

BOARD OF ZONING APPEALS
JUNE 25, 2007

9:30

Calendar No. 07-80:

1944 East 75th Street

Ward 6

Patricia Britt

10 Notices

The 1944 LLC, owner, and Diretha Griffin, prospective lessee, appeal to establish use of an existing multiple dwelling building for a 90 day "Independent Housing" program for ex-offenders, pursuant to a contract with the Ohio Department of Rehabilitation and Corrections, situated on a 50' x 172' parcel located in Midtown Mixed-Use District 2, on the west side of East 75th Street at 1944 East 75th Street; subject to the limitations of Schedule 344.04 for permitted uses in the MMUD Zoning District, the proposed use is not listed as either a permitted principal or a conditional use and is prohibited in the Midtown Mixed-Use District 2 according to the provisions of Section 344.04(a) of the Codified Ordinances. (Filed 5-16-07)

9:30

Calendar No. 07-81:

1425 East 25th Street

Ward 13

Joe Cimperman

6 Notices

Cement Masons Local 404, owner, appeal to install approximately 85 linear feet of 6' high ornamental fence in an actual front yard and 217 linear feet of 6' high chain link fence in the actual front and side yards of a 90' x 264' through parcel, located in a Multi-Family District on the east side of East 25th Street at 1425 East 25th Street; contrary to the Fence Regulations, a 6' high fence is proposed along the East 25th and a 6' high chain link fence is proposed along the East 26th Street, where only ornamental fence material is permitted in the actual front yard and may not exceed a 4' height as stated in Section 358.03 of the Codified Ordinances. (Filed 5-16-07)

9:30

Calendar No. 07-82:

1431 East 25th Street

Ward 13

Joe Cimperman

6 Notices

Cement Masons Local 404, owner, appeal to install approximately 30 linear feet of 6' high ornamental fence in an actual front yard and 160 linear feet of 6' high chain link fence in the actual front, side and rear yards of a 30' x 132' parcel located in a Multi-Family District on the east side of East 25th Street at 1431 East 25th Street; contrary to the Fence Regulations, a 6' high fence is proposed where fences in the actual front yard may not exceed a 4' height and may only be ornamental fence material; with a distance of 18" proposed from the wall of a house on the adjoining lot, and a fence may be only as high as the distance from a house on the adjoining lot, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 5-16-07)

BOARD OF ZONING APPEALS
JUNE 25, 2007

9:30

Calendar No. 07-84:

3016 Ripley Road

Ward 4

Kenneth Johnson

9 Notices

Veyonne Washington, owner, appeals to establish use as a Type A Day Care in an existing one family dwelling, situated on a 60' x 120.85' parcel located in a Two Family District on the west side of Ripley Road at 3016 Ripley Road; subject to the limitations of Section 337.03 the proposed use may not be located less than 30' from a residential district and requires the Board of Zoning Appeals approval according to the provisions of Section 337.02(f)(3)C of the Codified Ordinances. (Filed 5-17-07)

9:30

Calendar No. 07-88:

777 Starkweather Avenue

Ward 13

Joe Cimperman

16 Notices

Sutton Builders LLC, owners, appeal for an addition, the expansion of a kitchen, in an existing restaurant situated in a two-story building on a 30' x 140' parcel, located in a Two-Family District on the south side of Starkweather Avenue at 777 Starkweather Avenue; and no expansion of an existing nonconforming use shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or be attracted to the premises or in any other characteristic of the new use as compared with the previous use, according to Section 359.01(a) of the Codified Ordinances. (Filed 5-21-07)

9:30

Calendar No. 07-92

3966 Rocky River Drive

Ward 21

Martin Keane

9 Notices

Dave Giorgi, owner, and Tracey Marshall-Dove, prospective tenant, appeal to change use from an auto parts store and office to a beauty salon in an existing one-story structure, situated on a irregular shaped 83.11' x 200' parcel located in a Two-Family District on the west side of Rocky River Drive at 3966 Rocky River Drive; subject to the limitations of Section 337.03 the proposed change of use is not permitted but first permitted in a Local Retail Business District and the substitution of a nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances. (Filed 5-29-07)

**BOARD OF ZONING APPEALS
JUNE 25, 2007**

POSTPONED FROM MAY 21, 2007

10:30

Calendar No. 07-58:

3902 Lee Road

Ward 1

Nina Turner

17 Notices

John Barnes, Jr., owner, appeals to erect a 2nd and 3rd floors addition to an existing one-story building, situated on a 38' x 125.59' parcel located in a Local Retail Business District on the west side of Lee Road at 3902 Lee Road; subject to Section 357.07(a) there is a 10' specific setback required from Lee Road; and the expansion of an existing nonconforming use requires the Board of Zoning Appeals approval, according to the provisions of Section 359.01 of the Codified Ordinances. (Filed 4-25-07; testimony taken.)

First postponement granted at request of the Councilwoman for additional review of information presented at the hearing and the proposed plan.

10:30

Calendar No. 07-60:

5918 Hawthorne Avenue

Ward 5

Phyllis Cleveland

6 Notices

Monique Williams, owner, appeals to change use of a 2 ½-story frame dwelling to a use for a child boarding home, situated on a 45' x 150' parcel, located in a Multi-Family District on the south side of Hawthorne Avenue at 5918 Hawthorne Avenue; as proposed the use is adjacent to a residence district and is required to be 15' from an adjoining residence district not used for a similar purpose; no legal parking spaces are shown on the plan and four spaces are required, one per each six beds and one per each staff member, according to Section 349.04(c) of the Codified Ordinances. (Filed 4-26-07; testimony taken.)

First postponement granted at request of the Councilwoman and Burten Bell Carr Development Corporation for additional information about the appellant's proposed plan.
