

**BOARD OF ZONING APPEALS**

**JUNE 20, 2005**

**9:30**

**Calendar No. 05-128: 10928 Notre Dame Avenue**

**Ward 6  
Patricia Britt  
5 Notices**

Walter Whitehead, owner, appeals to erect a 35'-8" x 25' garage and room addition to an existing two family dwelling house, situated on an approximate 71' x 104' lot on the south side of Notre Dame Avenue at 10926-28 Notre Dame Avenue; contrary to Section 357.08(b)(1), the proposed structure provides for a 3' rear yard and 20' is required and the total measurement of both side yards equals 6' instead of the 10' requirement according to Section 357.09(2)B of the Codified Ordinances. (Filed 5-2-05)

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**9:30**

**Calendar No. 05-129: 1401 Larchmont Road**

**Ward 11  
Michael Polensek  
30 Notices**

The Cleveland Municipal School District, owner, and Paul Flesher, agent, appeal to erect a 48,501 s/f, two-story, public elementary school facility proposed to be situated on acreage located between Larchmont Road and Clearaire Road in an A1 One-Family District on the east side of Larchmont Road at 1401 Larchmont Road; subject to Section 337.02()(3)A, a school located less than 30' from an adjoining residential premises in a Residence District requires the Board of Zoning Appeals approval; and there are 43 accessory off-street parking spaces provided, contrary to Section 349.04(c) that requires off-street parking at the rate of one space for every two teachers or staff members, in addition to the required parking for the gymnasium, calculated to be 63 spaces according to Section 349.04(e) of the Codified Ordinances. (Filed 5-2-05)

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**9:30**

**Calendar No. 05-130 989 Nathaniel Road**

**Ward 11  
Michael Polensek  
6 Notices**

Bill Kilroy, owner, appeals to erect a 30' x 37' two-story frame, single family dwelling and attached garage, to be situated on a 38' x 105' lot in a B1 Two-Family District on north side of Nathaniel Road at 989 Nathaniel Road; subject to the limitations of Section 357.09(b)(1), an 8' width is provided and no building shall be erected less than 10' from a main building on an adjoining lot; and the aggregate width of side yards proposed equals 8' instead of the 10' requirement according to Section 357.09(2)(B) of the Codified Ordinances. (Filed 5-3-05)

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**BOARD OF ZONING APPEALS  
JUNE 20, 2005**

**9:30**

**Calendar No. 05-132:      12509 Larchmere Boulevard  
Unit No. 7**

**Ward 6  
Patricia Britt  
15 Notices**

Tim Perotti, owner, appeals to construct a 14 unit townhouse project with Unit No. 7 having a 744 s/f floor area and proposed to be situated on a 744 s/f lot at the north end of a 155' x 100' parcel in a Local Retail Business District, where the lot abuts a Two-Family District; subject to Section 343.01(b)(1) and contrary to the provisions of Section 337.031(g) for an RA-3 District, a 3' rear yard is provided and a 20' depth is required.

**9:30**

**Calendar No. 05-134:      12509 Larchmere Boulevard  
Unit No. 14**

**Ward 6**

Tim Perotti, owner, appeals to construct a 14 unit townhouse project with Unit No. 14 having a 744 s/f floor area and proposed to be situated on a 744 s/f lot at the north end of a 155' x 100' parcel in a Local Retail Business District, where the lot abuts a Two-Family District; subject to Section 343.01(b)(1) and contrary to the provisions of Section 337.031(g) for an A-3 District, a 3' rear yard is provided and a 20' depth is required.  
(Filed 5-3-05)

