

BOARD OF ZONING APPEALS

DECEMBER 8, 2003

9:30

Calendar No. 03-310: 3304 East 126th Street

Ward 3

**Zachary Reed
11 Notices**

Mt. Pleasant Church of God, owner c/o Brother Leroy Moore, and Dan Bickerstaff, agent, appeal to construct an eleven car parking lot to the rear of an existing church building located on a 120' x 290' irregular shaped parcel located in a Two-Family District on the northwest corner of East 126th Street and Luke Avenue; the parking lot construction being contrary to the Residential Districts Regulations of Section 337.03 for a Two-Family District and, by reference, is regulated by Sections 337.02(e)(1) that require a church and accessory uses if located less than 15' from any Residential District to be subject to the Board of Zoning Appeals approval; and contrary to the Yards and Courts Requirements where parking of motor vehicles in the +20' setback along East 125th Street is prohibited as stated in Section 357.14(a)(1) of the Codified Ordinances. (Filed 11-4-03)

9:30

Calendar No. 03-311: 3316 East 126th Street

Ward 3

**Zachary Reed
11 Notices**

Mt. Pleasant Church of God, owner c/o Brother Moore, and Dan Bickerstaff, agent, appeal to construct a 32 car parking lot on a 120' x 152' parcel located in a Two-Family District on the southwest corner of East 126th Street and Luke Avenue; the proposed parking lot construction being contrary to the Residential Districts Regulations and Section 337.03 where a parking lot in a Two-Family District is prohibited and first allowed in a Local Retail Business District as stated in Sections 343.01(b)(4); and contrary to Section 349.13(c) of the Residential Districts Regulations where a parking lot in a Two-Family District requires the Board of Zoning Appeals approval and the proposed plan being contrary to the Landscaping and Screening Requirements of Section 352.11 where a 6' wide landscape strip is proposed on the west perimeter of the lot and an 8' wide landscaping strip is required between the parking lot and the abutting Two-Family District; and contrary to the Yards and Courts Requirements, where the parking of motor vehicles in the +20' setback along East 126th Street is prohibited as stated in Section 357.14(a)(1) of the Codified Ordinances. (Filed 11-4-03)

**BOARD OF ZONING APPEALS
DECEMBER 8, 2003**

9:30

Calendar No. 03-312:

16107 Miles Avenue

Ward 1

Joseph Jones

4 Notices

New Jerusalem Church c/o Pastor Stanley Lockhart, owner, appeals to construct stairs, landings and a wheelchair lift to the front of an existing one-story brick church building situated on a 60' x 111' parcel located in a One-Family District on the north side of Miles Avenue at 16107 Miles Avenue; the proposed construction being contrary to the Yards and Courts Requirements of Section 357.13(b) where neither an elevator nor a wall greater than 4' high are a permitted encroachment and the projection of open porticos or porches, steps, landing and porch, may not extend within 10' of the street line as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 11-5-03)

9:30

Calendar No. 03-316:

4428 Bridge Avenue

Ward 13

Joe Cimperman

9 Notices

Eric Fritz, owner, and Mary Jo Stuart, tenant, appeal to change the use of an approximate 18' x 26' two-story, brick store and two dwelling suites building to a beauty salon and two dwelling suites situated on a 30' x 84' corner parcel in a Two-Family District on the north side of Bridge Avenue at the intersection of Bridge Avenue and West 45th Street; the proposed change being a substitution of a nonconforming use and requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 11-11-03)

9:30

Calendar No. 03-317:

5515 Ira Avenue

Ward 16

Michael O'Malley

6 Notices

Cleveland Public Schools, owner c/o Kelly Peacock, agent, appeals to install a new 7' x 10' freestanding, double-sided bulletin board sign in the side yard of an existing 30' x 132' three-story, brick public school building, William Rainey Harper School, situated on an approximate 700' x 178' irregular shaped corner parcel, located in a Two-Family District on the south side of Ira Avenue at the intersection of Fulton Road and Ira Avenue at 5515 Ira Avenue; the proposed sign being contrary to the Sign Regulations where the proposed bulletin board sign is 70' s/f and the maximum square footage allowed for a bulletin board is 40' s/f as stated in Section 350.13(a) of the Codified Ordinances. (Filed 11-12-03)

