

**BOARD OF ZONING APPEALS
FEBRUARY 13, 2006
CITY RECORD**

9:30

Calendar No. 06-5:

1031 Superior Avenue

Ward 13

The Catholic Diocese of Cleveland, owner, and William Hudson, agent, appeal to demolish an existing 10-story structure and establish in its place a parking lot for 106 spaces, proposed to be situated on an acreage parcel between Superior Avenue and Rockwell Avenue in a Semi-Industry District at 1031 Superior Avenue; where the proposed project is located within a designated downtown area district, and Section 349.14(d) requires City Planning Commission approval where the establishment of a surface parking lot is prohibited by the Regulations of Section 349.14, although the Board of Zoning Appeals may grant a variance, but only if it determines that denial of the variance would deprive the property owner of all reasonable economic use of the subject property, as stated in Section 349.14(g) of the of the Codified Ordinances.

9:30

Calendar No. 06-9:

1611 West 117th Street

Ward 18

Don Ponyicky, owner, appeals to construct a surface parking lot on a 90' x 150' parcel located in a General Retail Business District on the east side of West 117th Street at 1611 West 117th Street; where the proposed parking lot is nonconforming to Section 343.18(c) where a driveway providing access to a property must be located so that not less than a 15' distance is 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, with a maximum width of a driveway not exceeding 30' as stated in Section 343.18(d) of the Codified Ordinances.

9:30

Calendar No. 06-10:

1373 East 51st Street

Ward 13

Jordan Brenner, owner, and Ohio Technical College, appeal to construct a surface parking lot on a 99' x 125' parcel located in a Two-Family District on the east side of East 51st Street at 1373 East 51st Street; the proposed parking lot being subject to the provisions of Section 349.13(c), where the Board of Zoning Appeals, if in its opinion the best interests of the community will be served, may permit temporarily or permanently the use of land in a residential district for a parking lot, if the land abuts or is across the street from a district other than a Residence District, but provided that (1) the lot is used only for parking passenger automobiles of employees, customers or guests of the person or firm responsible for operating and maintaining the lot; (2) no charge is to be made for parking on the lot; (3) the lot is not to be used for sales, repair work or servicing of any kind; (4) entrance to and exit from the lot are to be located so as to do the least harm to the Residence District; (5) no advertising sign or material is to be located on the lot; (6) all parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board; (7) the parking lot and portion of the driveway back of the building line are to be adequately screened from the street and adjoining residential district property by a hedge, sightly fence or wall, not less than 4' but not more than 5' high, and located back of the setback building line; with all lighting arranged so that no glare annoys occupants of adjoining property in a Residence District; and the parking lot surface must be smoothly graded, hard surfaced and adequately drained; and (8) and whatever conditions the Board may impose as necessary in any specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District where the parking lot is to be located; with the requirement under Section 349.05(a) that no parking space be located within 10' of any wall of a residential building or structure if such wall contains a ground floor opening to provide light or ventilation; and Section 325.03 requires that the parking spaces be at least 180 square feet; with required landscaping strips in a 6' width along East 51st Street and a 4' width between the proposed parking lot and all adjoining lots in the Residence District as stated in Section 352.11; and subject to the limitations of Section 357.04(a), the parking of motor vehicles in the 15' front yard setback is prohibited; and contrary to the Fence Regulations, a 6' tall fence is proposed in the front yard setback where an ornamental fence shall not exceed a 4' height, as stated in Section 358.04(a) of the Codified Ordinances.

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Calendar No. 06-11:

1374 East 51st Street

Ward 13

Ohio Diesel Technical Institute and Marc Brenner, owner, appeal to install approximately 350 linear feet of 8' tall ornamental fence on a corner parcel located in a Semi-Industry District on the southeast corner of East 51st Street and St. Clair Avenue; the proposed fence height being contrary to the Fence Regulations, where fences in actual front and side street yards shall not exceed a 4' height, as stated in Section 358.05(a)(2) of the Codified Ordinances.

9:30

Calendar No. 06-16:

17603 Fairville Avenue

Ward 20

The Cuyahoga Metropolitan Housing Authority, owner, appeals to construct 90 new dwelling units in 20 separate multi-unit buildings, situated on acreage located in a Two-Family District on the east side of Rocky River Drive between Fairville Avenue and Brysdale Avenue, identified as the Riverside Park Estates at 17603 Fairville Avenue; the proposed new multiple unit buildings being subject to the limitations of Section 359.01(a) that require the Board of Zoning Appeals approval for the enlargement or expansion of existing nonconforming buildings and uses, as stated in Chapter 359 of the Cleveland Codified Ordinances.