maximum gross floor area of 9,800 s/f instead of one-half of the lot area or 8,879.5 s/f for a "C" area district; and a proposed driveway along Professor Avenue providing access to the property is over the property line and there must be not less than 15' between the point of tangency of the driveway apron radius and a prolongation of the property line to the curb line measured at the curb line, as stated in Section 343.18(c) of the Codified Ordinances. (Filed 11-2-1-05)

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**BOARD OF ZONING APPEALS  
DECEMBER 19, 2005**

**9:30**

**Calendar No. 05-371:            959 East 144<sup>th</sup> Street**

**Ward 10  
Roosevelt Coats  
8 Notices**

Rogers Retirement Center, Inc., owner, and Valdia Burns appeal to establish use as a day care for school age children and an after school program in the lower level of an existing two-story elderly care facility, situated on an approximate 90' x 126' parcel in a Two-Family District on the east side of East 144<sup>th</sup> Street at 959 East 144<sup>th</sup> Street; the proposed use being subject to the limitations of a Two-Family District and Section 337.03, and by reference, as regulated in a One-Family District (Section 337.02(f)(3)(C), requires the Board of Zoning Appeals approval, if it is located less than 30' from an adjoining premises in a residential district not used for a similar purpose, to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely affecting the neighborhood.

(Filed 11-21-05)

**9:30**

**Calendar No. 05-372:            10548 St. Clair Avenue**

**Ward 8  
Sabra Pierce Scott  
9 Notices**

4HNB, LLC, owner, and Betty Bridgewater, appeal to change the use from a store to a day care in an existing one-story building, proposed to be situated on a 119' x 140' corner parcel in a Local Retail Business District on the southeast corner of St. Clair Avenue and East 106<sup>th</sup> Street at 10548 St. Clair Avenue; the proposed day care being subject, by reference, as regulated in a Multi-Family District (Section 337.07(e), and required to be 15' from any adjoining premises in a residential district not used for a similar purpose; and contrary to Section 349.04(c), no off-street parking spaces are proposed and six spaces are required; with a 6' tall fence proposed, where the maximum height of a fence in the actual front and side street yard of a Local Retail District may not exceed a 4' height, as stated in Section 358.05 of the Codified Ordinances. (Filed 11-21-05)

**9:30**

**Calendar No. 05-373:            10125-27 Nanford Road**

**Ward 19  
Dona Brady  
6 Notices**

Abi Akl Said, owner, appeals to change the use of an existing two family dwelling to a three family dwelling, situated on a 40' x 106' parcel on the west side of Nanford Road at 10125-27 Nanford Road; contrary to Section 337.03 where a three family dwelling is not permitted in a Two-Family District; and one parking space is provided instead of one for each dwelling unit as required in Section 349.04, and 4,788 s/f is provided for the minimum lot size, instead of 7,200 s/f, or 2,400 s/f for each dwelling unit, and the maximum gross floor area shall not exceed 50% of the lot size as stated in Section 355.05 of the Codified Ordinances.

(Filed 11-25-05)

**9:30**

**Calendar No. 05-374:            735 East 126<sup>th</sup> Street**

**Ward 10**

Tamara Benjamin, owner, appeals to establish use as a Type A day care in the basement level of an existing two-story frame, two family dwelling, situated on a 40' x 118' parcel in an A1 One-Family District on the east side of East 126<sup>th</sup> Street at 735 East 126<sup>th</sup> Street; the proposed Type A day care abuts a One-Family District and is subject to the limitations of Section 337.02(f)(3)(C), that requires the Board of Zoning Appeals approval, if it is located less than 30' from an adjoining premises in a residential district not used for a similar purpose, to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely affecting the neighborhood.

(Filed 11-25-05)