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**9:30**

**Calendar No. 05-135:      1327 West 59<sup>th</sup> Street**

**Ward 17  
Matthew Zone  
5 Notices**

Mark Anglewicz, owner, appeals to build a 12' x 30' exterior dormer to an existing 1 ½-story frame dwelling, situated on a 32' x 105' lot in a B1 Two-Family District on the east side of West 59<sup>th</sup> Street at 1327 West 59<sup>th</sup> Street; subject to the provisions of Section 359.01, the Board of Zoning Appeals approval is required for the existing nonconforming interior side yards that equal 9.4' instead of the required 10' and a nonconforming distance of 4' and 9.4' from the neighboring adjacent lots instead of the required 10' distance. (Filed 5-4-05)

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**9:30**

**Calendar No. 05-136:      11106 Greenwich Avenue**

**Ward 2  
Robert White  
3 Notices**

Felicia Anderson, owner, appeals to enclose an existing 8' x 24' front porch of a two-family dwelling, situated on a 40' x 126' lot in a B1 Two-Family District on the south side of Greenwich Avenue at 11106 Greenwich Avenue; as proposed the porch projection is 8' and an enclosed porch may not project beyond 4' nor aggregate a vertical area in any story more than twenty percent of the façade in that story as stated in Section 357.13 of the Codified Ordinances. (Filed 5-4-05)

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**BOARD OF ZONING APPEALS  
JUNE 20, 2005**

**9:30**

**Calendar No. 05-137:**

**1907 West 47<sup>th</sup> Street**

**Ward 14**

**Nelson Cintron**

**10 Notices**

Denison Homes and Michael DeCesare, owner, appeal to erect a 40' x 31' two and a half story, single family townhouse, proposed to be situated on a 44' x 44' lot in a B1 Two-Family District on the east side of West 47<sup>th</sup> Street at 1907 West 47<sup>th</sup> Street; contrary to Section 357.09(2)B, no interior side yard is provided where not less than 3' is required and the total of both side yards may not be less than 10' with a 5' rear yard depth instead of 20' contrary to Section 357.08(b)(1); and subject to the lot restrictions of Section 355.04, a minimum lot area of 1,948 s/f is provided and 4,800 s/f is required; with a maximum gross floor area of 1,828 s/f provided in excess of one-half the lot area or 974 s/f; and an open porch extends to 3.67' from the street line, contrary to Section 357.13 that requires a 10' distance; and Section 349.07 states that accessory off-street parking spaces shall be located and arranged to minimize traffic congestion.

(Filed 5-6-05)

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**9:30**

**Calendar No. 05-138:**

**1911 West 47<sup>th</sup> Street**

**Ward 14**

Denison Homes and Michael DeCesare, owner, appeal to erect a 40' x 31' two and a half-story single family townhouse, proposed to be situated on a 31' x 44' lot in a B1 Two-Family District on the east side of West 47<sup>th</sup> Street at 1911 West 47<sup>th</sup> Street; contrary to Section 357.09(2)A, a 6' distance is provided and not less than a 10' distance is required from a building on an adjoining lot; and contrary to Section 357.09(2)B no interior side yard is provided where not less than 3' is required and there are no interior side yards, where both sides yards may not equal less than 10' with a rear yard depth of 5' provided contrary to Section 355.05 that requires a 20' rear yard depth and subject to the lot restrictions of Section 355.04, a minimum lot area of 1,364 s/f is provided and 4,800 s/f is required; with a maximum gross floor area of 1,828 s/f provided in excess of one half the lot area or 682 s/f; with a 31' minimum lot width instead of the 40' requirement; and an open porch extends to 3.67' from the street line, contrary to Section 357.13 that requires a 10' distance; and contrary to the Fence Regulations of Section 358.04(A), a 4' fence height is provided instead of 2' where no fence shall be higher than the distance from a residential building on an adjoining lot parallel to a residence and Section 349.07 states that accessory off-street parking spaces shall be located and arranged to minimize traffic congestion.

