

**BOARD OF ZONING APPEALS
MAY 23, 2011**

9:30

Calendar No. 11-59:

15600 Lorain Avenue

Ward 19

Martin Keane

24 Notices

Lakepark Congregation, owner, appeals to construct a new Kingdom Hall Church proposed on consolidated parcels located on a corner lot in a General Retail Business District; contrary to Section 367.07 a 10 foot setback is proposed where a 15 foot specific setback is required along Lorain Avenue and a 6 foot high wood privacy fence is proposed within the setback on West Park Avenue contrary to the Fence Regulations that prohibit fences in actual front and side street yards to exceed 4 feet in height and require that the fence be at least 50 percent open according to Section 358.04 of the Cleveland Codified Ordinances. (Filed 4-21-11)

9:30

Calendar No.11-60:

11100 Detroit Avenue

Ward 16

Jay Westbrook

17 Notices

La Cresta Properties LLC, owner, and Andi Ramazani, tenant, appeal to establish use as a coffee shop the corner portion of an existing three-story mixed use building, located in a General Retail Business District and subject to Cleveland Codified Ordinance 349.04(f), required accessory off-street parking spaces shall equal one for each employee, plus one for each 100 square feet of floor area devoted to patron use or one for each four seats, based upon the maximum seating capacity, whichever is greater. (Filed 4-25-11)

9:30

Calendar No. 11-62:

1901 Ford Drive

Ward 9

Kevin Conwell

3 Notices

Case Western Reserve University, owner, appeals from the limitation of 30 days duration to install a 30' x 60' temporary tent for events that will occur from May 1, 2011 through October 31, 2011, exceeding the restrictions in Section 347.10(a) of the Cleveland Codified Ordinances. (Filed 4-25-11)

9:30

Calendar No. 11-63:

2149 West 6th Street

Ward 3

Joe Cimperman

11 Notices

Todd Burger and Kristie Beck, owners, appeal to erect a three-story frame dwelling and attached garage on a 25' x 100' lot in a B1 Multi-Family District; pursuant to Section 355.04 a lot size of 6,000 square feet is required and 2,500 square feet is provided with a maximum lot coverage of 1,370 square feet contrary to 1,250 square feet; and a distance of 1 foot provided contrary to Section 337.23 and 1.6' that is required for the accessory building; and pursuant to Section 357.09, 10 feet is required for interior side yards and side yards equal to 5.16' and 6 feet are provided; with 1 foot of yard space provided where 3 feet is required in accordance with Section 357.13 in the Cleveland Codified Ordinances. (Filed 4-29-11)

9:30

Calendar No. 11-64:

2274 East 73rd Street

Ward 5

Phyllis Cleveland

11 Notices

East Central Townhomes, LLC and Burten Bell Carr Development Corporation, owner, appeal to install 162 linear feet of 6 foot high board on board wooden fence in the actual side yard along Central Avenue of a 59' x 140' lot in a C2 General Retail Business District; contrary to Section 358.04(a) that prohibits fence in actual side street yards to exceed 4 feet in height and requires that it be at least 50 percent open; and a fence 6 feet in height exceeds the distance from the neighbor's house along the rear of the lot. (Filed 4-29-11)

POSTPONED FROM MARCH 28, 2011

10:30

Calendar No. 10-179:

3292 Fulton Road

Ward 14

Brian Cummins

14 Notices

Pawaw Mangla, owner, appeals to change use from a retail store to a use for motor vehicle minor repair in an existing building located on a corner parcel in a Local Retail Business District; subject to limitations of Section 343.01 the proposed change is not permitted and first permitted in a General Retail Business District, by the provisions for minor motor vehicle repair as defined in Section 325.483; and no off-street parking is provided, contrary to Section 349.04(g) and a requirement for 6 off-street parking spaces. (Filed 9-21-10; testimony taken.)

A fourth postponement requested by the appellant because of a vacation schedule with agreement from the Councilman and to conclude a survey and review of the locale for the proposed use.

POSTPONED FROM FEBRUARY 22, 2011

10:30

Calendar No. 10-245:

3237 Scranton Road

Ward 14

Brian Cummins

13 Notices

The 3264 Holdings LLC and Fethi Belhovane, owner, appeal for a change of use from mechanic shop to a deli a one-story building on an irregular shaped corner lot in a Multi-Family District; subject to Section 359.01 and except as provided in Section 347.06 and Chapter 351, a use of building or land lawfully existing or for which a permit has been lawfully issued may be continue, but no 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 is permitted except by special permit from the Board of Zoning Appeals, issued only if the Board finds after public hearing that such substitution or other change is no more harmful or 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 to be attracted to the premises or n any other characteristic of the new use as compared with the previous use. (Filed 11-19-10; no testimony taken.)

Second postponement requested by the Councilman for additional review of the proposed plan with the appellant and the local community organization.