

**BOARD OF ZONING APPEALS
FEBRUARY 23, 2004**

9:30
Calendar No. 03-341: 1871 West 25th Street Ward 14
Nelson Cintron
17+ Notices

With a Motion for Rehearing granted, Rialto Corporation c/o Paul Cirjak, owner, and Moda, c/o Michael Van Uum, tenant, appeal to expand an existing nonconforming night club use, previously granted by the Board of Zoning Appeals in Calendar No. 01-47, by adding a 1,500 s/f outdoor patio and increasing the occupancy by 100 persons for a 60' x 84' brick building situated on a 66' x 157' parcel located in a General Retail Business District on the east side of West 25th Street at 1871 West 25th Street; the proposed expansion being contrary to the provisions of Specific Uses Regulated in Section 347.12(a) that require a night club to be 500' from a Residential District and the location is within 100' of a Multi-Family District to the north; and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(e), where a parking area equal to three times the gross floor area (5,400 s/f – 54 spaces) is required and none is provided; and subject to the provisions under Nonconforming Uses, where an expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Rehearing Granted 1-26-04)

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, for the use of 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. (Filed 1-22-04)

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, for the use of 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. (Filed 1-22-04)

**BOARD OF ZONING APPEALS
FEBRUARY 23, 2004**

9:30

Calendar No. 04-26:

488 East 105th Street

Ward 8

Sabra Scott

19 Notices

J.C. Green, owner, appeals to establish use as a construction material storage yard an approximate 60' x 409' irregular shaped parcel, located in a Semi-Industry District on the west side of East 105th Street at 488 East 105th Street; contrary to Section 339.03(a) of the Off-Street Parking and Loading Requirements, where accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage, so that all water drains within the lot and are be paved with concrete, asphalt or similar surfacing material and maintained in good condition, free of trash and debris; and contrary to Section 352.09 of the Landscaping and Screening Requirements, where a 10' wide transition strip is required along Elk Avenue between the Semi-Industry and Two-Family Districts and an 8' wide transition strip is required along the south side of the lot between the Semi-Industry and the Multi-Family Districts and none are provided; and contrary to the Fence Regulations where corrugated metal fence material is not permitted in a Semi-Industry District but first permitted in a General Industry District as stated in Section 358.06(a) of the Codified Ordinances. (Filed 1-28-04)

9:30

Calendar No. 04-27:

10201 Elk Avenue

Ward 8

Sabra Scott

19 Notices

J.C. Green, owner, appeals to establish use as a construction material storage yard an approximate 211' x 300' irregular shaped parcel located in a Semi-Industry District on the north side of Elk Avenue at 10201 Elk Avenue; contrary to Section 339.03(a) of the Off-Street Parking and Loading Requirements where off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage, so that all water drains within the lot and are paved with concrete, asphalt or similar surfacing material and maintained in good condition, free of debris and trash; and contrary to Section 352.09 of the Landscaping and Screening Requirements, where a 10' wide transition strip is required along Elk Avenue between the Semi-Industry and the Two-Family Districts and none is provided; and contrary to the Fence Regulations, where corrugated metal fence material is not permitted in a Semi-Industry District but first permitted in a General Industry District as stated in Section 358.06(a) of the Codified Ordinances. (Filed 1-28-04)

FEBRUARY 23, 2004

9:30

Calendar No. 04-28: 14223 Berwyn Avenue

**Ward 21
Michael Dolan
4 Notices**

Robert Wathey, owner, appeals to enclose an existing 10' x 24' front porch of a one-family dwelling situated on a 52' x 110' parcel located in a Two-Family District on the south side of Berwyn Avenue at 14223 Berwyn Avenue; contrary to the Yards and Courts Regulations, where an enclosed porch with a 10' projection is proposed and not more than a 4' projection is allowed as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 1-28-04)

9:30

Calendar No. 04-37: 4001-4141 N. Marginal Road

**Ward 13
Joe Cimperman
2 Notices**

The City of Cleveland, owner, appeals to change to a use as a Class "B" Multiple Dwelling the former Benjamin Davis Aviation High School building located in a General Industry District on an acreage parcel north of the Memorial Shoreway at 4001-4141 North Marginal Road; contrary to the Industrial Districts Regulations, where no building or premises shall be erected, altered or arranged for human habitation as stated in Section 345.04(c)(1) of the Codified Ordinances. (Filed 2-11-04)
