## BOARD OF ZONING APPEALS AUGUST 23, 2004

9:30 Calendar No. 04-180 3881 West 134<sup>th</sup> Street Ward 20 Martin Sweeney 3 Notices

Clyde Gazda, owner, appeals to erect a 12' x 17' two-story room addition at the rear of a two family, 2½-story frame dwelling, situated on a 40' x 150' parcel in a Two-Family District on the east side of West 134<sup>th</sup> Street at 3881 West 134<sup>th</sup> Street; contrary to Yards and Courts Requirements, a 4' rear yard depth is provided where a 20' depth is required as stated in Section 357.08(b)(1) of the Codified Ordinances. (Filed 7-26-04)

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9:30 Ward 1
Calendar No. 04-181: 16402 Telfair Avenue Joseph Jones
4 Notices

Darrell and Bathsheba Thomas El-Bey, owners, appeal to erect a 10' x 12' one-story, frame room addition to the westerly side of the front of an existing one-story single family dwelling, situated on a 40' x 156' parcel in a One-Family District on the south side of Telfair Avenue at 16402 Telfair Avenue; contrary to the Yards and Courts Requirements, a 27' front yard line is provided, where the alignment to existing building lines requires a 45' front yard line, as stated in Section 357.06 of the Codified Ordinances. (Filed 7-26-04)

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9:30 Ward 14
Calendar No. 04-182: 3467 West 41<sup>st</sup> Street Nelson Cintron
5 Notices

Neil P. Mohney, owner, appeals to change the use from a store and dwelling building to a single family dwelling, an existing 24' x 40' two-story brick building, situated on a 35' x 68' parcel in a Two-Family District on the east side of West 41<sup>st</sup> Street at 3467 West 41<sup>st</sup> Street; contrary to Section 355.05 of the Area Requirements, the maximum gross floor area proposed is 2,461 s/f and 2,408 s/f is allowed; and subject to the limitations of Section 357.08 of the Yards and Courts Requirements, a rear yard depth of 6" is provided where 20' is required and contrary to Sections 357.09(2)(a) and (b), there is a 2'-6" distance provided, where a 10' distance is required from a main building on an adjoining lot and a total side yard of 8" is provided, where an interior side yard shall not be less than 3' nor shall the total of side yard distance be less than 10' and subject to the provisions for Nonconforming Uses, the change or substitution of an existing nonconforming building requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 7-26-04)

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## BOARD OF ZONING APPEALS AUGUST 23, 2004

9:30 Ward 20

Calendar No. 04-183: 4532 West 148<sup>th</sup> Street Martin Sweeney

Paul Clark, owner, appeals to erect a 20' x 10' frame front porch to a 1 ½-story single family dwelling, situated on a 40' x 120' parcel in a One-Family District on the west side of West 148<sup>th</sup> Street; contrary to the Yards and Courts

of West 148<sup>th</sup> Street at 4532 West 148<sup>th</sup> Street; contrary to the Yards and Courts Requirements, the proposed porch projects 10' and it may not exceed a 6' projection in the setback or aggregate a vertical area in any story more than 25% of the area of the façade in that story as stated Section 357.13(b)(4) of the Codified Ordinances.

(Filed 7-28-04)

9:30 Ward 11

Calendar No. 04-184: 971 Nathaniel Road Michael Polensek

6 Notices

Cleveland Housing Network Limited Partnership XX, c/o Paul Glowacki, owner, appeals to erect a 24' x 36' two-story frame, one family dwelling on a 40' x 150' parcel in a Two-Family District on the north side of Nathaniel Road at 971 Nathaniel Road; subject to the limitations for Yards and Courts a 2.99' distance is provided where an open porch may not extend within 10' of the street line as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 7-29-04)

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9:30 Ward 11
Calendar No. 04-112: 17600 Lakeshore Boulevard Michael Polensek
12 Notices

On June 21, 2004, Attila Gyorki was conditionally granted a variance to expand a legal, nonconforming auto repair business by adding a 38' x 56' one-story, three bay garage to an existing 38' x 44' one-story garage, situated on an irregular shaped acreage parcel in a General Retail Business District on the northeast corner of Lakeshore Boulevard and Marcella Road at 17600 Lakeshore Boulevard; subject to the provisions for Nonconforming Uses, the proposed expansion in a General Retail Business District for an existing, nonconforming auto repair, located within less than 100' of a Residence District requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances. Upon a Motion to Modify the Resolution, Attila Gyorki, owner, requests that the Board of Zoning Appeals modify the prior conditions of the decision dated June 21, 2004, to allow hours of operation for the auto repair business to include the addition of Saturday hours from 8:00 AM to 5:00 PM. (Filed 8-4-04)

## BOARD OF ZONING APPEALS AUGUST 23, 2004

## POSTPONED FROM AUGUST 9, 2004

10:30 Appeal of

Calendar No. 04-160: North Coast Payphones

ClevePhones, Inc.

North Coast Payphones/ClevePhones, Inc. c/o Howard Meister, president, appeal under Section 76-6 of the Charter of the City of Cleveland from an order to remove outdoor payphones from five (5) sites, identified by the Commissioner of Assessments and Licenses on June 23, 2004, under the authority of Section 670B.06, where the appellant is ordered to remove the payphones that have been declared a nuisance by the Director of Public Safety. (Filed 7-2-04; testimony taken.)

Second postponement granted for appellant to have additional time to review records and reference information and to provide an appeal statement.

10:30 Ward 6
Calendar No. 04-171: 8211 Platt Avenue Patricia Britt
5 Notices

Lawrence Lane, owner, appeals to change the use from a grocery store to an office in a  $40' \times 40'$  one-story building situated on a  $50' \times 150'$  parcel located in Local Retail Business and Multi-Family Districts on the north side of Platt Avenue at 8211 Platt Avenue; contrary to Section 337.08 of the Regulations for Residential Districts, an office is not a permitted use in a Multi-Family District but first permitted in a Local Retail Business District under Section 343.01G(3), provided that personnel customarily required for the business or profession do not exceed more than five persons at any one time; and subject to the provisions for Nonconforming Uses, the substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 7-15-04)

First postponement granted for appellant to consult with the Community Development neighborhood planner and follow up with the design review process through the local development corporation.

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