

**BOARD OF ZONING APPEALS
JUNE 6, 2005**

9:30

Calendar No. 05-112:

8315 Jeffries Avenue

Ward 2

Robert White

40 Notices

The Cleveland Municipal School District, owner, and David Dickinson, agent, appeal to construct a two-story Elementary/Middle School education facility on the site formerly occupied by Warner School and Gymnasium and to be situated on acreage located between Jeffries and Connecticut Avenues, located in split zoning between General Retail Business and Two-Family Districts on the northeast corner of Warner Road and Jeffries Avenue at 8315 Jeffries Avenue; contrary to Section 349.04, there are 42 parking spaces provided and 57 are required; and in Section 337.03(b), a public school may be permitted, as regulated in Section 337.02(f)(3)A, with approval by the Board of Zoning Appeals, after public notice and hearing to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood; and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood. (Filed 4-18-05)

9:30

Calendar No. 05-113:

11021 East Boulevard

Ward 9

Kevin Conwell

7 Notices

The Cleveland Institute of Music, owner, and Richard Keilman, agent, appeal to erect a two-story addition to provide for offices, practice rooms, an audio studio, a recital hall and interior alterations to the existing Institute of Music building, located in a D5 Multi-Family District on the northeast corner of East Boulevard and Hazel Drive at 11021 East Boulevard; contrary to Section 355.07, a total floor area of 107,297 s/f is proposed in the "D" area district, exceeding the total lot area of 99,302 s/f that is allowed; no on site parking is proposed, contrary to Section 349.02 that requires accessory off-street parking at the rate of 1 space for each 2 employees, plus 1 for each 10 classroom seats and 1 for each 6 concert hall or auditorium seats; contrary to Section 357.04, proposed is 10' instead of a front yard setback either equal to 15% of the lot depth, or a line equal to that of existing buildings on East Boulevard, measuring 30' or more; and an 8' interior side yard and a 20' rear yard are required, according to Sections 357.09 and 357.08 of the Codified Ordinances. (Filed 4-18-05)

9:30

Calendar No. 05-114:

3479 West 122nd Street

Ward 19

Dona Brady

3 Notices

Edith Berki, owner, appeals to install storm windows to alter the existing 7'6" x 13'9" front porch of a two-story single family dwelling, situated on a 35' x 105' lot in an A1 One-Family District on the east side of West 129th Street at 3479 West 129th Street; contrary to Section 357.13(b)(4), a 7'6" front porch projection is provided and not more than 4' is allowed. (Filed 4-19-05)

**BOARD OF ZONING APPEALS
JUNE 6, 2005**

POSTPONED FROM MARCH 7, 2005

10:30

Calendar No. 05-28:

4090 East 93rd Street

Ward 2

Robert White

20 Notices

The Cleveland Municipal School District c/o Jason Downey and Cleveland Educational Design Alliance, agent, appeal to erect a 260' x 520' two-story, brick, Kindergarten through Eighth Grade school building to be situated on acreage that extends south along East 93rd Street between Harvard Avenue and Miles Park Avenue and located in split zoning between a General Retail Business and Two-Family Districts at 4090 East 93rd Street; as proposed, the project abuts a Two-Family District at the rear of the property and is subject to the limitations of Section 337.03, by reference, as regulated in a One-Family District by Section 337.02, where a school is required to be 30' from any adjoining premises in a Residence District not used for a similar purpose and subject to the Board of Zoning Appeals approval; and contrary to Sections 358.04 and 358.05, a fence height of 8' is proposed along Miles Park Avenue, where 4' is the maximum fence height in residential and non-residential actual side street yards; and a 5' setback is proposed along East 93rd Street instead of 10' and an 8' setback is proposed at the corner along Harvard Avenue instead of 20' as established by the specific setback on the Zoning Map and according to Section 357.07(a) of the Codified Ordinances.

(Filed 2-4-05; no testimony taken.)

First postponement requested by appellant to provide a revised site plan.

POSTPONED FROM MAY 16, 2005

10:30

Calendar No. 05-41:

3596 East 131st Street

Ward 3

Zachary Reed

10 Notices

Minnie Adams and Tyrone Reeder, owners, appeal to establish use for a car wash and a barber shop in an existing one-story masonry building, situated on a 120' x 208' lot in a Local Retail Business District on the west side of East 131st Street at 3596 East 131st Street; contrary to Section 343.01, a car wash is not permitted in a Local Retail Business District but first permitted in a General Retail Business District, provided that it meets the required 100' distance from the abutting Two-Family District at the rear; and contrary to Sections 339.03(b) and 339.03(b)(1) there are no bumper guards proposed for the accessory off-street parking and where only one driveway is permitted for each 100' of lot frontage, three driveways are proposed in the 120' lot frontage along East 131st Street; and contrary to the 10' specific building line setback established by the zoning map, a 6' setback is proposed with parking, contrary to Section 357.07 and the Yards and Courts Requirements of the Codified Ordinances. (Filed 2-28-05; no testimony taken)

Third postponement requested by the local development corporation to schedule a community meeting about the proposed plan.

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JUNE 6, 2005**

POSTPONED FROM MAY 16, 2005

10:30

Calendar No. 03-35:

6402 Lansing Avenue

Ward 12

Anthony Brancatelli

8 Notices

Louis Sainato, owner, and Patricia Cole dba Patia's Child Care Center, were granted a variance on June 23, 2003 in Calendar No. 03-35 to change a commercial building into a day care center for children of the ages from 3 months to 12 years old, with hours of operation from 6 am to 6 pm on Monday through Friday. On February 10, 2005, appellant Cole was issued permit 19953 for the day care and now she asks that the Board of Zoning Appeals extend the day care hours of operation from 6 am to 6 pm, as specified in the Board's Resolution, and increase them to be from 6 am to 11 pm. (Filed 3-17-05; testimony taken.)

Second postponement granted at the request of the Councilman to allow time for additional analysis of on-street parking on East 64th Street and Lansing Avenue.
