

**BOARD OF ZONING APPEALS  
NOVEMBER 1, 2004**

**9:30**

**Calendar No. 04-231:           16502 Chatfield Avenue**

**Ward 21  
Michael Dolan  
5 Notices**

Nandy and Meethradeo Budhar, owners, appeal to install approximately 45' of 58" high solid wooden fence along the northeast side street yard of a 55' x 141' corner lot located in a B1 Two-Family District on northeast corner of Chatfield Avenue and West 165<sup>th</sup> Street at 16502 Chatfield Avenue; the height and location of the fence are contrary to Section 358.03(a) of the Fence Regulations, where it is required that no portion of a fence located within 30' of the intersection of two street right-of-way lines shall exceed 2 ½' in height, unless all portions of the fence above the 2 ½' height are at least 75% open; and the same restrictions apply to any portion of a fence located along and parallel to a driveway within 15' of its intersection with a public sidewalk; and fences in the actual side street yards shall not exceed 4' in height and be at least 50% open as stated in Section 358.03(a) of the Codified Ordinances. (Filed 9-20-04)

---

**9:30**

**Calendar No. 04-233:           5718 Bridge Avenue**

**Ward 17  
Matt Zone  
11 Notices**

Norma Rodriguez, owner, appeals to expand the use of a two-story brick, mixed use building by adding a carryout restaurant to an existing store and one dwelling unit; all situated on a 36' x 84' lot in a Two-Family District on the north side of Bridge Avenue at 5718 Bridge Avenue; subject to the limitations of Section 337.03, a carryout restaurant is not permitted in a Two-Family District but first permitted in a Local Retail Business District under Section 343.01; and the expansion of the existing nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 9-22-04)

---

**9:30**

**Calendar No. 04-235:           5360 Brookpark Road**

**Ward 16  
Michael O'Malley  
7 Notices**

Sun Properties, owner c/o William Samstag, agent, appeal to change from a warehouse to a bingo hall, the use of an existing 100' x 100' one-story masonry building, situated on an acreage parcel that is located in split zoning for Semi-Industry and General Industry Districts on the north side of Brookpark Road at 5360 Brookpark Road; contrary to the provisions for required spacing as described in Specific Uses Regulated, the proposed change will be the fifth separate bingo/amusement use on the same parcel; and no amusement use may be established within 500' of another such use as stated in Section 347.12(a)(2) of the Codified Ordinances. (Filed 9-22-04)

---

**BOARD OF ZONING APPEALS  
NOVEMBER 1, 2004**

**9:30**

**Calendar No. 04-237:**

**2926 Chester Avenue**

**Ward 13**

**Joe Cimperman**

**4 Notices**

Albert M. Higley Company c/o Bruce Higley, owner, appeal to expand the lobby area of an existing one-story, masonry office building, situated on a corner acreage parcel in a General Retail Business District, at the southwest corner of Chester Avenue and East 30<sup>th</sup> Street at 2926 Chester Avenue; contrary to the Regulations for Yards and Courts, the proposed expansion that extends beyond the established 10' setback is not a permitted encroachment as stated in Section 357.13 of the Codified Ordinances.

(Filed 9-23-04)

---

**9:30**

**Calendar No. 04-238:**

**7243 Kinsman Road**

**Ward 5**

**Frank Jackson**

**4 Notices**

St. Teresa Holiness Science Church c/o Reverend Hatcher, appeals to construct a 102' x 103' one-story and lower level, 14,057 s/f church building and parking lot on an acreage parcel, located in split zoning for a Multi-Family and General Retail Business Districts on the northeast corner of Kinsman Road and East 75<sup>th</sup> Street at 7243 Kinsman Road; subject to the limitations of Section 337.03 and by reference from Section 337.02 for a One-Family District, the proposed church in a Two-Family District is required to be 15' from any adjoining premises in a Residence District not used for a similar purpose and as proposed, the church abuts a Two-Family District on the north side and a Multi-Family District on the west side; and contrary to Section 349.04(e), 40 parking spaces are proposed and 50 off-street parking spaces are required; and contrary to the Fence Regulations, a 5' high chain link fence is proposed; and only an ornamental fence, that is a maximum height of 4' and is 50% open, is permitted in the front yard, as stated in Section 358.04 of the Codified Ordinances. (Filed 9-23-04)

---

**9:30**

**Calendar No. 04-240:**

**12775 Berea Road**

**Ward 19**

**Dona Brady**

**3 Notices**

Grand C. Corporation dba AC Supply c/o Ron Wire, owner, appeals to install an approximate 33 s/f, additional ID cabinet sign to an existing sign pole where there is an existing 72 s/f sign, situated on the Berea Road frontage of an acreage parcel in a General Industry District on the south side of Berea Road at 12775 Berea Road; contrary to the Sign Regulations, the existing and additional signage as proposed, are an approximate total of 108 s/f; and free-standing ID signage in an Industrial District may not exceed 75 s/f as stated in Section 350.15 of the Codified Ordinances.

(Filed 9-24-04)

---

**BOARD OF ZONING APPEALS  
NOVEMBER 1, 2004**

**POSTPONED FROM OCTOBER 4, 2004**

<b>10:30</b>	<b>Appeal of Hikmat Dakdok</b>	<b>Ward 15</b>
<b>Calendar No. 04-210:</b>	<b>2118 Broadview Road</b>	<b>Merle Gordon</b>

Hikmat Dakdok appeals under Section 505.12(d) from an order issued by the Director of Public Service on August 18, 2004 to meet the requirements of the Sidewalk Citation #14-04-C dated March 31, 2004 for failure to comply in accordance with the order of the Board of Sidewalk Appeals dated May 13, 2004 and to respond to the request that appellant submit a corrected plan for the plan that was rejected by the Division of Traffic Engineering and returned to him on August 9, 2004. (Filed 8-30-04 testimony taken.)

**First postponement granted for appellant to consult with the Bureau of Sidewalks and the Division of Traffic Engineering to resolve the issues regarding a proposed plan for parking.**

---

<b>10:30</b>	<b>Appeal of</b>	
<b>Calendar No. 04-214:</b>	<b>Lakewood Hospital Assoc.</b>	<b>Ward 19</b>
	<b>12409 Lorain Avenue</b>	<b>Dona Brady</b>

Lakewood Hospital Association c/o David Cross, agent, appeals under authority of Section 329.02(d) from a Notice of Violation issued by the Department of Building and Housing for failure to provide that accessory off-street parking spaces and maneuvering areas are properly graded for drainage so that all water is drained within the lot providing such parking spaces and that it is required to be surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material as stated in Section 349.07(a) of the Codified Ordinances. (Filed 9-3-04; no testimony taken.)

**First postponement granted at the request of appellants' counsel for additional review of the site conditions involved with the Notice of Violation.**

---