

**BOARD OF ZONING APPEALS
AUGUST 24, 2009**

9:30

Calendar No. 09-150:

1808 West 57th Street

Ward 17

Matthew Zone

6 Notices

James Littles, owner, appeals to use an existing garage on a 40' x 114' parcel in a Two-Family District for parking and storage of automobiles, where a main residential structure has been removed; the proposed use nonconforming to Section 337.03(a) and not permitted as a main use of premises in a residential district, according to the Cleveland Codified Ordinances. (Filed 7-21-09)

9:30

Calendar No. 09-154:

11001 Union Avenue

Ward 3

Zachary Reed

7 Notices

Richard C. Morvilius, Jr., dba Cleveland Plumbing and Supply, owner, appeals to install 96 linear feet of 10 foot tall steel panel fence on the northeast portion of a corner parcel in a Semi-Industry District, contrary to the limitations of Cleveland Codified Ordinance 358.05(a)(1), a fence in the rear and interior side yards of a Semi-Industry District may not exceed a height of 6 feet. (Filed 7-21-09)

9:30

Calendar No. 09-155:

3232 Lakeside Avenue

Ward 13

Joe Cimperman

6 Notices

Charles Fleck, owner, and Theodore Talliere, agent, appeal to expand occupancy from 135 to 200 and to add entertainment use to an existing tavern/restaurant on a 130.66' x 107.67' parcel in a General Industry District; contrary to Section 349.04(c) no accessory off-street parking is provided and accessory off-street parking equal to three times the gross floor area is required; and the substitution/expansion of an existing nonconforming use requires the Board of Zoning Appeals approval in accordance with Section 359.01 in the Cleveland Codified Ordinances.(Filed 7-22-09)

9:30

Calendar No. 09-156:

**5002 Fleet Avenue
Second Hand Dealers License**

Ward 12

Anthony Bracatelli

Al Zaleski appeals under the authority of Section 76-6 of the Charter of the City of Cleveland from a disapproved application for a Second Hand Dealer's License by the City of Cleveland Department of Public Safety as stated in the notice dated July 14, 2009 from the Division of Assessments and Licenses. (Filed 7-23-09)

9:30

Calendar No. 09-158:

1821 West 48th Street

Ward 17

Matthew Zone

3 Notices

Bernard Reyes, owner, appeals to install 50 lineal feet of 6 foot tall fence on a 60' x 126' parcel in a Two-Family District, contrary to the Fence Regulations a distance of 2 feet is provided and no fence shall be higher than its distance from a residence building on an adjoining lot or future residence on such lot, as stated in Section 358.04(a) of the Cleveland Codified Ordinances. (Filed 7-27-09)

10:30

Calendar No. 09-106:

3914 John Avenue

Ward 13

Joe Cimperman

The City of Cleveland Department of Building and Housing appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 161.05 of the Codified Ordinances from a ruling of the Cleveland Landmarks Commission on May 14, 2009 to disapprove a Certificate of Appropriateness for the demolition and removal of a house on the property at 3914 John Avenue. (Filed 6-2-09; testimony taken 6-15-09; motion for rehearing filed 6-22-09; motion approved 7-13-09)

POSTPONED FROM JULY 6, 2009

10:30

Calendar No. 09-109:

5110 Praha Avenue

Ward 5

Phyllis Cleveland

18 Notices

Quality Stamping Products Company, owner, appeals to establish use to stockpile (storage) clean fill dirt on a 189' x 350' irregular shaped corner parcel in a Residence Industry District; subject to the limitations of Section 345.02 storage of material must be stored inside of buildings; and the use is first permitted under Section 345.04 in a General Industry District, provided that the yard is enclosed within a minimum 7 foot tall solid wall or fence and the dirt or other material not piled higher than 3 feet above the height of the fence or wall; and accessory driveways and maneuvering areas leading to the shall be properly graded for drainage so that water is drained within the lot and surfaced with 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 Cleveland Codified Ordinances. (Filed 6-5-09; no testimony taken.)

First postponement requested by Councilpersons Brancatelli and Cleveland and the Slavic Village Development Corporation for additional review of the proposed use.

POSTPONED FROM JULY 13, 2009

9:30

Calendar No. 09-120:

1575 Merwin Avenue

Ward 13

Joe Cimperman

Target Industries, Inc., owner, and Justine White dba Club Alchemy, tenant, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland from a denied Dance Hall License, upon recommendation of the Cleveland Fire Prevention Bureau to disapprove an application for a Dance Hall License for the premises at 1575 Merwin Avenue, as stated in the notice dated June 1, 2009 from the Cleveland Division of Assessments and Licenses. (Filed 6-11-09; no testimony taken.)

First postponement requested by the Councilman for additional information regarding the disapproved Dance Hall License application.