

**BOARD OF ZONING APPEALS  
MARCH 15, 2004**

**9:30**

**Calendar No. 04-24:**

**2202 Prame Avenue**

**Ward 14**

**Nelson Cintron**

**13 Notices**

The Catholic Diocese of Cleveland, owner, and West Side Ministries, prospective purchaser, appeal to change, to a use for office space, a four-story brick, parish dwelling building, situated on an acreage parcel located in a Multi-Family District on the north side of Prame Avenue at 2202 Prame Avenue; contrary to Section 337.08 of the Residential Districts Regulations, where an office use is not permitted in a Multi-Family District and contrary to the Off-Street Parking and Loading Requirements, there is no parking provided on the premises and office use requires parking at the rate of one space per 500 s/f or 23 spaces as stated in Section 349.04 of the Codified Ordinances. (Reinstated 3-1-04)

**9:30**

**Calendar No. 04-25:**

**3146 Scranton Road**

**Ward 14**

**Nelson Cintron**

**13 Notices**

The Catholic Diocese of Cleveland, owner, and West Side Ministries, prospective purchaser, appeal to change, to a use for administrative offices, community meetings, assembly and after school youth programs, an existing five-story brick school building, situated on an approximate 219' x 196' parcel in a Local Retail Business District on the west side of Scranton Road at 3146 Scranton Road; contrary to Section 343.01 of the Business Districts Regulations, where the use for offices is only permitted in a Local Retail Business District if the occupancy is limited to five or less employees; and subject to the provisions for Nonconforming Uses, where the existing site is nonconforming to the requirements for yards, landscaping and parking, and the substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the a Codified Ordinances.(Reinstated 3-1-04)

**9:30**

**Calendar No. 04-41:**

**4760 West 130<sup>th</sup> Street**

**Ward 20**

**Martin Sweeney**

**17 Notices**

Carl and Connie Shaheen, owners, appeal to change the use of an existing 20' x 27' one-story concrete block building from a carry out ice cream store to used car sales, all situated on a 42' x 140' parcel in a General Retail Business District on the west side of West 130<sup>th</sup> Street at 4760 West 130<sup>th</sup> Street; contrary to Section 343.11(b)(2)(I)(4) of the Business Districts Regulations, where a used car lot must maintain a 1 ½' high barrier at the setback line behind which all vehicles, advertising and parking must be kept and the proposed display are is within the 10' setback and no barrier is proposed; and contrary to Section 349.04 of the Off-Street Parking and Loading Requirements, there is no space provided for customer parking and 25% of the lot space is required; and contrary to Landscaping and Screening Requirements, no landscaping is proposed and a 4' wide frontage landscape strip is required where the lot abuts the street and a 10' transition landscape strip is required at the rear where the lot abuts a One-Family District as stated in Section 352.10 of the Codified Ordinances. (Filed 2-18-04)

**BOARD OF ZONING APPEALS  
MARCH 15, 2004**

**9:30**

**Calendar No. 04-42: 1406-20 East 49<sup>th</sup> Street**

**Ward 13**

**Joe Cimperman  
7 Notices**

Ohio Diesel Technical Institute dba Tech College, owner, c/o Marc Brenner, agent, appeal to erect approximately 150 l/f of 6' high chain link fence and a 14' gate along the front of a 150' x 141' vacant parcel in a Multi-Family District on the west side of East 49<sup>th</sup> Street at 1406-1420 East 49<sup>th</sup> Street; contrary to Section 358.04(a) of the Fence Regulations, where a fence in the front yard shall not exceed 4' in height and 6' is proposed and a chain link fence is proposed where only ornamental fences shall be installed in the front yards of a Residential District and a substitution of chain link fence material requires the Board of Zoning Appeals approval as stated in Section 358.04(c)(1) of the Codified Ordinances. (Filed 2-19-04)

**9:30**

**Calendar No. 04-43: 4020 Wichita Avenue**

**Ward 16**

**Michael O'Malley  
8 Notices**

Gregory Yearot, owner, appeals to erect a 5' in diameter above ground swimming pool in the front yard area of a 1 1/2 -story frame dwelling, situated on an approximate 38' x 141' irregular shaped parcel in a Two-Family District on the north side of Wichita Avenue at 4020 Wichita Avenue; contrary to Section 337.23 of in the Regulations for Residential Districts, where all accessory uses shall be located on the rear half of the lot and subject to the provisions for Nonconforming Uses, where an enlargement or expansion of an existing nonconforming use structure requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 2-23-04)

**POSTPONED FROM MARCH 1, 2004**

**10:30**

**Calendar No. 04-31: 4009 Bailey Avenue**

**Ward 14**

**Nelson Cintron  
4 Notices**

Ramiro Ortega, owner, appeals to erect a 25' x 3.6' wrap-around wooden porch to the front of an existing two-story dwelling and a 20' x 22' one-story private garage to the east of the dwelling, all situated on an approximate 60' x 145' irregular shaped parcel, located in a Two-Family District on the south side of Bailey Avenue at 4009 Bailey Avenue; contrary to the Yards and Courts Regulations, where the proposed porch is a distance of 3.6' and the distance of the garage is 6' and 4' and 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 2-5-04; no testimony taken.)

**First postponement requested by City Planning and the Neighborhood Planner from Community Development to provide for a design review of the project.**

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**BOARD OF ZONING APPEALS  
MARCH 15, 2004**

**POSTPONED FROM MARCH 1, 2004**

**10:30**

**Calendar No. 04-32:**

**3200-04 Carroll Avenue**

**Ward 13**

**Joe Cimperman**

**7 Notices**

The International Church of the Four Square Gospel, owner c/o Pastor Don Hallum, appeals to construct a parking lot that has twelve parking spaces on a 64' x 50' corner parcel located in a Two-Family District on the west side of Carroll Avenue at the intersection of Carroll Avenue and West 32<sup>nd</sup> Street at 3200-04 Carroll Avenue; contrary to Section 349.13(c), where the Board of Zoning Appeals may permit a parking lot in a residence district if the lot abuts or is across the street from a district other than a Residence District, and the proposed lot is surrounded by a Two-Family District; and contrary to Section 349.05(a), where no parking space shall be located within a 10' distance of any wall of a residential building or structure if such wall contains a ground floor opening designed to provide light or ventilation for such building; and there is no landscaping provided where Section 349.08 requires that a 4' wide, densely planted landscape strip shall separate the parking lot from the adjacent residential lots; and contrary to the Landscaping and Screening provisions of Section 352.10, where a 6' wide frontage strip is required along Carroll Avenue and West 32<sup>nd</sup> Street and none is provided; and contrary to Sections 357.04(a) and 357.05(a) of the Yards and Courts Regulations, there is no front yard setback provided along Carroll Avenue and no side street yard width along West 32<sup>nd</sup> Street, and the parking of motor vehicles in the required front setback is prohibited as stated in Section 357.14 of the Codified Ordinances. (Filed 2-5-04; no testimony taken.)

**First postponement requested by the Councilman for community discussion and input about the appellant's plan.**

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