

**BOARD OF ZONING APPEALS
AUGUST 1, 2005**

9:30

Calendar No. 05-208:

2906 Fulton Road

Ward 14

Nelson Cintron

22 Notices

Luis Burgos and Caribe Development Company LLC, owner, appeal to erect a 5,200 s/f one-story bakery and restaurant and a 23 space parking lot , proposed to be situated on a 177' x 200' corner lot located in split zoning for Local Retail Business and Two-Family Districts on the southwest corner of Fulton Road and Seymour Avenue at 2906 Fulton Road; contrary to Section 337.03, the bakery, restaurant and accessory parking lot are not permitted in the residential district but are first permitted in a Local Retail Business District; and driveways providing access to the proposed parking are 8' from the adjoining property lines instead of 15', as stated in Section 349.07(c)(2) of the Codified Ordinances. Filed 6-14-05) _____

9:30

Calendar No. 05-210:

2321 West 17th Street

Ward 13

Joe Cimperman

6 Notices

Guy Singer, owner, appeals to erect a 20' x 28' two-story frame room addition to an existing two family dwelling, situated on a 40' x 125' lot located in a C1 Semi-Industry District on the east side of West 17th Street at 2321 West 17th Street; subject to Section 357.01, a residence building located in an industrial district requires a special permit from the Board of Zoning Appeals; and a dwelling house may not be located within 200' of the boundary line of an adjoining General or Unrestricted Industry District; nor may an existing building within 200' of a boundary line be converted or altered, except with the approval of the Board of Zoning Appeals to determine its compatibility with the immediately surrounding area, as stated in Section 345.03(b) of the Codified Ordinances. (Filed 6-1-05) _____

9:30

Calendar No. 05-211:

3905 Clinton Avenue

Ward 13

Joe Cimperman

6 Notices

Harsax, Inc., owner c/o Dave Cooper, and Rysar Properties c/o Tim Goldstein, agent, appeal to erect a five unit, townhouse structure to be situated on a 66' x 185' lot, located in a B1 Two-Family District on the south side of Clinton Avenue at 3905 Clinton Avenue; the multi-unit townhouse structure is contrary to Section 337.03; and in a "B" Area District, the maximum gross floor space of a residential building cannot exceed one-half of the lot area, as stated in Section 355.04 of the Codified Ordinances. (Filed 6-1-05) _____

**BOARD OF ZONING APPEALS
AUGUST 1, 2005**

9:30

Calendar No. 05-213:

12812 Taft Avenue

Ward 10

Roosevelt Coats

Vincent Price appeals under the authority of Chapter 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the codified Ordinances from the decision of the Zoning Administrator for the Building and Housing Department that the previous legal, nonconforming auto repair use at 122812 Taft Avenue was abandoned, pursuant to Section 359.02(2) of the Codified Ordinances. (Filed 6-20-05)

9:30

Calendar No. 05-214:

14926 Sylvia Avenue

Ward 10

**Roosevelt Coats
1 Notice**

Avistine Hale, owner, appeals to enclose an existing 7' x 21' open front porch of a single family dwelling, situated on a 33' x 119' lot on the south side of Sylvia Avenue at 14926 Sylvia Avenue; contrary to Section 357.13(b)(1), the proposed enclosed porch projects 7' and may not project more than 4' and the Board of zoning Appeals approval is required for the existing nonconforming dwelling, where the interior side yards of 2' are provided instead of 3' as stated in Section 359.01 of the Codified Ordinances. (Filed 6-21-05)

9:30

Calendar No. 05-216:

1421 East 85th Street

Ward 7

**Fannie Lewis
3 Notices**

Jo Anne Elkins, owner, appeals to erect approximately 100' linear feet of 4' high chain link fence in the front yard of a lot located in a B1 Two-Family District on the east side of East 85th Street at 1421 East 85th Street; contrary to the Fence Regulations, the proposed chain link in front yards of residential districts is not permitted, as stated in Section 358.04(c)(1) of the Codified Ordinances. (Filed 6-23-05)

9:30

Calendar No. 05-218:

12407 Mayfield Road

Ward 6

**Patricia Britt
17 Notices**

Charles and Jean Presti, owners, and Anthony Scimone, tenant, appeal to change from a donut shop to a restaurant and bar the use of an existing commercial building located in a General Retail Business District on the north side of Mayfield Road at 12407 Mayfield Road; contrary to the requirements for accessory off-street parking, none is provided and one parking space for each four seats, or 7 spaces, is required according to Section 349.04(f) of the Codified Ordinances. (Filed 6-24-05)

**BOARD OF ZONING APPEALS
AUGUST 1, 2005**

9:30

Calendar No. 05-219: 4298 West 189th Street

**Ward 21
Michael Dolan
5 Notices**

Roberta Munteanu, owner, appeals to erect an 8' x 18' wolmanized wooden deck to the front of an existing single family dwelling, situated on a 50' x 125' lot in an A1 One-Family District on the west side of West 189th Street at 4298 West 189th Street; contrary to Section 357.13(b)(4), there is an 8' projection and no more than 6' is allowed and the Board of Zoning Appeals approval is required for the existing nonconforming dwelling, where interior side yards of 2' are provided instead of 3' as stated in Section 359.01 of the Codified Ordinances. (Filed 6-24-05)

POSTPONED FROM JULY 5, 2005

10:30

**Calendar No. 05-163: Appeal of
North Coast/ClevePhones
6218 Woodland Avenue
16208 St. Clair Avenue**

**Ward 7
Ward 11**

North Coast/Cleve/Phones, Inc., and Howard Meister, appeal under Section 76-6 of the Charter of the City of Cleveland from the revocation of pay telephone permits and an order issued by the Commissioner of Assessments and Licenses on May 2, 2005, under the authority of Section 670B.06, to remove the outdoor pay telephone located at 6218 Woodland Avenue (permit #103) for the reason that it is situated on vacant property in violation of Section 670B.02(d)(1); and to remove the outdoor pay telephone located at 16208 St. Clair Avenue (permit #165), which is in violation of Section 670B.02(d)(3) and the provisions for liquor regarding outdoor pay telephone locations. (Filed 5-25-05; no testimony taken.)

Appellants' counsel requested a first postponement due to a scheduling conflict.

POSTPONED FROM JULY 11, 2005

10:30

Calendar No. 05-166: 2137 West 85th Street

**Ward 17
Matthew Zone
16 Notices**

Paul Johnson, owner, appeals to change a two-story frame, single family dwelling house to an adult group home, situated on a 35' x 136' lot in a B1 Two-Family District on the east side of West 85th Street at 2137 West 85th Street; the proposed change of use is first permitted in a Multi-Family District and is contrary to Section 337.03 that does not permit an adult group home in a Two-Family District. (Filed 6-1-05; no testimony taken.)

First postponement requested by the Councilman to allow sufficient time for him to meet with the applicant to discuss the plan.
