

BOARD OF ZONING APPEALS

JANUARY 7, 2008

9:30

Calendar No. 07-249:

8226 Woodland Avenue

Ward 5

Phyllis Cleveland

14 Notices

Saeid B. Amini, owner, appeals to establish use of an acreage parcel for automobile salvage, parts storage, repair and dismantling, located General Industry District on the south side of Woodland Avenue at 8226 Woodland Avenue; subject to the requirements of Section 345.04(a)(4) the use is permitted provided that it is enclosed within a minimum 7' high solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence set not closer to the street line than the setback building line; and Section 347.06(d) requires that the height of material shall not be piled higher than 3' above the height of wall or fence enclosing the scrap yard, provided that, at any point closer then 5' from the enclosure, the scrap yard material shall not be piled above the height of the wall or fence; with accessory off-street parking spaces, driveways and maneuvering areas being indicated in specific locations and required to be properly graded for drainage, so that all water is drained within the lot providing the parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash, as stated in Section 349.07(a) of the Codified Ordinances. (Filed 11-28-07)

9:30

Calendar No. 07-250:

8322 Woodland Avenue

Ward 5

Saeid B. Amini, owner, appeals to establish use of an acreage parcel for automobile salvage, parts storage, repair and dismantling, located General Industry District on the south side of Woodland Avenue at 8322 Woodland Avenue; subject to the requirements of Section 345.04(a)(4) the use is permitted provided that it is enclosed within a minimum 7' high solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence set not closer to the street line than the setback building line; and Section 347.06(d) requires that the height of material shall not be piled higher than 3' above the height of wall or fence enclosing the scrap yard, provided that, at any point closer then 5' from the enclosure, the scrap yard material shall not be piled above the height of the wall or fence; with accessory off-street parking spaces, driveways and maneuvering areas being indicated in specific locations and required to be properly graded for drainage, so that all water is drained within the lot providing the parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash, as stated in Section 349.07(a); and a 6 foot wide frontage landscaped strip is required along the parking lot, according to the provisions of Section 352.10 of the Codified Ordinances.

9:30

Calendar No. 07-251:

8340 Buckeye Road

Ward 5

Phyllis Cleveland

14 Notices

Saeid B. Amini, owner, appeals to establish use of an acreage parcel for an automobile salvage yard, located in a Semi-Industry District on the west side of Buckeye Road at 8340 Buckeye Road; subject to the limitations of Section 345.03, the proposed use is not permitted but is first permitted in a General Industry District, provided that the lot area is a minimum of 50,000 square feet; and Section 345.04(a)(4) requires that the proposed use is enclosed within a minimum 7' high solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence set not closer to the street line than the setback building line; and Section 347.06(d) requires that the height of material shall not be piled higher than 3' above the height of wall or fence enclosing the scrap yard, provided that, at any point closer than 5' from the enclosure, the scrap yard material shall not be piled above the height of the wall or fence; with accessory off-street parking spaces, driveways and maneuvering areas being indicated in specific locations and required to be properly graded for drainage, so that all water is drained within the lot providing the parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash, as stated in Section 349.07(a) of the Codified Ordinances. (Filed 11-28-07)

9:30

Calendar No. 07-252:

8400 Buckeye Road

Ward 5

Saeid B. Amini, owner, appeals to establish an accessory use with auto repair at an existing auto salvage yard, located in a Semi-Industry District on the south side of Buckeye Road at 8400 Buckeye Road; and the Specific Use Regulations in Section 359.01 provide that a use of building and/or land lawfully existing on the effective date of this Zoning Code or of any amendment or supplement thereto, or for which a permit has been lawfully issued, may be continued even though such use does not conform to the provisions of this Zoning Code for the use district in which it is located, but no enlargement or expansion 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, issued only if after public hearing the Board finds that such substitution or expansion is no more harmful or objectionable as compared with the previous nonconforming use; the existing nonconforming use being first permitted in a General Industry District, provided that the lot area is a minimum of 50,000 square feet; and Section 345.04(a)(4) requires that the proposed use is enclosed within a minimum 7' high solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence set not closer to the street line than the setback building line; and accessory off-street parking spaces, driveways and maneuvering areas being indicated in specific locations and required to be properly graded for drainage, so that all water is drained within the lot providing the parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash, as stated in Section 349.07(a); and a fence, if located along a driveway within 15 feet of its intersection with a public sidewalk, shall meet the sight lines regulation, according to the provisions in Section 358.03(a) of the Codified Ordinances.

**BOARD OF ZONING APPEALS
JANUARY 7, 2008**

9:30

Calendar No. 07-255:

1351 East 105th Street

Ward 9

Kevin Conwell

14 Notices

Vera Coe, owner, appeals to change from a public library to a learning center the use of an existing two-story building on a 70' x 190' parcel, located in a Residence Office District on the east side of East 105th Street at 1351 East 105th Street; and no substitution nor expansion of an existing nonconforming use shall be permitted except as a variance under the terms of Chapter 329; with no expansion nor other change in such nonconforming use to other than a conforming use 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 nor 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 11-30-07)

POSTPONED FROM DECEMBER 10, 2007

10:30

Calendar No. 07-210:

2710 Lorain Avenue

Ward 13

Joseph Cimperman

13 Notices

Maggie Realty LLC and Victor Halm, owner, and Robert Ivanov, lessee, appeal to expand a legal nonconforming restaurant/tavern to a restaurant/tavern with entertainment in a three-story mixed use building, situated on a 33' x 122' parcel in a General Retail Business District on the north side of Lorain Avenue at 2710 Lorain Avenue; subject to the provisions of Section 359.01(a), the expansion of a nonconforming use requires the Board of Zoning Appeals approval, where the existing establishment was granted a parking variance in Calendar No. 77-151 for a shortage of 38 parking spaces, and the proposed bar with entertainment requires parking at three times the gross floor area, or 3,000 square feet multiplied by three, divided by 300 square feet per parking space, or a requirement of 30 spaces, according to Section 349.04(e) of the Codified Ordinances. (Filed 10-12-07; testimony taken.)

Second postponement requested by the Councilman for additional community dialogue about the applicants' proposal.
