

**BOARD OF ZONING APPEALS
OCTOBER 24, 2005**

9:30

Calendar No. 05-162:

2603 Scranton Road

Ward 14

**Nelson Cintron
20 Notices**

Eugene Staiger, owner, and Rebecca Riker, tenant, appeal to extend the use of a dog day care business to include a rear 30' portion of a 40' x 169' parcel, located in split zoning between Semi-Industry and Multi-Family Districts on the east side of Scranton Road at 2603 Scranton Road; the 30' extension of use is in residence district zoning and a dog care business is not permitted in a Multi-Family District as stated in Section 337.08 of the Codified Ordinances. (Filed 9-23-05)

9:30

Calendar No. 05-300:

18013 Cleveland Business Park

Ward 20

**Martin Sweeney
2 Notices**

Chelm Properties, owner, and Michael Bizjak, agent, appeal to install a 223 square foot, 20' tall development sign on an acreage parcel, located in a Semi-Industry District on the south side of Rocky River Drive at 18013 Cleveland Business Park Drive; as proposed, the sign exceeds the limitations of 96 square feet and a 12' height for a development sign in an industrial district, as stated in Section 350.15 of the Codified Ordinances. Filed 9-19-05)

9:30

Calendar No. 05-301:

19404 Chickasaw Avenue

Ward 11

**Michael Polensek
4 Notices**

Theodore Radisek, owner, appeals to install 80 linear feet of chain link fence with a gate in the actual front yard and side yard of a 56' x 100' parcel, located in a Two-Family District on the south side of Chickasaw Avenue at 19404 Chickasaw Avenue; the proposed chain link fence is contrary to the Fence Regulations where only an ornamental or decorative fence shall be installed in the actual front yard and side yard in a Residence District, according to Section 358.04(c)(1) of the Codified Ordinances. (Filed 9-23-05)

BOARD OF ZONING APPEALS

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9:30

Calendar No. 05-302:

1623 Allman Court

Ward 14

Nelson Cintron

20 Notices

Eugene Staiger, owner, and Rebecca Riker, tenant, appeal to use a 33' x 85' "L" shaped parcel located in a Multi-Family District at 1623 Allman Court, as accessory outside area for a dog day care business situated on an adjoining lot in a one-story brick building that fronts on Scranton Road; and the proposed use of property is contrary to Section 337.08 where it is not permitted in a Multi-Family District and the Board of Zoning Appeals approval is required for the substitution of a nonconforming use, as stated in Section 359.01 of the Codified Ordinances. (Filed 9-23-05)

9:30

Calendar No. 05-303:

6501-09 Lorain Avenue

Ward 17

Matthew Zone

7 Notices

Carlo Gutierrez, owner, appeals to change the use from a store to a day care in the first floor of an existing two-story mixed use building, situated on a 206' x 165' corner lot in a Local Retail Business District on the southwest corner of Lorain Avenue and West 65th Street at 6501-09 Lorain Avenue; subject to the Board of Zoning Appeals approval, the day care use is regulated as in the least restricted Residence District adjacent to the Local Retail District and the lot is adjacent to a Two-Family District; and contrary to Sections 349.04 (c) and (g), 7 off-street parking spaces are required and those proposed not being permitted for the purpose of traffic safety and vehicles backing out onto West 65th Street; with a 36' driveway width proposed where the maximum width of a driveway is 30' according to Section 349.06(c)(3); and contrary to the Fence Regulations, a 6' high fence is proposed along West 65th Street where a fence in the actual side street yard in a non-residential district may not exceed 4' in height, as stated in Section 358.05(a)(2) of the codified Ordinances. (Filed 9-28-05)

BOARD OF ZONING APPEALS

OCTOBER 24, 2005

POSTPONED FROM SEPTEMBER 6, 2005

10:30

Calendar No. 05-208:

2906 Fulton Road

Ward 14

Nelson Cintron

22 Notices

Luis Burgos and Caribe Development Company LLC, owner, appeal to erect a 5,200 s/f one-story bakery and restaurant and a 23 space parking lot , proposed to be situated on a 177' x 200' corner lot located in split zoning for Local Retail Business and Two-Family Districts on the southwest corner of Fulton Road and Seymour Avenue at 2906 Fulton Road; contrary to Section 337.03, the bakery, restaurant and accessory parking lot are not permitted in the residential district but are first permitted in a Local Retail Business District; and driveways providing access to the proposed parking are 8' from the adjoining property lines instead of 15', as stated in Section 349.07(c)(2) of the Codified Ordinances. (Filed 6-14-05; no testimony taken.)

Second postponement requested by Clark Metro Development Corporation for additional time to review the proposed project with the neighboring community.

POSTPONED FROM SEPTEMBER 26, 2005

9:30

Calendar No. 05-222:

13014-18 Lorain Avenue

Ward 19

Dona Brady

14 Notices

D. Romano LLC, owner, and Megan Roberts, agent, appeal to expand the use of an existing Body Piercing and Tattoo Shop, previously granted a variance by the Board on May 12, 2003 in Calendar No. 03-87, to add a use for tattooing in an existing legal, nonconforming body piercing shop, with conditions for specific business hours of operation from 12:00 PM to 8:00 PM, Monday through Saturday, and from 11:00 AM to 5:00 PM on Sunday, for the combined uses in a 950 s/f shop area of a two-story building, situated on a 20' x 100' lot in a General Retail Business District on the north side of Lorain Avenue at 13014 Lorain Avenue; appellant now appeals to expand the existing use and requires a special permit to be issued by the Board of Zoning Appeals, as stated in Section 359.01(a) of the Codified Ordinances. (Rehearing Granted 9-6-05)
