

**BOARD OF ZONING APPEALS  
FEBRUARY 19, 2008**

**9:30**

**Calendar No. 08-12:**

**819 Jefferson Avenue**

**Ward 13**

**Joe Cimperman**

**11 Notices**

Thomas Bell, owner, appeals to expand the use of a restaurant/bar into the second floor of an existing mixed use building on a 36' x 90' corner parcel, located in a General Retail Business District on the southeast corner of Jefferson and Professor Avenues at 819 Jefferson Avenue; contrary to the required parking spaces for retail sales uses, there is a credit for two (2) spaces and a restaurant/bar requires parking at the rate of one space for each employee, plus one space for each 100 square feet of floor area devoted to patron use, or approximately ten (10) required parking spaces, according to the provisions of Section 349.04(f) of the Codified Ordinances.

(Filed 1-23-08)

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**9:30**

**Calendar No. 08-13:**

**1255 Ansel Road**

**Ward 8**

**Sabra Pierce Scott**

**3 Notices**

Haji Murray, owner, appeals to install 50 linear feet of 4 foot high chain link fence in the actual front yard of a 35.86' x 133.64' parcel in a B1 Two-Family District at 1255 Ansel Road; and in residential districts only ornamental fences shall be allowed in actual front yards, as stated in Section 358.04(c)1 of the Codified Ordinances.

(Filed 1-28-08)

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**9:30**

**Calendar No. 08-14:**

**3319 Marvin Avenue**

**Ward 15**

**Brian Cummins**

**10 Notices**

Euharia Eweroke, owner, appeals to change the use of a single family dwelling to a day care, proposed to be on a 40' x 140' parcel in a B1 Two-Family District on the south side of Marvin Avenue at 3319 Marvin Avenue; subject to the limitations of Section 337.03 and by reference, regulated in a One Family District (Sections 337.02(f)(3)(c)) a day care is required to be 30 feet from any adjoining premises in a residence district that is not used for a similar purpose and is subject to the Board of zoning Appeals approval; and one (1) parking space is proposed contrary to the off-street parking requirement of three (3) parking spaces, providing one (1) space for each two (2) staff members and other employees, according to the provisions of Section 349.04(c) of the Codified Ordinances. (Filed 1-28-08)

**9:30**

**Calendar No. 08-15:**

**2067 Random Road - Unit 1**

**Ward 6**

**Mamie Mitchell**

**8 Notices**

Turning Point Development Company, owner, and John Koncar appeal to erect a 21' x 76' three-story frame, single family residence on a 40' x 167.64' parcel located in a Multi-Family District on the east side of Random Road at 2067 Random Road; contrary to Section 355.05, the proposed maximum gross floor area of 3,848 square feet exceeds one-half of the lot size, or 3,217 square feet; and contrary to Section 357.08, a rear yard depth of 10' is provided where not less than one-half the height of the main building, or a 17' depth is required, and an interior side yard of 6'-6" is provided where not less than 10' is required in Section 357.09(2)A of the Codified Ordinances. (Filed 1-31-08)

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9:30

Calendar No. 08-16:

2067 Random Road - Unit 2

Ward 6

Mamie Mitchell

8 Notices

Turning Point Development Company, owner, and John Koncar appeal to erect a 35' x 31' three-story frame, single family residence on a 40' x 167.64' parcel located in a Multi-Family District on the east side of Random Road at 2067 Random Road; contrary to Section 355.05, the proposed maximum gross floor area of 1,958 square feet exceeds one-half of the lot size, or 1,838 square feet; and contrary to Section 357.15, a distance of 34'-10" is provided where there is a 40' distance required in any use district between a building erected in the rear of a main building; and an interior side yard of 8'-8" is provided where not less than 10' is required in Section 357.09(2)A of the Codified Ordinances. (Filed 1-31-08)

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**POSTPONED FROM NOVEMBER 19, 2008**

10:30

Calendar No. 07-178:

9709 Meech Avenue

Ward 2

Robert White

13 Notices

James Gills, owner, appeals to establish use for storage of automobiles and specifically not pending wrecking or dismantling, proposed to be situated on a 40' x 125' parcel in a Semi-Industry District on the north side of Meech Avenue at 9709 Meech Avenue; where an 8 foot high, non-covered chain link fence is provided, and the use of outdoor vehicle storage requires screening with 75 percent or greater opacity of sufficient height to conceal the outdoor automobile storage from the ground floor level view on adjoining properties and from the street, as stated in Section 352.10(a)(3)(b) of the Codified Ordances. (Filed 8-29-07; testimony taken.)

