

**BOARD OF ZONING APPEALS
JANUARY 17, 2006**

9:30

Calendar No. 05-382: 11601 Shaker Boulevard

**Ward 6
Patricia Britt
10 Notices**

Patrick Shaker Properties LLC, owner, and Michael Downing, agent, appeal to change the use of a former service station site to a use for an office to be situated on a 223' x 146' corner lot in a Local Retail Business District on the northeast corner of Shaker Boulevard and East 116th Street at 11601 Shaker Boulevard; the proposed use being subject to the limitations of Section 343.01(b)(3) for a Local Retail District, where it may not exceed five persons at any one time, and contrary to Section 357.07(a) a 20' setback is proposed along Shaker Boulevard where a specific setback of 21' is required; and Section 352.09 requires an 8' wide transition strip for separation from a Two-Family District at the rear north side of the lot; and a 6' tall fence is proposed, contrary to the maximum height of 4' for a fence in an actual front yard of a non-residential district, as stated in Section 358.05 of the Codified Ordinances. (Filed 12-15-05)

9:30

Calendar No. 05-383: 3601 Clinton Avenue

**Ward 13
Joe Cimperman
13 Notices**

Domestic Violence Center, owner, and Kathy Alexander appeal to construct a 745 square foot addition to an existing, legal nonconforming boarding house, situated on a 66' x 185' parcel in a Two-Family District on the south side of Clinton Avenue at 3601 Clinton Avenue; as proposed, the off-street parking provisions are contrary to Section 349.04(f), being located in the setback area, blocking access for dumpster pick up and conflicting with Section 339.02(a), where accessory parking is not permitted within 10' of a building; and instead of 28' a front yard depth of 25' is proposed contrary to Section 357.04(a); and the proposed expansion requires the Board of Zoning Appeals approval according to Section 359.01 of the Codified Ordinances. (Filed 12-15-05)

9:30

Calendar No. 05-384 12115 Euclid Avenue

**Ward 9
Kevin Conwell
3 Notices**

Rapid Stop Properties LLC, owner, and Ibrahim Najjar appeal to construct a 30' x 34' one-story retail store and two service station fuel pumps on an irregular shaped lot located in a Semi-Industry District on the north side of Euclid Avenue at 12115 Euclid Avenue; with the pump islands proposed at 13' from the property line and the canopy at a 2' distance, instead of the required 20' from the property line adjacent to the public right-of-way, as stated in Section 343.15(b)(2) of the Codified Ordinances. (Filed 12-15-05)

9:30

Calendar No. 05-385: 443 East 114th Street

**Ward 9
Kevin Conwell
6 Notices**

Tiffany Fulton, owner, and Mekhai Jackson, tenant, appeal to establish use as a Type A Day Care in an existing, two-story single family dwelling, situated on a 35' x 100' parcel in an A1 One-Family District on the east side of East 114th Street at 443 East 114th Street; the proposed Type A Day Care abuts a One-Family District and is subject to the limitations of Section 337.02(f)(3)(C), that require the Board of Zoning Appeals approval, if it is located less than 30' from an adjoining premises in a residential district not used for a similar purpose, to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely affecting the neighborhood. Filed 12-16-05)

**BOARD OF ZONING APPEALS
JANUARY 17, 2006**

POSTPONED FROM DECEMBER 5, 2005

10:30

Calendar No. 05-303:

6501-09 Lorain Avenue

Ward 7

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; testimony taken.)

Second postponement granted for additional plan review and more time to consult with the Law Department for a final determination on the proposed parking arrangement and the Zone Recreation Center.
