

**BOARD OF ZONING APPEALS
JULY 28, 2008**

9:30

Calendar No. 08-131:

4060 East 116th Street

Ward 2

Robert White

6 Notices

Number 1 Grace LLC, owner, appeals from the decision of the Cleveland Zoning Administrator to deny an application for Certificate of Occupancy for a 77,500 square foot auto wrecking yard, located on an irregular shaped parcel in a General Industry District on the west side of East 116th Street and Harvard Avenue at 4060 East 116th Street; and 5 parking spaces are provided, contrary to a requirement for 39 spaces based upon 15 percent of the gross lot area, or 11,600 square feet, plus 1 space for each employee that is required according to the provisions of Section 349.04(j) of the Codified Ordinances. (Filed 7-2-08)

9:30

Calendar No. 08-132:

4524 Broadview Road

Ward 16

Kevin Kelley

Violation Notice

Manuel McDonald appeals under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation, issued by the Building and Housing Department on April 3, 2008 for failure to comply with the Zoning Code and the Requirements for Yards and Courts under Section 357.14 and the Off-Street Parking and Loading Requirements under Sections 349.13(c)(6) of the Cleveland Codified Ordinances. (Filed 7-2-08)

9:30

Calendar No. 08-133:

12800 Larchmere Boulevard

Ward 6

Mamie Mitchell

15 Notices

Sam Gantous, owner, appeals to install and establish a new outdoor dining service area with 10 tables ten (1) on a 50.49' x 159.07' corner parcel located in a Local Retail Business District on the southeast corner of Larchmere Boulevard (Woodland Avenue) and Kendall Road at 12800 Larchmere Boulevard; no additional parking is proposed and 10 new parking spaces, one accessory off-street parking space for each four seats, are required according to Section 349.04(f) of the Codified Ordinances. (Filed 7-2-08)

9:30

Calendar No. 08-134:

5806 Franklin Boulevard

Ward 17

Matthew Zone

7 Notices

Bradford Watson, owner, appeals to erect a 20' x 32' one-story, frame attached garage to an existing dwelling house located on a 38' x 100' parcel in a Two Family District on the north side of Franklin Boulevard at 5806 Franklin Boulevard; contrary to Section 355.04(b) a maximum gross floor area of 2,540 square feet is proposed, exceeding 50 percent of the lot size or 1,900 square feet that is allowed; and a rear yard area of 7 feet 2 inches is proposed where 35 feet is required to equal not less than the height of the main building as stated in Section 357.08 of the Codified Ordinances. (Filed 7-3-08)

9:30

Calendar No. 08-135:

2527 West 25th Street

Ward 14

Joseph Santiago

10 Notices

Klein-Barabas, Ltd, LLC, owner, and Mario Nemr. tenant, appeal to establish use as a nightclub/tavern with entertainment an existing two-story building and consolidated parcels, located in split zoning between Semi-Industry and Two-Family Districts on the northeast corner of West 25th Street and Potter Court at 2527 West 25th Street; the proposed use not permitted in a residential district but permitted in a General Retail Business District according to provisions of Sections 343.11(b)(2)(L); and subject to the limitations of Section 347.12(a)(1), a nightclub/tavern with entertainment use cannot be established within 500 feet of a residential district and the proposed use is within a residential district; no landscaping plan is provided contrary to Section 352.12; and an 8 foot wide, landscaped transition strip providing 75 percent year-round opacity is required, where the new lot abuts the residential district to the north and none is proposed, contrary to Sections 352.08-11 of the Codified Ordinances. (Filed 7-3-08)

9:30

Calendar No. 08-140:

4005 West 143rd Street

Ward 21

Martin Keane

5 Notices

Carole Godenswager, owner, appeals to erect a frame handicap wheel chair ramp 3 feet wide and 39 feet long at the front of a one-story single family dwelling on a 40' x 125.80' parcel, located in an A1 One-Family District on the east side of West 143rd Street at 4005 West 143rd Street; and the proposed ramp may not project more than 6 feet beyond the building line nor within 10 feet of the street line as stated in Section 357.13 of the Codified Ordinances. (Filed 7-10-08)

POSTPONED FROM JUNE 30, 2008

10:30

Calendar No. 08-76:

13528-30 Miles Avenue

Ward 1

Nina Turner

13 Notices

Marvin Butler, owner, appeals to change from a poultry house to auto repair, towing and wrecking and parts, the use of an existing 48' x 76' one-story, brick building, located on an irregular shaped acreage parcel 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 square feet and enclosed within a minimum of 7 foot high, solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence, as stated in Sections 345.04(a)(4) of the Codified Ordinances. (Filed 4-21-08; no testimony taken.)

First postponement requested by City Neighborhood Planner for meeting to occur between the applicant and the Local Design Review Committee.

10:30

Calendar No. 08-114:

2906 Natchez Avenue

Ward 16

Kevin Kelley

3 Notices

Thomas Tindira, owner, appeals to erect a 10' x 16' one-story, frame garage on a 35' x 77.76' parcel located in a B1 Two-Family District on the north side of Natchez Avenue at 2960 Natchez Avenue; the proposed garage is 6 feet away from the neighboring dwelling and an accessory building in a residential district shall be located at least 10 to 15 feet away from the neighboring dwelling, according to the provisions of Section 337.23(a) of the Codified Ordinances. (Filed 6-3-08; 6-30-08 dismissed; 7-7-08 reinstated.)

