

**BOARD OF ZONING APPEALS
AUGUST 15, 2005**

9:30

Calendar No. 05-212:

2500 Professor Avenue

Ward 13

Joe Cimperman

5 Notices

Brandon Chang, owner, appeals to change from one to two dwelling units an existing 2 ½-story frame dwelling, situated on a 40' x 90' lot in a B1 Two-Family District on the south side of Professor Avenue at 2500 Professor Avenue; contrary to Section 355.05, the lot restrictions provide 3,600 s/f where the minimum lot size required is 6,000 s/f and the maximum gross floor area for each dwelling unit exceeds one-half of the lot size; and no parking is provided, contrary to Section 349.04 that requires two spaces for each unit; with an 18' rear yard instead of 20' according to Section 357.08 of the Codified Ordinances. (Filed 6-20-05)

9:30

Calendar No. 05-226:

4274 Pearl Road

Ward 15

Emily Lipovan Holan

8 Notices

Joseph Terry, Jr., owner, appeals to change from a retail furniture store to a church, an existing two-story brick building, situated on a 48' x 117' corner lot in a General Retail Business District on the southwest corner of Pearl Road and Stanford Avenue at 4274 Pearl Road; subject to the parking requirement for places of worship, there are 8 additional off-street parking spaces required, according to Section 349.04(c) of the Codified Ordinances. (Filed 6-29-05)

9:30

Calendar No. 05-228:

7201 Kinsman Road

Ward 5

Frank Jackson

12 Notices

The City of Cleveland, owner, and prospective purchaser, Burten, Bell, Carr Development Corporation, and Carl Bainer, agent, appeal to construct a 13,200 s/f Retail Center on acreage located in a Multi-Family District and situated on the northeasterly corner of Kinsman Road and East 72nd Street at 7201 Kinsman Road; subject to the limitations of Section 337.08, the Retail Center is not allowed in a Multi-Family District but first allowed in a Local Retail Business District, with the provisions of Section 343.01(b)(3), that the uses are either residential or professional offices or other retail business that serve neighborhood shopping needs; and that the customarily employed personnel, required for the practice of such business or profession, do not exceed a total of 5 persons at any one time; and contrary to Sections 343.18 (c) and (d), a proposed access driveway along Kinsman Road is approximately 2.5' instead of the 15' minimum between the point of tangency of the driveway apron radius and a prolongation of the property line to the curb line measured at the curb line; and a driveway located along Kinsman Road is 70' wide and the one along Falcon Road is a 270' width, contrary to the maximum width of 30' that is allowed; with a 2.5' wide landscaping strip proposed, instead of 6' between the Retail Center and the adjacent Multi-Family District; and no landscaping/transition strip is proposed, where an 8' width is required at the rear of the property between the Retail Center and the adjacent Two-Family District, according to Sections 352.09 through 352.11 of the Codified Ordinances. (Filed 7-1-05)

**BOARD OF ZONING APPEALS
AUGUST 15, 2005**

9:30		Ward 14
Calendar No. 05-229:	1929 West 25th Street	Nelson Cintron
		12 Notices

Mono Bun and Bun Family Enterprises LLC, owner, appeal to expand an existing restaurant, situated on a 20' x 157' parcel in a General Retail Business District on the east side of West 25th Street at 1929 West 25th Street; contrary to Section 349.04(f), no off-street parking is proposed and 12 spaces plus 1 for each employee are required; and the Board of Zoning Appeals approval for the proposed addition that expands a nonconforming use is required, as stated in Section 359.01 of the Codified Ordinances.

(Filed 7-5-05)

9:30		Ward 13
Calendar No. 05-230:	2516 Market Avenue	Joe Cimperman
		12 Notices

The 2516 Corporation, owner, and Douglas Wahl, their agent, appeal to expand an existing restaurant, proposed to be situated on consolidated parcels located in a General Retail Business District on the north side of Market Avenue at 2516 Market Avenue; contrary to Section 349.04(f) no additional off-street parking is proposed and 24 spaces are required; and the proposed restaurant addition that expands a nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances. (Filed 7-5-05)

9:30		Ward 14
Calendar No. 05-231:	3002 Clark Avenue	Nelson Cintron
		22 Notices

The Zaremba Group and Richard Ziska appeal to construct a 6,840 s/f auto parts sales store to be situated on an 82' x 115' lot in a General Retail Business District on the north side of Clark Avenue at 3002 Clark Avenue; contrary to Section 357.07(a), no street frontage setback is provided and a 7' building line setback is required; with no off-street parking proposed and 14 parking spaces required, according to Section 349.04(g) of the Codified Ordinances. (Filed 7-6-05)

9:30		Ward 15
Calendar No. 05-149:	3520 Stanford Avenue Duplex A	Emily Lipovan Holan
		16 Notices

