

BOARD OF ZONING APPEALS
MAY 19, 2008

9:30

Calendar No. 08-60:

4491-93 Pearl Road

Ward 16

Kevin Kelley

24 Notices

The Hannemann Trust, vendors, Robert Cutler and Donald Nicholson, vendees, and Luis Muniz, prospective tenant, appeal to establish use for piercing and tattooing in an existing one-story building on a 47.43' x 120' corner parcel, located in a Local Retail Business District on the southeast corner of Pearl Road and Dawning Avenue at 4491-93 Pearl Road; the proposed use being subject to the limitations of Section 343.01(b) and not permitted but first permitted in a General Retail Business District, provided it is located at least 1,000 feet from residence districts, churches and schools. As proposed, the use is within 10 feet of a residential district, within 250 feet of St. Mark's Lutheran Church and School and within 600 feet of Our Lady of Good Counsel Church and School, contrary to Section 347.12(b)(1) of the Codified Ordinances. (Filed 4-1-08) _____

9:30

Calendar No. 08-71:

10012 Meech Avenue

Ward 2

Robert White

2 Notices

John McCurley, owner, appeals to install 7 foot high solid wooden fence in the actual front yard of a 40' x 132' parcel located in a General Industry District on the north side of Meech Avenue at 10012 Meech Avenue; and a fence in the actual front yard of a General Industry District shall not exceed a 6 foot height, as stated in Section 358.05a)(1) of the Codified Ordinances.

(Filed 4-14-08) _____

9:30

Calendar No. 08-72:

9906 Meech Avenue

Ward 2

Robert White

1 Notice

Waterlox Coatings Corporation, owner, appeals to install 60 linear feet of 7 foot high, solid wooden fence in the actual front yard and 92 linear feet of 7 foot high, solid wooden fence in the actual interior side yard of a flag shaped parcel, located in a General Industry District on the south side of Meech Avenue at 9906 Meech Avenue; and a fence in the actual front yard of a General Industry District shall not exceed a 6 foot height, as stated in Section 358.05(a)(1) of the Codified Ordinances.

Filed 4-14-08) _____

9:30

Calendar No. 08-74:

2633 East 114th Street

Ward 6

Mamie Mitchell

4 Notices

Charleen Johnson-Miller, owner, appeals to erect a 26' x 40' one-story frame, accessory garage on a 40' x 173.58' parcel in a Two-Family District on the east side of East 114th Street at 2633 East 114th Street; and a floor area of 1,040 square feet is requested, where the maximum floor area required is 828 square feet, according to the provisions in Section 337.23(7)A of the Codified Ordinances. (Filed 4-16-08) _____

9:30

Calendar No. 08-75:

7814 Cedar Avenue

Ward 5

Phyllis Cleveland

17 Notices

Mahmoud Jaber, owner, appeals to erect a 4,000 square foot retail building and accessory 11 space parking lot on a 100' x 156.83' corner parcel, located in split zoning between General Retail and Multi-Family Districts on the southwest corner of Cedar Avenue and East 79th Street at 7814 Cedar Avenue; subject to the limitations of Section 337.08 the retail use is not permitted in the Multi-Family District but first permitted in a Local Retail Business District; and no landscape plan is provided to comply with the requirements for a 6 foot wide frontage strip with 50% year-round opacity where the parking lot abuts the street nor an 8 foot wide landscaped transition strip with 75% year-round opacity at the rear of the parcel where the lot abuts a residential district, contrary to the provisions of Sections 352.08-11 of the Codified Ordinances. (Filed 4-17-08)

POSTPONED FROM APRIL 14, 2008

10:30

Calendar No. 08-6:

3588 Martin Luther King, Jr. Blvd.

Ward 3

Zachary Reed

38 Notices

The Cleveland Metropolitan School District, owner, appeals to construct a two-story school for Kindergarten through Eighth Grade on an acreage parcel located in a B1 Two-Family District on the west side of Martin Luther King, Jr. Boulevard at 3588 Martin Luther King, Jr. Boulevard; contrary to Sections 349.04(c)(e) there are 53 parking spaces proposed, where one space is required for each two staff members, plus one for each twelve seats in the classroom based on capacity and a parking area equal to three times the gross floor area of the gymnasium, or 120 required parking spaces; no bumper guards are proposed, contrary to Section 349.07(b) where accessory off-street parking spaces shall be provided with wheel or bumper guards so located that no part of a parked vehicle will extend beyond such parking space; and parking spaces shall be separated by Island Strips of a minimum area of 100 square feet, by no more than 20 parking spaces, according to the provisions of Section 352.01(e); and contrary to Section 357.04(e), a proposed front yard setback of 16 feet is proposed where the required setback is 20 feet and a 5 foot rear yard is proposed where 35 feet is required, as stated in Sections 357.08(b)(1) of the Codified Ordinances. (Filed 1-9-08; testimony taken 2-4-08; dismissed 3-10-08; reinstated 3-17-08.)

Postponement granted on April 14, 2008 for Councilman Reed and Councilman White to conduct a community meeting with property owners notified by the Cleveland Metropolitan School District and the Board of Zoning Appeals.

POSTPONED FROM MARCH 24, 2008

10:30

Calendar No. 08-31:

3364 East 118th Street

Ward 3

Zachary Reed

8 Notices

Scott Everett, owner, appeals to establish use for a group home in an existing two-story, single family dwelling, located on a 40' x 130' parcel in a B1 Two-Family District on the west side of East 118th Street at 3364 East 118th Street; the proposed use being first permitted in a Multi-Family District and not permitted in a Two-Family District, according to Section 337.03 of the Codified Ordinances. (Filed 2-20-08; testimony taken.)

First postponement granted at request of the Councilman for time to verify the applicant's specific proposal and to provide the neighboring community with the information.

POSTPONED FROM APRIL 21, 2008

10:30

Calendar No. 08-53:

464 East 105th Street

Ward 8

Sabra Pierce Scott

6 Notices

Cleveland Steel Tool company, owner, and Clear Channel Outdoor, tenant, appeal to change an existing billboard to a digital electronic billboard unit, located in a Semi-Industry District on the west side of East 105th Street at 464 East 105th Street; contrary to a denied Permit Application on February 29, 2008 and the required approval from the City Planning Department/Commission for the replacement/reconstruction of a nonconforming billboard, according to the provisions of Section 350.10(l) of the Codified Ordinances. (Filed 3-14-08; testimony taken.)

First postponement granted at the request of City Planning to re-evaluate the conditions that will satisfy the provisions of Section 350.10(1)(5) regarding Nonconforming Billboards and Changeable Copy.
