

**BOARD OF ZONING APPEALS
FEBRUARY 27, 2006**

9:30

Calendar No. 05-388: 16410-16416 Westview Avenue

Ward 1

Nina Turner

11 Notices

Melanie Chapman-Bowen, owner, appeals to establish a Type A Day Care on the premises of two adjacent, single family dwellings, situated on a 45' x 140' parcel and a 40' x 140' parcel in an A1 One-Family District on the south side of Westview Avenue at 16410-16416 Westview Avenue; the proposed Type A Day Care being subject to the limitations of Sections 337.02(f)3)(C) that require the Board of Zoning Appeals approval, if it is located less than 30' from an adjoining premises in a residential district not used for a similar purpose, to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely effecting the neighborhood. (Filed 1-25-06)

9:30

Calendar No. 06-18: 1319 West 111th Street

Ward 18

Jay Westbrook

6 Notices

Erik Polyak, owner, appeals to change the use of a two dwelling unit residence to three dwelling units, situated on a 50' x 139' parcel in a B1 Two-Family District on the east side of West 111th Street at 1319 West 111th Street; subject to the limitations of Section 337.03, the proposed three dwelling units are not permitted in a Two-Family District but are first allowed in a Multi-Family District and contrary to Section 349.02, no off-street parking is provided and three spaces are required; with a minimum lot area of 2,400 square feet required per unit, and a total of 6,937.5 square feet provided where 7,200 square feet is required; and there is no interior side yard provided, where an 8' distance is required in Section 357.09(c) of the Codified Ordinances. (Filed 2-1-06)

9:30

Calendar No. 06-20: 1795 Crawford Road

Ward 7

Fannie Lewis

9 Notices

Benita Martinez, owner, appeals to establish use as a Type A Day Care in an existing two-story building, situated on a 50' x 124' parcel in a Multi-Family District on the east side of Crawford Road at 1795 Crawford Road; subject to the limitations of a Multi-Family District, the proposed day care and uses may not be less than 15' from an adjoining premises in a residential district not used for a similar purpose as stated in Section 337.08(e)(3) of the Codified Ordinances; and the Board of Zoning Appeals approval is required to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely effecting the neighborhood. (Filed 2-2-06)

**BOARD OF ZONING APPEALS
FEBRUARY 27, 2006**

9:30

Calendar No. 06-26: 1400 East 55th Street

**Ward 13
Joe Cimperman
10 Notices**

Goodrich-Gannett Neighborhood Center, owner, and Thomas Graveno, agent, appeal to change the use of a two-story restaurant to a day care, situated on a triangular shaped corner parcel located in split zoning between Semi-Industry and Two-Family Districts on the southwest corner of East 55th Street and Stanard Avenue at 1400 East 55th Street; the proposed day care being subject to the limitations of Section 337.03 and by reference as regulated in Section 337.02(f)(3)(C), a day care and its uses are required to be 30' from any adjoining premises in a residential district not used for a similar purpose and the playground, the dumpster area and some parking spaces for the proposed day care are located within the Two-Family District; and the Board of Zoning Appeals approval is required to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely effecting the neighborhood.(Filed 2-13-06)

POSTPONED FROM JANUARY 23, 2006

10:30

Calendar No. 05-377: 3341 Broadview Road

**Ward 15
Brian Cummins
12 Notices**

Tom Pavlicka, owner, and Marcia Wrick, tenant, appeal to establish a two room space in an existing two-story office building a use for medical and cosmetic tattooing, situated on a 135' x 89' corner parcel in a Local Retail Business District on the southwest corner of Broadview and Pearl Roads at 3341 Broadview Road; the proposed use being subject to the provisions of Section 343.11P(1 and 2), that tattooing and body piercing as used in this division: (1) that "Body Piercing" means the piercing of any part of the body by someone other than a physician licensed under Chapter 4731 of the revised Code, who utilizes a needle or other instrument for the purpose of inserting an object into the body for non-medical purposes; body piercing includes ear piercing except when the ear piercing procedure is performed on the ear with an ear piercing gun; and (2) that "Tattoo" means any method utilizing needles or other instruments by someone other than a physician licensed under Chapter 4731 of the Revised Code, to permanently place designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink or any other substance resulting in an alteration of the appearance of the skin; and tattooing and body piercing are first permitted in a General Retail Business District, provided that all conditions of Section 347.12(b) are satisfied, with the proposed use here being within 1,000' of a church and a residential district and not permitted in a Local Retail Business District, according to Section 343.01 of the Codified Ordinances. (Filed 12-7-05; testimony taken.)

Second postponement requested by the councilman for additional review and community dialogue on the proposed plan.

BOARD OF ZONING APPEALS

FEBRUARY 27, 2006

POSTPONED FROM JANUARY 30, 2006

10:30

Calendar No. 05-391:

11812 Kinsman Road

Ward 3

Zachary Reed

9 Notices

Arthur Doxey, owner, appeals to construct a new parking lot on a 42' x 115' parcel in a B1 Two-Family District on the south side of Kinsman Road at 11812 Kinsman Road; and the proposed parking lot is contrary to Section 337.03 being not permitted in a Two-Family District but first permitted in a Local Retail Business District; and Section 352.09 requires a 10' wide transition strip and none is proposed where property lines abut a Two-Family District at both sides and at the rear of the lot; and in Section 343.15(c) a driveway must be 15' from the property line when it abuts another driveway on an adjacent lot; and contrary to the Fence Regulations, a 6' tall privacy fence is proposed at the northwest corner of the lot and a fence located within 15' of an intersection with a public sidewalk and parallel to a driveway shall be 75% open, and it exceeds the 4' maximum fence height permitted in an actual front yard of a Residence District; with the proposed chain link fence in the northeast corner of the lot and privacy fence in the northwest corner being contrary to the requirement that only ornamental fence is permitted in the actual front yard of a Residence District, as stated in Sections 358.03(a), 358.04(a) and (c) of the Codified Ordinances. (Filed 12-20-05; testimony taken.)

First postponement granted for appellant to consult with the Mt. Pleasant NOW Business Revitalization Committee and provide a revised plan showing the fence and landscaping that would be installed for the proposed asphalt parking lot.
