

**BOARD OF ZONING APPEALS
JANUARY 31, 2005**

9:30

Calendar No. 04-300:

3666 West 139th Street

Ward 20

Martin Sweeney

4 Notices

Judith Muldoon, owner, appeals to install approximately 105 l/f of 6' high wooden fence on a 1 ½' retaining wall for a total fence height of 7 ½' at the north side of an existing one family dwelling situated on a 40' x 140' lot in an A1 One-Family District on the west side of West 139th Street at 3666 West 139th Street; subject to the Fence Regulations for a Residential District, Section 358.04(a) allows a maximum height of 6' for a fence in the actual side yard and as proposed, the fence with the retaining wall, is a 6' height when measured from the side facing the applicant's property and is a 7 ½' height when measured from the side facing the neighbor's property. (Filed 1-10-05)

9:30

Calendar No. 04-330:

**Appeal of
North Coast Payphones
ClevePhones, Inc.**

North Coast Payphones/ClevePhones, Inc. c/o Howard Meister, president, appeals under Section 76-6 of the Charter of the City of Cleveland from an order to remove outdoor payphones from thirteen (13) sites, identified by the Commissioner of Assessments and Licenses on December 14, 2004, under the authority of Section 670B.06, where the appellant is ordered to remove the payphones that have been declared a nuisance by the Director of Public Safety. (Filed 12-27-04)

9:30

Calendar No. 04-335:

3855 East 147th Street

Ward 3

Zachary Reed

3 Notices

Cleveland Housing Network c/o Paul Kapczuk, owner, appeals to erect a 26' x 14' one-story, frame room addition to the rear of an existing one-story single family dwelling, situated on a 40' x 195' lot, located in an A1 One-Family District on the east side of East 147th Street at 3855 East 147th Street; the interior side yards of 1'6" being contrary to the 3' requirement and Section 359.01(A) requires the Board of Zoning Appeals approval for the expansion of an existing nonconformance. (Filed 12-28-04)

9:30

Ward 9

**Calendar No. 04-337: 11601 Wade Park Avenue Kevin Conwell
7 Notices**

Rysar Properties, owner c/o Tim Goldstein, appeal to construct a 27' x 59' two-story residential structure and parking spaces to be used for student and visitor boarding, offices and meetings of the Case Western Reserve University Engineering Alumni Association, situated on a 45' x 190' lot situated in split zoning for A1 One Family and B1 Two-Family Districts on the north side of Wade Park Avenue at 11601 Wade Park Avenue; subject to Section 337.02(f), the proposed uses by a non-profit organization require the Board of Zoning Appeals approval to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and if such building and uses are appropriately located and designed and meet a community need without adversely affecting the neighborhood; and either an opaque wall or fence that is a minimum height of 3' or a densely planted, 4' wide landscape strip that provides a year round screen is required where five or more accessory off-street parking spaces adjoin residential property, as stated in Section 349.08 of the Codified Ordinances.
(Filed 12-29-04)

**9:30 Ward 21
Calendar No. 05-1: 18101 Lorain Avenue Michael Dolan
2 Notices**

Fairview Hospital, owner c/o Paul Slebodnik, appeals to erect an addition to an existing surgery center building, situated on acreage located in a Local Retail Business District on the south side of Lorain Avenue at 18101 Lorain Avenue; contrary to Section 357.04(a), the proposed addition is setback 8.2' and the stairwell is setback approximately 10.5' where there is a 15' specific building line front yard setback along Lorain Avenue and no portion of a building nor structure shall be erected above grade level within that front yard setback. (Filed 1-5-05)

POSTPONED FROM JANUARY 18, 2005

**10:30 Ward 13
Calendar No. 04-325: 525 Literary Road Joe Cimperman
7 Notices**

Sutton Builders, owner, appeal to erect a 20' x 38' three-story frame, two family dwelling and accessory garage on a 25' x 116' lot in a Multi-Family District on the south side of Literary Road at 525 Literary Road; contrary to Section 357.04(A) a front yard depth of 10' is provided and 17.4' is required; and subject to the limitations of Sections 337.23(a) and 357.09(2)A, the accessory garage is an 8' distance instead of 10' from a main building on the adjoining lot and the proposed dwelling is likewise less than a 10' distance; and contrary to Sections 357.09(2)B, an interior side yard of 1.5' is provided and 3' is required and a 1.81' width is provided, where a corner lot shall not have less than a 5' width, and the total width of side yards equals 3.31' instead of the 10' requirement; and contrary to Section 355.05, a lot size of 2,900 s/f is provided where 6,000 s/f is required and the maximum gross floor area of 1,500 s/f is provided where

3,000 s/f is required and a 40' height is provided where the district allows 35' as stated, in Section 353.01 of the Codified Ordinances. (Filed 12-20-04)

10:30

Calendar No. 04-326:

619 Literary Road

Ward 13

Joe Cimperman

7 Notices

Sutton Builders, owner, appeal to erect a 20' x 38' three-story frame, two family dwelling and accessory garage on a 25' x 116' lot in a Multi-Family District on the south side of Literary Road at 619 Literary Road; contrary to Section 357.04(A) a front yard depth of 10' is provided and 17.4' is required; and subject to the limitations of Sections 357.09(2)A and 357.09(2)B, no building shall be erected less than 10' from a main building on an adjoining lot; and an interior side yard of 1.5' is provided where 3' is required and there is a 1.81' side yard width where a corner lot shall not have less than a 5' width, and the total width of side yards equals 3.31' instead of the 10' requirement; and contrary to Section 355.05, a lot size of 2,900 s/f is provided where 6,000 s/f is required and the maximum gross floor area of 1,500 s/f is provided where 3,000 s/f is required and the 40' height provided is contrary to the 35' that is allowed according to Section 353.01 of the Codified Ordinances. (Filed 12-20-04)

First postponement requested by the Councilman for a community meeting and additional review of the proposed plans.