Calendar No. 07-179:

9801 Meech Avenue

Ward 2

James Gills, owner, appeals to establish use for storage of automobiles and specifically not pending wrecking or dismantling, proposed to be situated on a 40' x 125' parcel in a Semi-Industry District on the north side of Meech Avenue at 9801 Meech Avenue; where an 8 foot high, non-covered chain link fence is provided, and the use of outdoor vehicle storage requires screening with 75 percent or greater opacity of sufficient height to conceal the outdoor automobile storage from the ground floor level view on adjoining properties and from the street, as stated in Section 352.10(a)(3)(b) of the Codified Ordances.

Calendar No. 07-180:

9805 Meech Avenue

Ward 2

James Gills, owner, appeals to establish use as auto repair and storage of automobiles for repair, specifically not pending wrecking or dismantling, proposed to be on a 40' x 125' parcel in a Semi-Industry District on the north side of Meech Avenue at 9805 Meech Avenue; contrary to Section 352.10(a)(3)(b), an 8 foot high, non-covered chain link fence is provided, and the use of outdoor vehicle storage requires screening with 75 percent or greater opacity of sufficient height to conceal the outdoor automobile storage from the ground floor level view on adjoining properties and from the street; and no accessory off street parking spaces are provided where one space per each three employees must be provided on a paved, graded and drained surface, according to the provisions of Section 349.04(g) and Section 349.07(a) of the Codified Ordinances.

**Calendar No. 07-181:**

**9809 Meech Avenue**

**Ward 2**

James Gills, owner, appeals to establish use for storage of automobiles and specifically not pending wrecking or dismantling, proposed to be situated on a 40' x 125' parcel in a Semi-Industry District on the north side of Meech Avenue at 9809 Meech Avenue; where an 8 foot high, non-covered chain link fence is provided, and the use of outdoor vehicle storage requires screening with 75 percent or greater opacity of sufficient height to conceal the outdoor automobile storage from the ground floor level view on adjoining properties and from the street, as stated in Section 352.10(a)(3)(b) of the Codified Ordinances. (Filed 8-29-07; testimony taken.)

**Second postponement granted for applicant to work with Union Miles Development Corporation on an agreeable plan regarding maintenance and use of the property.**

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**POSTPONED FROM DECEMBER 31, 2007**

**10:30**

**Calendar No. 07-253:**

**6411 Lexington Avenue**

**Ward 7**

**Fannie Lewis**

**7 Notices**

Stanley Manning, owner, appeals to erect a 49' x 32' two-story frame, single family residence with a 20' x 22' attached garage on a 92.50' x 150' parcel in a D-2 Multi-Family District on the north side of Lexington Avenue at 6411 Lexington Avenue; and no building permit shall be issued for the new construction of a residual building without approval of the City Planning Commission, as stated in the provisions of Section 337.25 of the Codified Ordinances. (Filed 11-29-07; no testimony taken.)

**First postponement requested by applicant due to conflict with scheduled travel.**

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**POSTPONED FROM JANUARY 28, 2008**

**10:30**

**Calendar No. 08-2:**

**2708 Jay Avenue**

**Ward 13**

**Joe Cimperman**

**8 Notices**

David Posteraro, owner, appeals to erect a one-story frame addition to an existing one family dwelling for a 22' x 20' two car garage and an 18' x 20' family room on an 85.92' x 55.38' corner lot, located in a B1 Two-Family District on the northeast corner of Jay Avenue and West 28<sup>th</sup> Street at 2708 Jay Avenue; the proposed addition contrary to Section 355.04, exceeding fifty percent of the lot size with 7,539 square feet proposed and 2,379 square feet allowed; a proposed rear yard depth of 5 feet 6 ¾" proposed contrary to 20 feet and Section 357.08(2)(b)(1); with side yards of 3 feet and 4 foot 8" provided where the aggregate width of side yards is 10 feet, as stated in Section 357.09(b)(2)(c) of the Codified Ordinances. (Filed 1-8-08; no testimony taken.)

**First postponement granted for applicant to present the proposed plan to the Cleveland Landmarks Commission.**

