



Board of Zoning Appeals
601 Lakeside Avenue, Room 519
Cleveland, Ohio 44114-1071
216/664-2582 - Fax: 216/664-3281

June 24, 2013

9:30

Calendar No. 13-98:

2077 West 10th Street

Ward 3

Joe Cimperman

15 Notices

Deanne Malakar, owner, appeals to erect a 52' x 75'-2" two and a half story, triangular shaped, single family dwelling on an 89' x 64' irregular shaped parcel located in a B1 Multi-Family District; contrary to the yard area regulations proposing 3 feet where the required front yard setback is 9'-9" with a rear yard of 4" and 1'-5" where not less than 10 feet at any point is required; and proposing 4'-2" from a main building on an adjoining lot within a residence district contrary to not less than 10 feet; with 18 feet proposed where open porches shall not project more than 6 feet and proposing zero feet from the street line contrary to a distance of 10 feet, pursuant to the Cleveland Codified Ordinances under Sections 357.04(a), 357.08(b)(3), 357.09(2)A and 357.13(b)4; and proposing a 6 feet solid privacy wall where fences in front yards shall not exceed 4 feet in height and shall be at least 50 percent open as stipulated in the fence regulations under Section 358.04(a).

(Filed 5-22-13)

9:30

Calendar No. 13-99:

7201 Wade Park Avenue

Ward 7

T J Dow

10 Notices

Eliza Bryant Center, owner, appeals to construct an outpatient dialysis clinic on acreage located in a C1 Multi-Family District; subject to the provisions under Section 359.01(a) a use of building or land lawfully existing may be continued even though it does not conform to the Zoning Code for the use district but no enlargement or expansion is permitted except as a variance and no substitution or other change to other than a conforming use shall be permitted except by a special permit from the Board of Zoning Appeals, issued only if the Board finds after public hearing that the substitution or other change is no more harmful or objectionable than the previous 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 to be attracted to the premises or in any other characteristic of the new use as compared with the previous use; and pursuant to Section 355.04, the maximum gross floor area in a "C" area district shall be one-half of the lot area; and the rate of required accessory off-street parking spaces for clinics, health and medical centers shall be calculated at the rate of 1 parking space for each 200 square feet of gross floor area, according to Section 349.04(d) in the Cleveland Codified Ordinances. (Filed 5-23-13)

9:30

Calendar No. 13-100:

1010 Euclid Avenue

Ward 3

Joe Cimperman

17 Notices

Geis Properties, LLC, owner, appeal to establish use of a 13 story building as a dining hall (1st floor) offices (2nd-4th floors), apartments (5th-13th floors), and assembly space on the roof deck, located on acreage in an E6 General Retail Business District; approximately 126,000 square feet is proposed, contrary to the Area Regulations that limit in an “E” area district the maximum gross floor area of a building with a dwelling use to one and one-half the lot area for a maximum of 21,507 square feet; and subject to the yard area regulations in Section 357.01(c) rear and side yards are required for all residence buildings in a General Retail District; and pursuant to Sections 357.09(b)(2)(C and 357.08(b)(2) an interior side yard equal to one-fourth of the main building height is required and in a use district other than residential, a rear yard depth in connection with a building of residential occupancy shall not be less than one-half the height of the main building in accordance with the Cleveland Codified Ordinances. (Filed 5-24-13)

9:30

Ward 3

Calendar No. 13-101:

2017 East 9th Street

Joe Cimperman

17 Notices

Geis Properties, owner, appeal to establish use of a 29 story building as meeting and banquet space (basement), a restaurant (1st floor), offices and a theater (2nd floor), a pool/spa/gym (3rd floor), a hotel (4th-13th floors), as apartments and their accessory uses (15th -29th floors) on acreage located in an E6 General Retail Business District;

approximately 400,000 square feet is proposed, contrary to the Area Regulations that limit, in an “E” area district, the maximum gross floor area of a building with a dwelling use to one and one-half the lot area for a maximum of 10,246 square feet; and subject to the yard area regulations in Section 357.01(c) rear and side yards are required for all residence buildings in a General Retail District; and pursuant to Sections 357.09(b)(2)(C and 357.08(b)(2) an interior side yard equal to one-fourth of the main building height is required and in a use district other than residential, a rear yard depth in connection with a building of residential occupancy shall not be less than one-half the height of the main building in accordance with the Cleveland Codified Ordinances. (Filed 5-24-13)

9:30

Ward 14

Calendar No. 13-103:

3334-36 West 46th Street

Brian Cummins

17 Notices

Alan Hrivnak, owner, appeals for a change of use from a bottling shop / machine shop to a use for storage of construction equipment proposed on a 50’ x 200’ parcel located in a B1 Two-Family District; subject to the limitations under Section 337.03 the use is not permitted; and pursuant to the provisions under Section 359.01(a), a use of building or land lawfully existing may be continued even though it does not conform to the Zoning Code for the use district but no enlargement or expansion is permitted except as a variance and no substitution or other change to other than a conforming use shall be permitted except by a special permit from the Board of Zoning Appeals, issued only if the Board finds after public hearing that the substitution or other change is no more harmful or objectionable than the previous 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 to be attracted to the premises or in any other characteristic of the new use as compared with the previous use, according to the Cleveland Codified Ordinances. (Filed 5-30-13)

9:30

Violation Notice

Ward 14

Calendar No. 13-105:

3307 Library Avenue

Brian Cummins