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**BOARD OF ZONING APPEALS  
JUNE 20, 2005**

**9:30**

**Calendar No. 05-139:**

**1915 West 47<sup>th</sup> Street**

**Ward 14**

**Nelson Cintron**

**10 Notices**

Denison Homes and Michael DeCesare, owner, appeal to erect a 40' x 31' two and a half story, single family townhouse, proposed to be situated on a 45' x 44' corner lot in a B1 Two-Family District on the northeast corner of West 47<sup>th</sup> Street and Bridge Avenue at 1915 West 47<sup>th</sup> Street; contrary to Section 357.04, the front yard depth provided is not fifteen percent of the lot depth or 6'-6" and contrary to Section 257.09(2)A, there is a 6' distance, where not less than 10' is required from a building on an adjoining lot; with no interior side yard provided, where not less 5' is required and an aggregate of 10' is required for both side yards where 5' is provided, contrary to Section 357.09(2)B; and a rear yard depth of 5' provided, contrary to Section 357.08 that requires there be 20' and subject to the lot restrictions of Section 355.04, a minimum lot area of 1,972 s/f is provided and 4,800 s/f is required,; with a maximum gross floor area of 2,007 s/f provided in excess of one half the lot area or 986 s/f; and contrary to Section 357.13(b)(4) a side street open porch projects 9.33' and may not exceed a 6' projection and where front and side street porches may not extend within 10' of the street line, a 4.50' and a 3.67' distance from the street line are provided; and Section 358.04(c)(1) states that only an ornamental fence may be installed within 4' of the street property line; and accessory off-street parking spaces shall be located and arranged to minimize traffic congestion as stated in Section 349.07 of the Codified Ordinances.

(Filed 5-6-05)

**9:30**

**Calendar No. 05-140:**

**4730 Lorain Avenue**

**Ward 14**

**Nelson Cintron**

**10 Notices**

RL Holdings LLC dba Appleseed Child Care, owner, and Paul Kapczuk, agent, appeal to change from a store and storage use to a day care an existing 28' x 84' two-story, brick building, situated on an 80' x 132' lot in a Local Retail Business District on the north side of Lorain Avenue at 4730 Lorain Avenue; subject to approval by the Board of Zoning Appeals by reference, as regulated in Section 337.02(f)(3) for a One-Family District, a day care is required to be 30' from any adjoining premises in a residential district not used for a similar purpose and the proposed day care abuts a Two-Family District at the rear. (Filed 5-6-05)

**9:30**

**Calendar No. 05-141:**

**17217 Tarkington Avenue**

**Ward 1**

**Joseph Jones**

**2 Notices**

Larry Glenn, owner, appeals to erect a 10' x 20' wolmanized wooden open carport to an existing one family dwelling, situated on a 38' x 140' lot in an A1 One-Family District on the north side of Tarkington Avenue at 17217 Tarkington Avenue; contrary to Section 357.09(2)B, the total interior side yards are 7' and 10' is required and all parking spaces shall be located on the rear half of a lot as stated in Section 337.23A of the Codified Ordinances. (Filed 5-6-05)

**BOARD OF ZONING APPEALS  
JUNE 20, 2005**

**9:30**

**Calendar No. 05-78:**

**4300 Whitman Avenue**

**Ward 13**

**Joe Cimperman**

**10 Notices**

Larry Brichacek, owner, appeals to erect a 44' x 48' two-story frame, single family residence with an attached garage on a 100' x 55' irregular shaped corner lot, located in a B1 Two-Family District on the northeast corner of Whitman Avenue and West 44<sup>th</sup> Street at 4300 Whitman Avenue; contrary to Section 355.05, a minimum lot size of 4,200 s/f is proposed and 4,800 s/f is required; and the proposed front yard is contrary to Section 357.04 that requires it to be 15% of the lot depth; and contrary to Section 357.08, there is a 2' rear yard instead of 20' and an open front porch and side porch are proposed within the required 10' distance from the street line, contrary to Section 357.13(b)(4) of the Codified Ordinances. (Filed 4-4-05; Reinstated 5-23-05)

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