

**BOARD OF ZONING APPEALS**

**FEBRUARY 20, 2007**

**9:30**

**Calendar No. 07-11:**

**17218 Grovewood Avenue**

**Ward 11**

**Michael Polensek**

**8 Notices**

Marlon Davis, owner, appeals to change an existing two-story mixed use building from a store and dwelling units to a carryout restaurant and dwelling units, situated on a 100' x 129' corner parcel in a Multi-Family District on the southwest corner of Grovewood Avenue and East 173<sup>rd</sup> Street at 17218 Grovewood Avenue; the proposed change being contrary to Section 337.08, not permitted in a Multi-Family District but first permitted in a Local Retail Business District, and subject to the provisions for existing nonconforming buildings and uses, the proposed substitution of a nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01(a) of the Codified Ordinances. (Filed 1-29-07)

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**9:30**

**Calendar No. 07-12:**

**11005 Mt. Overlook Avenue**

**Ward 6**

**Patricia Britt**

**4 Notices**

Clyde Kirby, owner, appeals to enclose an existing 8' x 27' second floor porch of a two family dwelling, situated on a 40' x 105' parcel located in a Two-Family District on the north side of Mt. Overlook Avenue at 11005 Mt. Overlook Avenue; the proposed enclosure being contrary to the Regulations for Yards and Courts with an 8' projection where not more than 4' is allowed as described in the provisions under Section 357.13(b)(4) of the Codified Ordinances. (Filed 1-29-07)

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**9:30**

**Calendar No. 07-13:**

**2801 Martin Luther King, Jr. Drive**

**Ward 6**

**Patricia Britt**

**7 Notices**

The Cleveland Clinic Foundation, owner, appeals to install a 6' tall ornamental fence along the 30' front yard setback of an acreage parcel, located in a Residence Office District on the southeast corner of Martin Luther King, Jr. Drive and Shaker Boulevard at 2801 Martin Luther King, Jr. Drive; contrary to the Fence Regulations for Non-Residential Districts, a 6' tall fence is proposed and fences in the front yard setback on Martin Luther King, Jr. Drive may not exceed 4' in height, according to Section 358.04(a) of the Codified Ordinances. (Filed 1-31-07)

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**BOARD OF ZONING APPEALS  
FEBRUARY 20, 2007**

**POSTPONED FROM JANUARY 8, 2007**

**10:30**

**Calendar No. 06-252:**

**17149 St. Clair Avenue**

**Ward 11**

**Michael Polensek**

**14 Notices**

All City Recycling, Inc., owner, and Lawrence Rich, agent, appeal to establish use as an automobile wrecking yard on an approximate 100' x 675.69' irregular shaped lot that is located in split zoning with the frontage along St. Clair Avenue in a Semi-Industry District and the remainder of the land in a General Industry District on the north side of St. Clair Avenue at 17149 St. Clair Avenue; the proposed use not being permitted in the Semi-Industry District portion of the property under the provisions of Section 345.03 of the Codified Ordinances. (Filed 12-12-06; testimony taken.)

**First postponement granted for appellant to communicate with the Councilman and neighboring property owner(s) to resolve concerns raised about soil pollution and question about the retaining wall inspection and to provide a method for eliminating the tracking of storage yard material onto the Public Right of Way surface, and for the appellant to provide EPA letters regarding lead testing and compliance pertaining to the All City Recycling, Inc. property.**

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**POSTPONED FROM JANUARY 8, 2007**

**10:30**

**Calendar No. 06-255:**

**4974 Broadview Road**

**Ward 16**

**Kevin Kelley**

**7 Notices**

Patrick Realty Corporation, owner, and Thomas Coyne, agent, appeal to erect a 14' x 48' double faced, illuminated billboard at a height of 90' on an acreage parcel, located in a General Industry District on the south side of Interstate 480 and on the west side of Broadview Road at 4974 Broadview Road; contrary to Section 350.10(d) a 90' height is proposed and 50' is the maximum height allowed for a billboard above a roadway surface; and the proposed billboard will be 500' from two other billboards on the same side of the freeway, and along freeways a minimum distance of 1400' is required between billboards located on the same side of the freeway, as stated in Section 350.10(e) of the Codified Ordinances. (Filed 12-12-06; testimony taken.)

**First postponement granted for appellants to provide a listing of #1 Media billboard sites in Cleveland, a complete copy of the #1 Media billboard lease for the subject billboard in the Flats, the height dimensions of the billboards oriented to I-480 that are located in proximity to the Broadview Road site, the calculations for distance and visibility of the proposed billboard from the roadway.**

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