Aberdeen Investments, Inc. and Jim Caldwell, owner, appeal to erect a 20' x 75' two-story frame, single family residence, proposed to be situated on a 23' x 110' lot in a B1 Two-Family District on the north side of Stanford Avenue at 3520 Stanford Avenue; contrary to Section 355.05, a lot width of 23' is provided instead of the 40' requirement; and the minimum lot area measures 2,541 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,064 s/f provided instead of 50% of the lot size or 1,270 s/f; and there is a front yard setback of 10' where Section 357.04 requires 15% of the lot depth that equals 16.5' and contrary to Sections 357.09(2)(b) and 357.09(2)(A), interior side yards may not be less than a minimum of 3' and no building may be less than 10' from a main building on an adjoining lot, with the total of both interior side yards measuring not less than 10' and no access to parking space is provided, contrary to Section 349.02(a) of the Codified Ordinances that states one parking space is required. (Filed 5-10-05; Motion for Reconsideration granted 7-25-05)

**BOARD OF ZONING APPEALS
AUGUST 15, 2005**

9:30

**Calendar No. 05-150: 3520 Stanford Avenue Ward 15
 Duplex B**

Aberdeen Investments, Inc. and Jim Caldwell, owner, appeal to erect a 20' x 75' two-story frame, single family residence, proposed to be situated on a 25' x 110' lot in a B1 Two-Family District on the north side of Stanford Avenue at 3520 Stanford Avenue; contrary to Section 355.05, a lot width of 25' is provided instead of the 40' requirements; and the minimum lot area measures 2,760 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,064 s/f provided, instead of 50% of the lot size or 1,380 s/f; and contrary to Sections 357.09(2)(b) and 357.09(2)(), interior side yards may not be less than a minimum of 3' and no building may be less than 10' from a main building on an adjoining lot, with a total of both interior side yards measuring not less than 10' and no access to parking space is provided, contrary to Section 349.02 of the Codified Ordinances that states one parking space is required.

**Calendar No. 05-151: 3520 Stanford Avenue Ward 15
 Duplex C**

Aberdeen Investments, Inc. and Jim Caldwell, owner, appeal to erect a 20' x 75' two-story frame, single family residence, proposed to be situated on a 25' x 110' lot in a B1 Two-Family District on the north side of Stanford Avenue at 3520 Stanford Avenue; contrary to Section 355.05, a lot width of 25' is provided instead of the 40' requirement; and the minimum lot area measures 2,759 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,064 s/f provided instead of 50% of the lot size or 1,379 s/f; and contrary to Sections 357.09(2)(b) and 357.09(2)(A), interior side yards may not be less than a minimum of 3' and no building may be less than 10' from a main building on an adjoining lot, with the total of both interior side yards measuring not less than 10' and no access to parking space is provided, contrary to Section 349.02(a) of the Codified Ordinances that states one parking space is required.

**Calendar No. 05-152: 3520 Stanford Avenue Ward 15
 Duplex D**

Aberdeen Investments, Inc. and Jim Caldwell, owner, appeal to erect a 20' x 75' two-story frame, single family residence, proposed to be situated on a 25' x 110' lot in a B1 Two-Family District on the north side of Stanford Avenue at 3520 Stanford Avenue; contrary to Section 355.05, a lot width of 25' is provided instead of the 40' requirement; and the minimum lot area measures 2,759 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,064 s/f provided instead of 50% of the lot size or 1,379 s/f; and contrary to Sections 357.09(2)(b) and 357.09(2)(A), interior side yards may not be less than a minimum of 3' and no building may be less than 10' from a main building on an adjoining lot, with the total of both interior side yards measuring not less than 10' and no access to parking space is provided, contrary to Section 349.02(a) of the Codified Ordinances that states one parking space is required.

**Calendar No. 05-153: 3520 Stanford Avenue Ward 15
 Duplex E**

Aberdeen Investments, Inc. and Jim Caldwell, owner, appeal to erect a 20' x 75' two-story frame, single family residence, proposed to be situated on a 23' x 110' lot in a B1 Two-Family District on the north side of Stanford Avenue at 3520 Stanford Avenue; contrary to Section 355.05, a lot width of 25' is provided instead of the 40' requirement; and the minimum lot area measures 2,758 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,064 s/f provided instead of 50% of the lot size or 1,379 s/f; and contrary to Sections 357.09(2)(b) and 357.09(2)(A), interior side yards may not be less than a minimum of 3' and no building may be less than 10' from a main building on an adjoining lot, with the total of both interior side yards measuring not less than 10' and no access to parking space is provided, contrary to Section 349.02(a) of the Codified Ordinances that states one parking space is required.

