

**BOARD OF ZONING APPEALS**  
**MAY 21, 2007**

**9:30**

**Calendar No. 07-48:**

**3420 East 93<sup>rd</sup> Street**

**Ward 5**

**Phyllis Cleveland**  
**32 Notices**

3420 East 93<sup>rd</sup> Street Company, owner, and David Tryon, agent, appeal to construct a 60 unit apartment building, proposed to be situated on an irregular shaped acreage parcel located between East 93<sup>rd</sup> Street and East 88<sup>th</sup> Street in split zoning between a General Retail District and a Two-Family District at 3420 East 93<sup>rd</sup> Street; the proposed multiple dwelling unit building being subject to the limitations of Section 337.03 and not permitted in a Two-Family District but first permitted in a Multi-Family District as stated in Section 337.08 of the Codified Ordinances. (Filed 4-9-07)

**9:30**

**Calendar No. 07-58:**

**3902 Lee Road**

**Ward 1**

**Nina Turner**  
**17 Notices**

John Barnes, Jr., owner, appeals to erect a 2<sup>nd</sup> and 3<sup>rd</sup> floors addition to an existing one-story building, situated on a 38' x 125.59' parcel located in a Local Retail Business District on the west side of Lee Road at 3902 Lee Road; subject to Section 357.07(a) there is a 10' specific setback required from Lee Road; and the expansion of an existing nonconforming use requires the Board of Zoning Appeals approval, according to the provisions of Section 359.01 of the Codified Ordinances. (Filed 4-25-07)

**9:30**

**Calendar No. 07-59:**

**1954 East 124<sup>th</sup> Street**

**Ward 6**

**Patricia Britt**  
**7 Notices**

Alan Swick, owner, appeals to erect a 16' x 22' two-story frame room addition to an existing single family residence, situated on a 35' x 100' parcel located in a C1 Multi-Family District on the west side of East 124<sup>th</sup> Place at 1954 East 124<sup>th</sup> Place; contrary to Section 359.09, a distance of 4'6" is provided where no building shall be erected less than 10' from a main building on an adjoining lot; and a 120' area of interior side yard is provided where 672' is required for a Multi-Family District, calculated by multiplying one-half the building height by the building length, according to the provisions of Section 357.09(2)C, and the expansion of a nonconforming building requires Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 4-25-07)

**9:30**

**Calendar No. 07-60:**

**5918 Hawthorne Avenue**

**Ward 5**

**Phyllis Cleveland**  
**6 Notices**

Monique Williams, owner, appeals to change use of a 2 ½-story frame dwelling to a use for a child boarding home, situated on a 45' x 150' parcel, located in a Multi-Family District on the south side of Hawthorne Avenue at 5918 Hawthorne Avenue; as proposed the use is adjacent to a residence district and is required to be 15' from an adjoining residence district not used for a similar purpose; no legal parking spaces are shown on the plan and four spaces are required, one per each six beds and one per each staff member, according to Section 349.04(c) of the Codified Ordinances. (Filed 4-26-07)

**BOARD OF ZONING APPEALS  
MAY 21, 2007**

**POSTPONED FROM APRIL 16, 2007**

**10:30  
Calendar No. 07-18:**

**Violation Notice  
8200 Aetna Road**

**Ward 2  
Robert White**

Robert Modic, property owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Codified Ordinances from a Notice of Violation, issued by the Building and Housing Department for failure to comply with the provisions of Section 676.13 and the requirements for screening of the property located at 8200 Aetna Road according to the Codified Ordinances. (Filed 2-6-07; no testimony taken.)

**Second postponement granted at the request of appellant's attorney due to a scheduling conflict.**

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**POSTPONED FROM APRIL 2, 2007**

**10:30  
Calendar No. 07-30:**

**Violation Notices  
3968 Pearl Road / 3990 Pearl Road  
3979 Pearl Road**

**Ward 15  
Brian Cummins**

Brookside Auto Parts, Inc. and Michael Blake appeal under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from Notices of Violation issued by the Department of Building and Housing for failure to comply with the Zoning Regulations of Section 327.02(c) and Section 349.05 of the Codified Ordinances. (Filed 3-2-07; no testimony taken.)

**First postponement granted at the request of appellants' attorney to allow time for compliance efforts to be undertaken and possibly work out a resolution of the issues between the appellant(s) and the City.**

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