

BOARD OF ZONING APPEALS

MARCH 29, 2004

9:30

Calendar No. 04-49:

2443 West 15th Street

Ward 13

Joe Cimperman

3 Notices

Christina Anderson, owner, appeals to add a 5' x 5' wolmanized wooden deck at the rear of a one family dwelling on a 33' x 50' parcel, located in a Multi-Family District on the east side of West 15th Street at 2443 West 15th Street; contrary to the Regulations for Yards and Courts, a 12' rear yard is proposed and a rear yard depth of 20' is required as stated in Section 357.08(b) of the Codified Ordinances. (Filed 2-26-04)

9:30

Calendar No. 04-50:

11604 Governor Avenue

Ward 19

Dona Brady

7 Notices

George M. Greenawalt, owner, appeals to erect an 18' high, 26.8' x 25.4' garage addition to the east side of a one-family dwelling situated on a 70' x 46' parcel, located in a Local Retail Business District on the north side of Governor Avenue at 11604 Governor Avenue; contrary to Section 357.06 of the Yards and Courts Regulations, where a 25' line of existing front setback is required and 20' is provided and Sections 357.08 and 357.09(a)(2), where a 20' rear yard is required and 1.8' is provided and an interior side yard of 3' is required and 2.6' is provided and contrary to Section 357.09(b)(2)A, where no building shall be erected less than 10' from a main building on an adjoining lot to the west and 1.8' is provided and subject to Regulations for Nonconforming Uses where an expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 2-26-04)

9:30

Calendar No. 04-51:

Appeal of Aziz Anod

Hack License Suspension

Aziz Anod appeals under Chapter 76-6 of the Charter of the City of Cleveland and Section 443.36 of the Codified Ordinances from the suspension of a City of Cleveland Hack License scheduled to begin February 29, 2004 and continuing through March 8, 2004 as issued by Dedrick Stephens, Commissioner of Assessments and Licenses. (Filed 3-2-04)

BOARD OF ZONING APPEALS

MARCH 29, 2004

9:30

Calendar No. 04-52:

6304 Lorain Avenue

Ward 17

Matt Zone

8 Notices

Steve Menyhart dba Menyhart Plumbing appeals to extend the storage area of a plumbing supply operation onto an additional parcel, a consolidation of appellant's parcels totaling to an approximate lot size of 210' x 132', all situated in a Local Retail Business District on the north side of Lorain Avenue at 6304 Lorain Avenue; contrary to Section 343.01 of the Business Districts Regulations that does not permit the storage for a legal, nonconforming plumbing supply business in a Local Retail District; and subject to Section 359.01 of the provisions for Nonconforming Uses, the expansion of a nonconforming use requires the Board of Zoning Appeals approval; and no detailed site plan is provided, identifying the features for the proposed use on the additional lot as required in Section 327.02(e) under Enforcement and Penalty in the Codified Ordinances. (Filed 3-3-04)

9:30

Calendar No. 04-53:

18501 Neff Road

Ward 11

Michael Polensek

20 Notices

Tops Markets LLC, owner c/o John Crook, agent, appeals to erect a service station on the parking area of a supermarket site currently under construction on an irregular shaped acreage parcel located in the Local Retail Business District on the northeast corner of East 185th Street and Neff Road; contrary to Section 343.01 of the Regulations for Business Districts where a service station is not permitted in a Local Retail District but first permitted in a General Retail Business District and subject to the provisions for Nonconforming Uses where the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 3-3-04)

9:30

Calendar No. 04-54:

4117 East 71st Street

Ward 12

Violation Notice

Gerald Durante, owner, and Larry Duckworth, tenant, appeal under Section 329.01(e) from a Violation Notice issued February 18, 2004 by the Building and Housing Department for illegal conversion of the premises from a retail store to an adult entertainment use and is subject to the Enforcement and Penalty provisions of Section 327.02(c) of the Codified Ordinances. (Filed 3-4-04)

BOARD OF ZONING APPEALS

MARCH 29, 2004

POSTPONED FROM MARCH 8, 2004

10:30

Calendar No. 04-22:

14109 Benwood Avenue

Ward 1

Joseph Jones

20 Notices

Fifth Christian Church c/o Minister Mack Rice, owner, and Charles Kelley, agent, appeal to construct an accessory parking lot to the existing church situated on an approximate 347' x 247' irregular shaped parcel located, in a Two-Family District and a Local Retail Business District on the north side of Benwood Avenue at 14109 Benwood Avenue; contrary to the Regulations for Residential Districts (Section 337.03 for a Two-Family District) and for Business Districts (Section 343.01 for a Local Retail Business District), regulated by reference to Section 337.02(e)(1) for a One-Family District, a church and accessory uses if located less than 15' from any residence district are subject to the Board of Zoning Appeals approval; and contrary to Sections 349.05(a) and 349.07(a) of the Off-Street Parking and Loading Requirements, where no parking space shall be located within 10' of any wall of a residential building or structure if such wall contains an opening designed to provide light or ventilation for such building and off-street parking spaces shall be provided with wheel or bumper guards; and contrary to the Landscaping and Screening Requirements of Section 352.11, where an 8' wide landscaping strip is required between the parking lot and the abutting Two-Family District and a 6' wide landscaping strip is required along Benwood Avenue and East 140th Street; and subject to the Yards and Courts provisions, where parking of motor vehicles is prohibited in the required 18' setback along East 140th Street as stated in Section 357.14(a)(1) of the Codified Ordinances. (Filed 1-15-04; testimony taken.)

Second postponement granted for the appellant to provide a more code conforming site plan prior to the rescheduled hearing date.
