

**BOARD OF ZONING APPEALS
JULY 20, 2009**

9:30

Calendar No. 09-126:

2806 East 79th Street

Ward 5

Phyllis Cleveland

8 Notices

Frank Sims, owner, appeals to establish use as an auto parts store in an existing mixed use building and proposed on consolidated parcels located in split zoning between a General Retail Business District and a Multi-Family District; subject to the limitations of Section 337.08 the proposed use is not permitted and first permitted in a Local Retail Business District; 8 off-street parking spaces are required according to Section 349.04(f) and none are proposed; and in Section 352.09 a 6 foot wide landscape transition strip is required at the rear and rear sides of the lot where it abuts a Multi-Family District; and the maximum height of fence may not exceed 4 feet in the actual front yard of a General Retail Business District, as stated in Section 358.05(a)(2) of the Cleveland Codified Ordinances. (Filed 6-18-09)

9:30

Calendar No. 09-127:

7630 Lorain Avenue

Ward 17

Matthew Zone

6 Notices

Ripcho Studios, owner, appeal to expand a parking lot on a 70' x 132' parcel in a Local Retail Business District; contrary to Section 352.10 a narrower than 6 foot wide landscaping strip is proposed along Lorain Avenue; and fences in actual front yards shall not exceed 4 feet in height and shall be at least 50 percent open above 2 feet in height, as stated in Section 358.05(a)(2) of the Cleveland Codified Ordinances. (Filed 6-19-09)

9:30

Calendar No. 09-128:

4820 Stickney Avenue

Ward 16

Kevin Kelley

6 Notices

Dawn Judson, owner, appeals to change use of an existing two family dwelling with a third unit in the basement located on a 40' x 150' parcel in a Two-Family District; subject to the limitations of Section 337.03 the proposed change is not permitted and first permitted in a Multi-Family District; and contrary to Section 349.04 no parking spaces are provided and 3 spaces are required; and under the provisions of Section 355.04(b), the required minimum lot size is 2,400 square feet contrary to 6,000 square feet; and a minimum floor area of 950 square feet per unit is required where 861 square feet is provided; a minimum interior side yard of 8 feet is required and 3 feet is provided contrary to Section 357.09(2)(C) of the Cleveland Codified Ordinances. (Filed 6-19-09)

9:30

Calendar No. 09-129:

826 East 150th Street

Ward 10

Eugene Miller

6 Notices

Lakisha Adams, owner, appeals to change use of an existing two dwelling unit residence to a day care on a 50.03' x 141.97' parcel in a Two-Family District; contrary to Section 337.03 the proposed use is surrounded by a Two-Family District and is required to be 30 feet from any adjoining premises in a residence district not used for a similar purpose; and off-street parking is required at the rate of one for each two staff members and other employees according to Section 349.04(c) of the Cleveland Codified Ordinances. (Filed 6-23-09)

POSTPONED FROM MAY 26, 2009

10:30

Calendar No. 09-40:

4201 West 130th Street

Ward 19

Jimmy Christian dba AAA Auto Doctor, Inc., tenant, and Gary and Mary Weinbroer, owners, appeal under Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) from being denied a Motor Vehicle Repair Garage License by the Commissioner of Assessments and Licenses upon the recommendation of the City of Cleveland Department of Building and Housing. (Filed 3-20-09; dismissed 4-20-09; reinstated 4-27-09; testimony taken.)

First postponement granted to applicant for time to continue the process to obtain a Certificate of Occupancy.

POSTPONED FROM JUNE 15, 2009

10:30

Calendar No. 09-93:

7646 Lorain Avenue

Ward 17

Irene Fanara, owner, appeals to change use of an existing two-story building from a store and one dwelling unit to a restaurant on a 35' x 132' parcel in a General Retail Business District; nonconforming to Section 349.04(f) no off-street parking is proposed and 12 parking spaces are required. (Filed 5-12-09; no testimony taken.)

First postponement requested by the Councilman for additional review of the applicant's proposed plan.