

**BOARD OF ZONING APPEALS
AUGUST 22, 2005**

9:30

Calendar No. 05-233:

4371 Pearl Road

Ward 16

Kevin Kelley

17 Notices

Greater Cleveland Regional Transit Authority, owner, and Ken Emling, agent, appeal to construct an addition and alter an existing bus garage, situated between Pearl and State Roads on acreage that is in zoning districts for Local Retail, Semi-Industry and General Retail Business, on the east side of Pearl Road and west of State Road at 4371 Pearl Road; contrary to Section 357.07(a), a 2' setback is proposed and a 17' specific building line setback is required by the Zoning Map; and no landscaping is proposed where a 6' landscaped strip is required along Pearl Road and State Road between the streets and the parking lots; and Section 352.09 requires an 8' wide landscape transition strip, where the parking lot abuts a Two-Family District at the southwest corner of State Road; and a 10' wide strip is required along the south side of the property between the Semi-Industry and the Two-Family Districts; and contrary to Section 358.05(a), a 6' high fence is proposed instead of the 4' maximum height allowed in the actual front yard of a non-residential district; and the Board of Zoning Appeals approval is required for the addition that expands the existing nonconforming use, as stated in Section 359.01 of the Codified Ordinances. (Filed 7-7-05)

9:30

Calendar No. 05-234:

9801 Walford Avenue

Ward 18

Jay Westbrook

28 Notices

Suzy Hecht Remer and Walford Industrial Park LLC, owner, and Ray Petros dba Ray's Indoor Mountain Bike, LLC, tenant, appeal to change the use of an existing two-story industrial building to a recreational center, situated on acreage located in split zoning for Semi-Industry and General Industry Districts on the south side of Walford Avenue at 9801 Walford Avenue; contrary to Section 347.12(a)(1), the proposed use is within a 50' distance of a Two-Family District instead of the 500' separation that is required from a residential district or a day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center; and no parking is proposed, with 115 parking spaces required, based upon a calculation of one seat for each 20 s/f of ground or floor space usable for seating, according to Section 349.04(e) of the Codified Ordinances. (Filed 7-7-05)

9:30

Calendar No. 05-235:

**9010-9110 Kenmore Avenue
1576-1596 Crawford Road**

Ward 7

Fannie Lewis

6 Notices

Kenmore Village Limited Partnership, owner, and Dennis Robinson, agent, appeal to install 670 linear feet of 4' high ornamental fence; and 370 linear feet of 10' high ornamental fence; and approximately 80 linear feet of 8' high ornamental fence at the perimeters of a multi-family buildings, located in a Multi-Family District and situated along the north side of Kenmore Avenue from 9010-9110 Kenmore Avenue and the west side of Crawford Road from 1576-1596 Crawford Road; contrary to the restrictions of the Fence Regulations, an 8' fence is proposed in the side yard and a 10' height in the rear yard, exceeding the 6' height that is allowed, as stated in Section 358.04 of the Codified Ordinances. (Filed 7-8-05)

BOARD OF ZONING APPEALS

AUGUST 22, 2005

9:30

Calendar No. 05-236: 403-05 East 152nd Street

Ward 11

**Michael Polensek
5 Notices**

Richard Harris, owner, appeals to erect a 5' x 38'-6" wooden wheelchair ramp at the front of an existing two family dwelling, situated on a 45' x 150' parcel located in a B1 Two-Family District on the east side of East 152nd Street at 403-405 East 152nd Street; as proposed, the ramp is within 2' of the street line and open porches may not extend within 10' of the street line, as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 7-8-05)

9:30

Calendar No. 05-237: 1427 East 123rd Street

Ward 9

**Kevin Conwell
5 Notices**

Stephanie Hagler, owner, appeals to erect a 24' x 24' one-story, frame accessory garage on an 80' x 63' parcel, located in a B1 Two-Family District on the east side of East 123rd Street at 1427 East 123rd Street; contrary to Accessory Uses in Residence District, the accessory garage is not located on the rear half of the lot but would be set back 20'-10" contrary to Section 337.23(A) of the Codified Ordinances. (Filed 7-11-05)

9:30

Calendar No. 05-238: 770 East 185th Street

Ward 11

**Michael Polensek
9 Notices**

Musca Properties LLC and Joe Musca, owner, appeal to install a 6' high board on board fence with double 8'-6" wide gates to enclose 2 dumpsters located on a 17' x 10' area in the northwest corner of a parking lot located in a Local Retail Business District on the west side of East 185th Street at 770 East 185th Street; contrary to Sections 352.08 through 352.11, as proposed, there is no 10' wide landscaping strip that is required to separate the existing restaurant from the abutting residential district; and the Board of Zoning Appeals approval is required to allow a special permit for an expansion of an existing nonconforming use, according to Section 359.01 of the Codified Ordinances. (Filed 7-14-05)

9:30

Calendar No. 209: 3300 East 87th Street

Ward 5

**Frank Jackson
4 Notices**

Katanas LLC, owner and Bob Diskins, appeal to change the use of an existing industrial site to an open yard storage site, situated on acreage located in a General Industry District on the west side of East 87th Street at 3300 East 87th Street; subject to the requirements of Section 345.04(a)(3), open yard storage is first permitted in a General Industry District provided that the use is enclosed within a minimum 7' high, solid masonry wall or slightly solid nontransparent, well-maintained substantial fence and accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage and surfaced with concrete or asphalt, as stated in Section 349.07(a) of the codified Ordinances. (Filed 6-14-05; reinstated 8-1-05)

**BOARD OF ZONING APPEALS
AUGUST 22, 2005**

POSTPONED FROM JULY 18, 2005

10:30

Calendar No. 05-176:

7200 Flowerdale Avenue

Ward 16

Kevin Kelley

8 Notices

Donald Rykena, owner, and Quick Change, prospective lessee, appeal to erect a 20' x 28' one-story modular building for oil change and lube services, proposed to be situated on a 69' x 92' vacant corner lot in a Local Retail Business District on the northeast corner of Flowerdale Avenue and Ridge Road at 7200 Flowerdale Avenue; the use for auto repair is contrary to Section 343.01(g)(4) and not permitted in a Local Retail Business District but first permitted in a Semi-Industry District under Section 345.03(c)(2), provided that it is a 100' distance from a residential district and as proposed, the use abuts a residential district; with a 5' wide transition strip provided at the side of the property adjacent to the Two-Family District where 8' is required, as stated in Section 352.09 of the Codified Ordinances. (Filed 6-6-05; partial testimony taken.)

First postponement requested by the Councilman for additional review of the proposed project.