

**BOARD OF ZONING APPEALS  
FEBRUARY 9, 2004**

**9:30**

**Calendar No. 04-14:**

**18901 St. Clair Avenue**

**Ward 11**

**Michael Polensek**

**5 Notices**

David A. Pysell, owner, appeals to establish use as a used car lot and repair an existing 70' x 90' one-story brick building situated on an approximate 172' x 248' irregular shaped corner parcel located in a General Industry and Semi-Industry District on the northeast corner of St. Clair Avenue and Nottingham Road at 18901 St. Clair Avenue; contrary to the Off-Street Parking and Loading Requirements in Section 349.04(f) where the provision for off-street parking must be the equivalent of 25% of the gross lot area and no parking is proposed and Section 349.07(a) that requires off-street parking and maneuvering areas to be surfaced with concrete or asphalt and contrary to the Landscaping and Screening Requirements, there is no landscaping where 4' wide frontage landscaping strips are required along Nottingham Road and St. Clair Avenue as stated in Section 352.10 of the Codified Ordinances. (Filed 1-7-04)

**9:30**

**Calendar No. 04-15:**

**18235 Euclid Avenue**

**Ward 10**

**Roosevelt Coats**

**14 Notices**

Kimco of Ohio, Inc., owner c/o Thomas M. Shine, agent, appeal to maintain existing dumpsters that are not screened nor enclosed and are located along the rear of a one-story masonry shopping center, situated on a 273' x 963' parcel located in a General Retail Business District and a Shopping Center District on the north side of Euclid Avenue at 18235 Euclid Avenue; contrary to the provisions for Specific Uses Regulated, where no dumpster may be visible from the public street nor from lots designated for residential purpose and there is no fence proposed and all trash areas are required to be screened with opaque fencing that is not lower than the height of the refuse containers as stated in Section 347.08(a) of the Codified Ordinances. (Filed 1-8-04)

**9:30**

**Calendar No. 04-16:**

**4553 West 130<sup>th</sup> Street**

**Ward 20**

**Martin Sweeney**

**13 Notices**

Richard Bogdan, owner, appeals to change to an auto repair (muffler and exhaust installation and repair) the use of an existing 47' x 92' one-story masonry building situated on a 132' x 135' parcel located in a General Retail Business District on the east side of West 130<sup>th</sup> Street at 4553 West 130<sup>th</sup> Street; contrary to Section 343.11 of the Business Districts Regulations, where auto repair is not permitted in a General Retail Business District but first permitted in a Semi-Industry District, provided that it is 100' away from any Residential District and contrary to Sections 352.08 through 352.11 of the Landscaping and Screening Requirements, no landscaping is proposed and a 10' wide transition landscape strip is required where the use abuts the One-Family District to the rear and subject to the provisions under Enforcement and Penalty that require a detailed site plan to be submitted as stated in Section 327.02 of the Codified Ordinances. (Filed 1-9-04)

**BOARD OF ZONING APPEALS  
FEBRUARY 9, 2004**

**9:30**

**Calendar No. 04-17:**

**6966 Broadway Avenue**

**Ward 12**

**Edward Rybka**

**6 Notices**

The Alliance of Poles c/o Francis Rutkowski, appeals to install an 8' high wood fence to enclose a dumpster and two air conditioner units at the rear of a two-story brick building that is situated on a 50' x 147' irregular shaped corner parcel in a General Retail Business District at the southwest corner of Broadway and Forman Avenues at 6966 Broadway Avenue; contrary to Section 352.09 of the Landscaping and Screening Requirements, where the proposed enclosure for the dumpster and air conditioner units is not permitted in the 10' wide transition strip that is required to separate the business district from the abutting residential district and contrary to the Fence Regulations, an 8' high fence is proposed where a fence in the actual rear yard shall not exceed 6' in height as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 1-9-04)

**9:30**

**Calendar No. 04-20:**

**410 East 152<sup>nd</sup> Street**

**Ward 10**

**Roosevelt Coats**

**36 Notices**

The Cleveland Municipal School District c/o Lester Cumberlander, agent, appeal to erect a two-story, 83,583 s/f, kindergarten through 8<sup>th</sup> grade public school for 631 students and 75 faculty members on an acreage parcel, located in a Two-Family District and a Multi-Family District on the southwest corner of East 152<sup>nd</sup> Street and Lucknow Avenue; contrary to the Residential Districts Regulations, where a public school in a Two-Family District requires the Board of Zoning Appeals approval as stated in Section 337.02(f)(3)A and Section 337.03 of the Codified Ordinances. (Filed 1-14-04)

**9:30**

**Calendar No. 04-23:**

**701 W. Lakeside Avenue**

**Ward 13**

**Joe Cimperman**

**12 Notices**

Pinnacle 701 LLC, c/o Gus Georgalis, owner, appeals to erect a three level parking garage addition and erect six additional floors for 80 residential apartment units over an existing two-story brick and concrete parking garage building, for a total of eleven stories, all situated on an approximate 167' x 300' irregular shaped parcel located in a Limited Retail Business District on the south side of West Lakeside Avenue at 701-705 West Lakeside Avenue; contrary to Section 355.04(a) of the Area Regulations, where the maximum floor area in a "D" District is one-half the lot size area or 37,392 s/f and there is 261,471 s/f proposed and contrary to the Yards and Courts Requirements, where no rear yard is proposed and a 20' rear yard is required as stated in Section 357.08(b)(2) of the Codified Ordinances. (Filed 1-21-04)

**BOARD OF ZONING APPEALS  
FEBRUARY 9, 2004**

**POSTPONED FROM JANUARY 20, 2004**

**10:30**

**Calendar No. 03-315:**

**3611 Payne Avenue**

**Ward 13**

**Joe Cimperman**

**7 Notices**

Eric Duong, owner, and Kevin Morand, agent, appeal to change the use of an existing 170' x 92' one-story laundry and office masonry building into a warehouse storage and distribution facility situated on a 270' x 150' irregular shaped parcel located in a Local Retail Business and a Two-Family District on the northeasterly corner of Payne Avenue and East 36<sup>th</sup> Street at 3611 Payne Avenue aka 1629-33 East 36<sup>th</sup> Street; said change of use being contrary to Section 337.03 where a warehouse is not permitted in a Two-Family District and Section 343.01 where a warehouse is not permitted in a Local Retail Business District but is first permitted in a Semi-Industry District as stated in Section 345.03(c)(33) and contrary to the Off-Street Parking and Loading Regulations of Section 349.04 where 6 parking spaces are required and none are proposed and contrary to the Landscaping and Screening Requirements, where an 8' landscape strip and a 6' screened fence are required at the rear of the property and none is proposed and a 6' landscape strip is required along East 36<sup>th</sup> Street as stated in Sections 352.10 and 352.11 of the Codified Ordinances. (Filed 11-7-03; no testimony taken.)

**Second postponement requested by the appellant for additional time to consult with the Councilman about the project.**

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