

**BOARD OF ZONING APPEALS  
DECEMBER 11, 2006**

**9:30**

**Calendar No. 06-236:**

**12912 Hoy Avenue**

**Ward 2**

**Robert White**

**7 Notices**

Crystal Poole, owner, appeals to establish use as a Type A day care an existing 2 ½-story frame dwelling house, situated on a 40' x 123.24' parcel located in a One-Family District on the south side of Hoy Avenue at 12912 Hoy Avenue; subject to the limitations of Section 337.02(f)(3)(C), the proposed use may not be less than a 30' distance from any adjoining premises in a Residence District not used for a similar purpose and requires approval of the Board of Zoning Appeals to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board the building and use are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. (Filed 11-10-06)

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**9:30**

**Calendar No. 06-237:**

**3238 West 48<sup>th</sup> Street**

**Ward 14**

**Joseph Santiago**

**5 Notices**

Maria Ortuzar, owner, appeals to park a 10' x 18' commercial truck on a 40' x 125' corner parcel located in a Two-Family District on the southwest corner of West 48<sup>th</sup> Street and Field Court at 3238 West 48<sup>th</sup> Street; subject to the restrictions of 337.23B(10), the proposed commercial truck parking is not allowed in a Residence District and contrary to Section 337.23(a) accessory parking shall be located on the rear half of the lot and the placement is within the front half of the lot at 57' and on the rear third of a corner lot the building line shall be not less than 10' in a Residence District, as stated in Section 357.05(b)(1) of the Codified Ordinances. (Filed 1-16-06)

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**9:30**

**Calendar No. 06-239:**

**13448 Puritas Avenue**

**Ward 20**

**Martin Sweeney**

**13 Notices**

The Cuyahoga Metropolitan Housing Authority, owner, appeals to erect three duplex housing units in an existing, legal nonconforming, residential development, situated on acreage in an A1 One-Family District on the north side of Puritas Avenue at 13448 Puritas Avenue; as proposed, the one-story duplex units are contrary to Section 357.10 that requires for large scale housing development there be at least a 45' distance between the buildings and only 14' is proposed; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 11-17-06)

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**BOARD OF ZONING APPEALS  
DECEMBER 11, 2006**

**9:30**

**Calendar No. 06-240:**

**12210 Mayfield Road**

**Ward 6**

**Patricia Britt**

**17 Notices**

Grace Corbo, owner, appeals to erect a 1,853 square foot addition to an existing two-story mixed use building, situated on a 50' x 175' corner parcel located in a General Retail Business District on the southeast corner of Mayfield and Murray Hill Roads at 12210 Mayfield Road; contrary to Section 349.04(f) there are no additional parking spaces and 8 are required with the building addition, with the 7 spaces shown on the plan being displaced by the addition, resulting in a total off-street parking requirement of 15 spaces; and no landscape is proposed, where a 6' wide landscape strip is required between the parking lot and Fairview Court as stated in Section 352.10 of the Codified Ordinances. (Filed 11-21-06)

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**9:30**

**Calendar No. 06-244:**

**3545 Ridge Road**

**Ward 16**

**Kevin Kelley**

**3 Notices**

Chin and Arnold Properties, LLC, owner, appeal to install a double faced pole sign identifying a shopping center and 5 tenants on an irregular shaped parcel, located in a Semi-Industry District on the east side of Ridge Road at 3545 Ridge Road; subject to the limitations of Section 350.14(d)(1) in the Sign Regulations and for purposes of this Chapter, 3 or more retail businesses located on a single lot and served by common parking or common vehicular entrances shall be classified as a "shopping center" and shall be permitted 1 free standing identification sign and 1 wall identification sign in addition to other permitted signs. In accordance with the regulations of Subsection (1) for the Display of Information, each shopping center identification sign shall display only the name of the center and the name of not more than 1 business located within the center; except that, with approval of the council member whose ward is affected as expressed by an ordinance or resolution of Council for any shopping center with retail floor area exceeding 150,000 square feet, excluding "outlots" with separate free-standing signs, such sign may display the names of not more than 2 businesses located within the center, as stated in Section 350.14(d)(1) of the Codified Ordinances. (Filed 11-27-06)

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**9:30**

**Calendar No. 06-245:**

**3881 West 134<sup>th</sup> Street**

**Ward 20**

**Martin Sweeney**

**4 Notices**

Clyde Gazda, owner, appeals to install a 4' tall and 6' tall chain link fence in the actual front yard of a 40' x 150' parcel located in a B1 Two-Family District on the east side of West 134<sup>th</sup> Street at 3881 West 134<sup>th</sup> Street; contrary to the Fence Regulations and Section 358.04(c)(1), a chain link fence is proposed and only ornamental fences that do not exceed 4' in height are permitted in a residential district, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 11-27-06)

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**BOARD OF ZONING APPEALS  
DECEMBER 11, 2006**

**9:30**

**Calendar No. 06-192:**

**3708 Whitman Avenue**

**Ward 13**

**Joe Cimperman**

**7 Notices**

Junaid Hasan, owner, appeals to change the use of an existing dwelling and store building to a single family residence situated on a 30' x 103.5' corner parcel, located in a Two-Family District on the northeast corner of Whitman Avenue and West 38<sup>th</sup> Street at 3708 Whitman Avenue; contrary to Section 355.05, the lot width is 30 feet and 40 feet is required and the maximum gross floor area is 1,950 square feet instead of 4,800 square feet; and no interior side yard shall be less than a width of 5 feet on a corner lot occupied by a dwelling, nor less than a width of 3 feet for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet, as stated in Section 357.09(2)B of the Codified Ordinances.

(Filed 9-14-06; Dismissed 11-13-06; Reinstated 11-20-06)

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**POSTPONED FROM NOVEMBER 20, 2006**

**10:30**

**Calendar No. 06-214:**

**2133 Murray Hill Road**

**Ward 6**

**Patricia Britt**

**8 Notices**

Nella Gallito, owner, appeals to construct a 575 foot addition to an existing nonconforming beauty salon, situated on an irregular shaped parcel located in a Multi-Family District on the east side of Murray Hill Road at 2133 Murray Hill Road; contrary to Section 357.04, the building addition as proposed encroaches into the residential front yard, where there is a set back requirement from the street line that is a distance equal to fifteen percent of the lot depth; and the expansion of a nonconforming use in the residential district requires the Board of Zoning Appeals approval, according to Section 359.01 of the Codified Ordinances. (Filed 10-6-06; no testimony taken.)

**First postponement requested by appellant due to conflicting schedule commitments.**

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