

**BOARD OF ZONING APPEALS  
JULY 6, 2004**

**9:30**

**Calendar No. 04-137:**

**11113 Fidelity Avenue**

**Ward 19**

**Dona Brady**

**3 Notices**

Cheryl Lusardo, owner, appeals to erect a 23' x 23' wolmanized wooden deck to the rear of an existing one family dwelling, situated on a 41' x 121' parcel located in a Two-Family District on the south side of Fidelity Avenue at 11113 Fidelity Avenue; contrary to Section 357.09(2)(b) of the Requirements for Yards and Courts, no distance is proposed for the interior side yard and a minimum interior side yard of 3' is required, and the aggregate of both side yards shall not be less than a total of 10' and 9'6" is proposed; and a distance of 8' is proposed where no building shall be less than 10' from a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances. (Filed 6-4-04)

**9:30**

**Calendar No. 04-138:**

**4798 Clark Avenue**

**Ward 14**

**Nelson Cintron**

**20 Notices**

Yousif Hamdeh, owner, appeals to establish use as a tattoo/body piercing business an existing one-story masonry building, situated on a 75' x 123' parcel in a Semi-Industry District on the northeast corner of Clark Avenue and West 48<sup>th</sup> Street at 4798 Clark Avenue; contrary to the requirements for Specific Uses Regulated, the proposed use abuts a Residential District to the rear; it is +400' from Train Park; +750' from Thomas Jefferson Junior High School and Playground; and +850' from Clark Elementary School and Playground, and a tattoo/body piercing use may not be established within 1000' of a Residence, District, school or playground as stated in Section 347.12(b)(1) of the Codified Ordinances. (Filed 6-4-04)

**9:30**

**Calendar No. 04-139:**

**5718 Bridge Avenue**

**Ward 17**

**Matt Zone**

**7 Notices**

Norma Rodriquez, owner, appeals to change a mixed use, two-story brick building from a store and one dwelling unit to a restaurant and one dwelling unit, situated on a 36' x 84' parcel in a Two-Family District on the north side of Bridge Avenue at 5718 Bridge Avenue; contrary to Section 337.03, where a restaurant is not permitted in a Two-Family District but first allowed in a Local Retail Business District, and the proposed substitution of a restaurant for the nonconforming store is subject to the provisions under Section 359.01, which require that the substitution be approved by the Board of Zoning Appeals; and contrary to Section 349.04(b) of the Off-Street Parking and Loading Requirements, there may be one or three parking spaces provided in an existing garage and six parking spaces are required, one for the dwelling unit and five for the restaurant, and the Board of Zoning Appeals is limited in its power to allow uses other than those listed in the Zoning Code as permitted in the use district next lower in order of restrictiveness to the district in which such lot is located, as stated in Section 329.03(d)(3) of the Codified Ordinances. (Filed 6-7-04)

**BOARD OF ZONING APPEALS  
JULY 6, 2004**

**9:30**  
**Calendar No. 04-140: Appeal of Mahad Mohamed  
Hack License Revocation**

Mahad Mohamed appeals under Section 76-6 of the Charter of the City of Cleveland from the revocation of a City of Cleveland Hack License by the Commissioner of Assessments and Licenses, pursuant to the facts assembled from the details of an incident at Cleveland Hopkins International Airport on April 25, 2004. (Filed 6-2-04)

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**9:30**  
**Calendar No. 04-141: 14222 Westropp Avenue**  
**Ward 10**  
**Roosevelt Coats**  
**6 Notices**

Cleveland Housing Network, owner, and Rysar Properties, agent, appeal to erect a 22' x 34' two-story, frame dwelling and a 20' x 20' detached garage, situated on a 38' x 123' parcel located in a Two-Family District on the south side of Westropp Avenue at 14222 Westropp Avenue; subject to the Height Regulations, an accessory building shall not exceed 15' in height, or the distance from the accessory building to a main building on adjoining premises in a Residence District, and an 8' distance is provided, where the garage must be a distance of 10' to 15' from the neighboring dwelling as stated in Section 353.05 of the Codified Ordinances. (Filed 6-9-04)

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**9:30**  
**Calendar No. 04-142: Appeal of Patricia Allen**  
**Violation Notice**  
**1552 Ansel Road**  
**Ward 7**  
**Fannie Lewis**

Patricia Allen, owner, appeals from a Notice of Violation issued by the Department of Building and Housing for failure to maintain in good condition accessory off-street parking spaces, driveways and maneuvering areas that are required to be surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material and free of debris and trash, as stated in Section 337.18(a) of the Codified Ordinances. (Filed 6-9-04)

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**9:30**  
**Calendar No. 04-144: 3559 West 122<sup>nd</sup> Street**  
**Ward 19**  
**Dona Brady**  
**3 Notices**

Hammad Hammad, owner, appeals to enclose an existing 8' x 27' front porch of an existing two-story frame dwelling situated on a 35' x 105' parcel in a Two-Family District on the east side of West 122<sup>nd</sup> Street at 3559 West 122<sup>nd</sup> Street; contrary to the Regulations for Yards and Courts, an 8' front porch projection is provided where not more than 4' is allowed as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 6-10-04)

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