

**BOARD OF ZONING APPEALS
AUGUST 6, 2007**

9:30

Calendar No. 07-97:

4502 Warner Road

Ward 12

Anthony Brancatelli

11 Notices

Demeter and Associates, owner, appeal to add and expand an existing gas service station, situated on a 47.93' x 184.45' corner parcel in a Local Retail Business District on the northwest corner of Warner Road and Vineyard Avenue at 4502 Warner Road; 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 5-31-07)

9:30

Calendar No. 07-120:

2033-2107 Clover Avenue

Ward 14

Joseph Santiago

13 Notices

JOS Development Inc., owner, appeals to erect five new townhouses in two separate buildings of two and three units, proposed to be situated on two consolidated parcels on the northeast corner of Clover Avenue and West 19th Street at 2033-2107 Clover Avenue; subject to the limitations of Section 337.03(a) a multiple dwelling building of more than two units is not permitted; and contrary to Section 355.04, the proposed lot size of 7,926 square feet exceeds fifty percent of the lot size, or 5,183.5 square feet that is allowed; and a 10 foot distance is proposed between the main building and a rear building, where there may not be less than 40 feet as stated in Section 357.15(a) of the Codified Ordinances.(Filed 6-25-07)

9:30

Calendar No. 07-123:

3247 West 56th Street

Ward 17

Matthew Zone

6 Notices

Vitali Martiniouk and Svetlana Belaia, owners, appeal to enclose an existing 6' x 22' open front porch of a one family dwelling, situated on a 40' x 125' parcel in a Two-Family District on the east side of West 56th Street at 3247 West 56th Street; contrary to the requirements for Yards and Courts, the proposed enclosure projects 6 feet and may not project more than 4 feet; with a total aggregate of area of the façade equaling 38 square feet, where not more than twenty percent, or 33 square feet is required, according to the provisions of Section 357.13(b)(4) of the Codified Ordinances. (Filed 6-27-07)

BOARD OF ZONING APPEALS
AUGUST 6, 2007

POSTPONED FROM JULY 2, 2007

10:30	Violation Notices	Ward 15
Calendar No. 07-30:	3968 Pearl Road / 3990 Pearl Road 3979 Pearl Road	Brian Cummins

Brookside Auto Parts, Inc. and Michael Blake appeal under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from Notices of Violation issued by the Department of Building and Housing for failure to comply with the Zoning Regulations of Section 327.02(c) and Section 349.05 of the Codified Ordinances. (Filed 3-2-07; no testimony taken.)

Third postponement granted at request of counsel for the appellant(s) to "get exhibits and the planned title documents in order".

POSTPONED FROM JULY 16, 2007

10:30		Ward 15
Calendar No. 07-105:	3995 Jennings Road	Brian Cummins 3 Notices

Daniel Cudnik, owner, appeals to erect a second free-standing sign that is 85.5 square feet and 29.5 feet high, to be situated on an irregular shaped corner parcel in an Unrestricted Industry District on the northeast corner of Jennings Road and Harvard Avenue at 3995 Jennings Road; subject to the limitations of Section 350.15(b), the proposed sign exceeds the maximum size of 50 square feet and the maximum height of 25 feet that are allowed; and a second free standing sign shall be permitted on a lot only if the lot is served by more than one vehicle entrance and if there is a minimum distance of 500 feet between the two signs; and a distance between 30 to 40 feet from an existing free standing sign is proposed, contrary to Section 350.20(b)(2) of the Codified Ordinances. (Filed 6-8-07; no testimony taken.)

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

POSTPONED FROM JULY 23, 2007

10:30		Ward 17
Calendar No. 07-109:	7405 Herman Avenue	Matthew Zone 5 Notices

Detroit Shoreway Community Development Organization, owner and Jeff Marks, agent, appeal to erect a 14' x 20' one-story frame, accessory garage, situated on a 59.58' x 87' corner parcel located in a Two-Family District on the southwest corner of Herman Avenue and West 74th Street at 7405 Herman Avenue; and contrary to the Side Street Yard Regulations, on the rear of a corner lot in any use district where the rear lot line of the corner lot is also the side line of a butt lot in the rear or a boundary line, and a setback building line is established, no building shall be erected in the building setback line for the butt lot, and an 8 foot setback is provided where 21.9 foot is required according to the provisions of Section 357.05(b)(2) of the Codified Ordinances. (Filed 6-15-07; no testimony taken.)

First postponement requested by appellant for additional review on the proposed plan.

