

BOARD OF ZONING APPEALS
JANUARY 29, 2007

9:30

Calendar No. 06-264:

2266 West 41st Place

Ward 14

Joseph Santiago

8 Notices

North Acres, owner and Stanley Roediger, appeal to erect a 20' x 41.8' three-story, frame single family dwelling with an attached garage, proposed to be situated on a 33.4' x 87.10' irregular shaped parcel, located in a B1 Two-Family District on the east side of West 41st Place at 2266 West 41st Place; contrary to Section 355.04(b), the maximum gross floor area equals 2,508 square feet and it may not exceed one half of the lot area, or 1,526 square feet; and a minimum lot width of 33.4' is provided where 40' is required, and the minimum lot area is 3,053 square feet where 4,800 square feet is required, as stated in Section 355.04 of the Codified Ordinances. (Filed 12-21-06)

9:30

Calendar No. 06-265:

3360 East 79th Street

Ward 5

Phyllis Cleveland

9 Notices

Jack Levine and Son, Inc. and Myron Levine, owner, appeal to change use from a junk yard, as classified in the Zoning Code Sections 345.04(a)(1)(C)(3), to dismantling of motor vehicles, and storage of motor vehicles pending wreckage or dismantling, and processing of scrap metals on a 55' x 325' irregular shaped corner lot, located in a General Industry District on the northwest corner of East 79th Street and Bessemer Avenue at 3360 East 79th Street; contrary to Sections 345.04(a)(1)(C)(4), the lot space is less than 50,000 square feet and no fence or wall is shown where a 7' high opaque fence or wall is required to enclose the lot; and parking within the specific 10' setback on East 79th Street is not a permitted encroachment, as stated in Section 357.13 of the Codified Ordinances. (Filed 1-29-06)

9:30

Calendar No. 07-2:

17119 Lorain Avenue

Ward 21

Michael Dolan

8 Notices

Pat Campbell, owner, appeals to change use from a store to a restaurant in the first floor space of an existing masonry building, situated on a 30' x 150' parcel, located in a Local Retail Business District on the south side of Lorain Avenue at 17119 Lorain Avenue; with a credit of 10 off-street parking spaces being applied, the proposed use does not meet the accessory off-street parking requirement, determined at the rate of either one space for each 100 square feet of floor area devoted to patron use or one space for each 4 seats, based upon the maximum seating capacity, whichever is greater, plus one parking space per employee, or an additional 20 off-street parking spaces that are required according, to Section 349.04 of the Codified Ordinances. (Filed 1-5-07)

**BOARD OF ZONING APPEALS
JANUARY 29, 2007**

9:30

Calendar No. 07-4:

3812 West 150th Street

Ward 21

Michael Dolan

10 Notices

Raymond Torok, owner, and Chandra Venkataraman, prospective purchaser, appeal to change from a machine shop to a daily care of dogs, a kennel, in an existing one-story building situated on a 100' x 232.5' lot, located in a Residence Office District on the west side of West 150th Street at 3812 West 150th Street; the proposed use being contrary to Section 337.10 and not permitted in a Residence Office District but being first permitted in a General Retail Business District; and the substitution of a nonconforming use requires the Board of Zoning Appeals approval to determine after public hearing that such substitution is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in type or number of persons to occupy or be attracted to the premises, or in any other characteristic of the new use as compared with the previous one, as stated in Section 359.01 of the Codified Ordinances. (Filed 1-8-07)

POSTPONED FROM JANUARY 2, 2007

10:30

Calendar No. 06-210:

1440 East 41st Street

Ward 13

Joe Cimperman

8 Notices

Anthony Hope, owner, appeals to change the use of an existing one-story building from a factory to an auto repair shop, situated on a 48' x 50' parcel located in a General Retail Business District on the west side of East 41st Street at 1440 East 41st Street; subject to the limitations of Section 343.11 the proposed use is not permitted and is first permitted in a Semi-Industry District, provided that it is a distance of one hundred feet from a residential district; and the substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 10-4-06; no testimony taken.)

First postponement requested by the Councilman in the absence of the appellant.

**BOARD OF ZONING APPEALS
JANUARY 29, 2007**

POSTPONED FROM DECEMBER 11, 2006

10:30

Calendar No. 06-214:

2133 Murray Hill Road

Ward 6

Patricia Britt

8 Notices

Nella Gallito, owner, appeals to construct a 575 foot addition to an existing nonconforming beauty salon, situated on an irregular shaped parcel located in a Multi-Family District on the east side of Murray Hill Road at 2133 Murray Hill Road; contrary to Section 357.04, the building addition as proposed encroaches into the residential front yard, where there is a set back requirement from the street line that is a distance equal to fifteen percent of the lot depth; and the expansion of a nonconforming use in the residential district requires the Board of Zoning Appeals approval, according to Section 359.01 of the Codified Ordinances. (Filed 10-6-06; no testimony taken.)

Second postponement requested by Little Italy Redevelopment Corporation for additional review of the project.

POSTPONED FROM DECEMBER 18, 2006

9:30

Calendar No. 06-249:

2925 East 55th Street

Notice of Violation

Ward 12

Anthony Brancatelli

Joseph Immormino d.b.a. JBI Scrap Processor, Inc., 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 the property located at 2925 East 55th Street and failure to comply with the provisions of Sections 327.02(C) and 347.06 of the Codified Ordinances. (Filed 12-5-06; no testimony taken.)

First postponement granted at request of appellant's counsel to allow for additional research.
