

BOARD OF ZONING APPEALS

SEPTEMBER 7, 2004

9:30

Calendar No. 04-190: 14211-35 Kinsman Road

**Ward 4
Ken Johnson
16 Notices**

Tarmeeq LLC c/o Subhi Mahmoud and Amjad Abu Hamdah, owners, appeal to construct a 3,500 s/f retail store and gas station on a 120' x 255' irregular shaped corner lot in a Local Retail Business District on the northwest corner of East 143rd Street and Kinsman Road; contrary to Section 343.01 of the Business Districts Regulations, a gas station is not permitted in a Local Retail Business District but first permitted in a General Retail Business District and contrary to the Driveway Regulations, two driveways are proposed along Kinsman Road where there is a 115' lot frontage and not more than one driveway shall be permitted on a lot of land with a frontage of 100' or less, but two driveways may be permitted on a lot of land with a frontage of not less than 150' as stated in Section 343.18(a) of the Codified Ordinances. (Filed 8-5-04)

9:30

Calendar No. 04-192: 10710 Wade Park Avenue

**Ward 9
Kevin Conwell
4 Notices**

Ralland Miller, owner, appeals to erect a 30' x 42' wolmanized wooden deck to the rear of a one family dwelling, situated on an 80' x 190' corner lot in an A1 One Family District on the southwest corner of Wade Park Avenue and East 108th Street at 10710 Wade Park Avenue; contrary to Section 357.05(b)(2) where the rear lot line of a corner lot is also the side street line of the butt lot in the rear and a distance of 42' is proposed where the established setback building line of East 108th Street is 64' and no building shall be erected nearer to the side street at the rear line of the corner lot than the setback building line of the butt lot; provided that for each foot the building on the corner lot sets in from the rear lot line, it may be set one foot near to the side street line; and contrary to Section 357.08(b)(1) a rear yard depth of 6' is proposed and 20' is required; and subject to the provisions for Nonconforming Uses, expansion of the nonconforming rear yard requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 8-6-04)

BOARD OF ZONING APPEALS

SEPTEMBER 7, 2004

9:30

Calendar No. 04-193: 2487 West 25th Street

Ward 14

Nelson Cintron

17 Notices

George Sass, owner, appeals to construct a 60' x 60' two-story building for a wrecking yard and service garage, proposed to be situated on an acreage parcel in a Semi-Industry District on the east side of West 25th Street at 2487 West 25th Street; contrary to Sections 345.03 and 345.03(c)(2) of the Industrial Districts Regulations, a wrecking yard is not permitted in a Semi-Industry District but first permitted in a General Industry District and the repair garage, although permitted in a Semi-Industry District, is required to be 100' from a Residence District and as proposed, it abuts a Two-Family District; and in Section 345.04(a)(4) where auto wrecking is first permitted in a General Industry District, a minimum area of 50,000 square feet is required and it must be enclosed within a minimum of 7' high, solid masonry wall or screened, nontransparent fence and a 40,826 square foot area that is partially fenced is proposed; and contrary to Section 349.05(b) of the Off-Street Parking and Loading Requirements, part of the proposed parking that is provided is not under the appellant's ownership; and subject to the provisions for Nonconforming Uses, a nonconforming structure was 90% destroyed by fire and razed, where a nonconforming building or use that is more than 50% destroyed or removed by whatever cause, except by act of malicious mischief or vandalism, shall not be restored or replaced, except in conformity with the regulations for the district in which it is located, as stated in Section 359.03(b) of the Codified Ordinances.

(Filed 8-10-04)

9:30

Calendar No. 04-194: 515 Euclid Avenue

Ward 13

Joe Cimperman

15 Notices

OSF Properties c/o David Goldberg, appeal to construct a 34,944' square foot, 10-story parking garage on an approximate 182' x 280' irregular shaped parcel in a General Retail Business District on the north side of Euclid Avenue at 515 Euclid Avenue; contrary to the Driveway Regulations for General Retail Districts, where it is required that any driveway providing access to a property shall be located so that there is not less than 15' between the point of tangency of the driveway apron radius and a prolongation of the property line to the curb line measured at the curb line, as stated in Section 343.18(c) of the Codified Ordinances. (Filed 8-10-04)

BOARD OF ZONING APPEALS

SEPTEMBER 7, 2004

9:30

Calendar No. 04-195:

1400 Brookpark Road

Ward 16

**Michael O'Malley
5 Notices**

Udelson Brookpark Ltd. c/o David Udelson, owner, and Ken Voigt, agent, appeal to establish use as a used car sales lot on an acreage parcel located in General Industry and Semi-Industry District on the north side of Brookpark Road at 1400 Brookpark Road; contrary to Section 349.04(f) of the Off-Street Parking and Loading Requirements, there is no off-street parking proposed where 25% of the gross lot area is required for off-street parking and subject to the provisions of Section 349.07(a), off-street parking and maneuvering areas shall be surfaced with concrete or asphalt and be provided with wheel or bumper guards; and in the Landscaping and Screening Requirements, a 4' wide frontage landscaping strip providing 50% year-round opacity is required along Brookpark Road as stated in Section 352.10 of the Codified Ordinances.

(Filed 8-10-04)

9:30

Calendar No. 04-198:

3817 Martin Luther King, Jr. Drive

Ward 2

**Robert White
26 Notices**

The Cleveland Municipal School District, owner c/o Chris Smith, agent, appeal to erect a 225,688' square foot, three-story public high school on an acreage parcel, located in Two-Family District on the east side of Martin Luther King, Jr. Drive between Corlett Avenue and Angelus Avenue at 3817 Martin Luther King, Jr. Drive; contrary to the Residential Districts Regulations, where a public high school in a Two-Family District requires the Board of Zoning Appeals approval as stated in Section 337.02(f)(3)(A) and subject to Section 337.03(b) of the Codified Ordinances. (Filed 8-16-04)
