BOARD OF ZONING APPEALS MARCH 21, 2005

9:30 Ward 12
Calendar No. 05-36: 6550 Baxter Avenue Edward Rybka
23 Notices

Cleveland Catholic Diocese, owner c/o John Reali, and Thomas Tomsik, agent, appeal to construct a 47' x 215' four-story addition to the existing Central Catholic High School building, to provide for classrooms, administrative offices, a chapel and a one-story gymnasium, proposed to be situated on acreage located in a B1 Two-Family District on the south side of Baxter Avenue and East 67th Street at 6550 Baxter Avenue; contrary to the Regulations for Residence Districts and Section 337.03(b), the building addition requires the Board of Zoning Appeals approval to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided; and that there is appropriate design and location that meet a community need without adversely affecting the neighborhood, as stated in Section 337.02(f)(3)A of the Codified Ordinances. (Filed 2-18-05)

9:30 Ward 13
Calendar No. 05-37: 6412 Carl Avenue Joe Cimperman
3 Notices

Ismael Malave, owner, appeals to install 80 I/f of 4' high chain link fence and three gates along the front yard and western perimeter of the front yard setback of a 40' x 138' lot in a B1 Two-Family District, contrary to the Fence Regulations that require only an ornamental fence material may be installed in actual front yards in Residence Districts, as stated in Section 358.04(c)(1) of the Codified Ordinances. Filed 2-18-05)

BOARD OF ZONING APPEALS MARCH 21, 2005

9:30 Ward 20 Calendar No. 05-38: 4081 West 150th Street Martin Sweeney 7 Notices

3D Real Estate Management Ltd., owner c/o Norm Slemenda, and Aero Instruments c/o John Creech, appeal for installation and use as a parking lot for 21 spaces a 9,000 s/f grass field, for a temporary period of 18 months, situated in a B3 General Industry District on the east side of West 150th Street at 4081 West 150th Street; as proposed, the off-street parking is contrary to Section 349.07(a) that requires all accessory off-street parking spaces to be properly graded for drainage within the lot and that the lot shall be surfaced with asphalt or concrete and maintained according to the Requirements for Off-Street Parking and Loading as stated in the Codified Ordinances. (Filed 2-25-05)

9:30 Ward 19 Calendar No. 05-40: 11124 Fidelity Avenue Dona Brady 15 Notices

Cleveland Christian Home, owner c/o Beatrix Gasslein, appeal to construct a 27' x 77' two-story, six units apartment building to the south of the Cleveland Christian Home buildings, facing Fidelity Avenue and situated on an irregular shaped corner lot in a B1 Two-Family District near the southwest corner of Fidelity Avenue and Bosworth Road at 11124 Fidelity Avenue; with the proposed construction being subject to the limitations of Section 337.03 where a multi-family apartment building is not permitted in a B1 Two-Family District but first allowed in a Multi-Family District as stated in Section 337.08 of the Codified Ordinances. (Filed 2-25-05)

BOARD OF ZONING APPEALS

POSTPONED FROM FEBRUARY 22, 2005

10:30 Ward 1
Calendar No. 04-321: 13528-30 Miles Avenue Joe Jones
6 Notices +

Marvin Butler, owner, appeals to change from a poultry house to wrecking, storage and auto repair, the use of an existing 48' x 76' one-story, brick building, situated on an approximate 38,400 s/f lot in a Semi-Industry District on the south side of Miles Avenue at 13528-30 Miles Avenue; contrary to Section 345.03, the proposed use is not permitted in the Semi-Industry District but first permitted in a General Industry District and is subject to Sections 345.04(a)(4) that require auto wrecking to be in an area of 50,000 s/f; and open storage with auto wrecking to be enclosed by a minimum 7' high solid, masonry wall or slightly solid, non-transparent, well-maintained substantial fence, as stated in Sections 345.04(a)(3) of the Codified Ordinances.(Filed 12-13-04; testimony taken.)

Postponed for appellant to meet with neighborhood community groups about his project and to submit a final plan approved by the local Business Revitalization District Committee for the proposed use.

POSTPONED FROM FEBRUARY 28, 2005

10:30 Appeal of

Calendar No. 04-330: North Coast Payphones

ClevePhones, Inc.

North Coast Payphones/ClevePhones, Inc. c/o Howard Meister, president, appeals under Section 76-6 of the Charter of the City of Cleveland from an order to remove outdoor payphones from thirteen (13) sites, identified by the Commissioner of Assessments and Licenses on December 14, 2004, under the authority of Section 670B.06, where the appellant is ordered to remove the payphones that have been declared a nuisance by the Director of Public Safety. (Filed 12-27-04; no testimony taken.

Ward 5 Ward 7

3939 Community College Ave. 79th and Cornelia 74th and Superior 74th and Superior

74 and Superior

East 121st and Larchmere 77th and Superior- Permit #155

79th and Superior

Ward 17 79th and Wade Park- Permit #41 84th and Superior- Permit #93

58th and Lorain

Ward 6

Second postponement requested by appellant's counsel due to scheduling conflict.

BOARD OF ZONING APPEALS MARCH 21, 2005

POSTPONED FROM FEBRUARY 14, 2005

Calendar No. 05-2 Appeal of North Coast Payphones

Howard Meister, president of North Coast Payphones/ClevePhones, Inc., appeals under Section 76-6 of the Charter of the city of Cleveland from an order issued by the Commissioner of Assessments and Licenses, under authority of Section 670B.06 by written communication dated December 27, 2004, to remove nineteen (19) outdoor payphones declared to be a nuisance by the Director of Public Safety at the following locations:

12520 Lorain Ave	Ward 19	1210 East 79 th St	Ward 7	
14053 Lorain Ave	Ward 21	6206 Woodland Ave	Ward 5	
17136 Lorain Ave	Ward 21	8315 Woodland Ave	Ward 6	
15315 Bartlett Ave	Ward 3	15208 Lakeshore Blvd	Ward 11	
15315 Bartlett Ave	Ward 3	3332 West 32 nd St	Ward 14	
3111 East 93 rd St	Ward 4	3767 Community Colleg	je (permit 1206)	Ward 5
3111 East 93 rd St	Ward 4	1166 East 123 rd St	(permit 1218)	Ward 9
12914 Griffing Ave	Ward 6	3502 Walton Ave	(permit 1216)	Ward 14
2249 East 105 th St	Ward 6	15521 St. Clair Ave		Ward 10
7901 Cedar Ave	Ward 6.			

First postponement requested by the City for time to obtain records information.

POSTPONED FROM FEBRUARY 22, 2005

Calendar No. 05-8: Appeal of

Midwest Telecom Payphones Ward 6

7901 Cedar Avenue

Mark Higgins, president of Midwest Telecom Payphones, appeals under Section 76-6 of the Charter of the City of Cleveland, from an order dated December 27, 2004 issued by the Commissioner of Assessments and Licenses under the authority of Section 670B.06 of the Cleveland Codified Ordinances for the removal of two outdoor payphones located at 7901 Cedar Avenue, declared to be a nuisance by the Director of Public Safety. (Filed 1-12-05; no testimony taken.)

First postponement requested by the City due to a scheduling conflict for their counsel.