**BOARD OF ZONING APPEALS
DECEMBER 8, 2003**

9:30

Calendar No. 03-272:

1584 East 82nd Street

Ward 7

Fannie Lewis

4 Notices

Gregory Neal, owner, appeals to enclose an existing 12' x 25' front porch of a two-story, frame one-family dwelling, situated on a 32' x 120' rectangular parcel located in a Multi-Family District on the west side of East 82nd Street at 1584 East 82nd Street; the proposed enclosure being subject to the Enforcement and Penalty Provisions of Section 327.02(d) that require plans for the project be drawn to scale and contrary to the Yards and Courts Requirements where a 12' projection is proposed and enclosed front porches shall not project more than 4' as stated in Section 327.02(b)2 of the Codified Ordinances. (Reinstated 11-10-03)

9:30

Calendar No. 03-289:

9616 Gaylord Avenue

Ward 2

Robert White

5 Notices

Robert Lanier, owner, appeals to enclose an existing 14' x 10' front porch of a one family, frame dwelling situated on a 42' x 176' parcel located in a Two-Family District on the south side of Gaylord Avenue at 9616 Gaylord Avenue; the proposed enclosure being contrary to the Yards and Courts Requirements, where the proposed porch enclosure has a 10' projection and enclosed front porches may not project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances. (Rehearing Granted 11-24-03)

POSTPONED FROM NOVEMBER 10, 2003

10:30

Calendar No. 03-287:

2207 East 33rd Street

Ward 5

Frank Jackson

Violation Notice

Cellie Pittman, owner, appeals under Section 329.01(e) from a Violation Notice issued September 30, 2003 by the Building and Housing Department for failure to comply with the Residential Districts Requirements, where access and maintenance of accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces and be surfaced with concrete, asphalt or similar surfacing material, and maintained in good condition, free of debris and trash as stated in Section 337.18 of the Codified Ordinances. (Filed 10-8-03; no testimony taken.)

First postponement granted for time to allow the property owner to be present at the hearing.

**BOARD OF ZONING APPEALS
DECEMBER 10, 2003
POSTPONED FROM NOVEMBER 24, 2003**

10:30
Calendar No. 03-292: 2600 Hamilton Avenue Ward 13
Joe Cimperman
11 Notices

Fleck & Associates, Inc., c/o Charles Fleck, appeal to erect a 39,587 s/f gymnasium and private club building with 15 sleeping rooms and a 62 space parking lot all situated on an approximate 480' acreage parcel located in a General Industry District on the south side of Hamilton Avenue between East 26th and East 30th Streets at 2600 Hamilton Avenue; the proposed plan being contrary to Section 345.04(c)(1) of the Industrial Districts Regulations where human habitation is prohibited in a General Industry District and contrary to the Landscaping and Screening Requirements where no landscaping plan is provided and a landscaping plan is required as stated in Section 352.04 of the Codified Ordinances. (Filed 10-25-03; no testimony taken.)

First postponement requested by the City Law Department.

10:30
Calendar No. 03-302: 15235 Lorain Avenue Ward 21
Michael Dolan
10 Notices

Tomken Inc. c/o Tom Ganley, owner, appeals to erect a parking lot for new car sales on a 50' x 188' parcel located in a General Retail Business District on the south side of Lorain Avenue at 15235 Lorain Avenue; contrary to Sections 343.11(b)(2)(I)(4) where a 6' setback is proposed and all vehicles and advertising must be behind a 15' setback line on Lorain Avenue and a barrier must be erected at the required setback line; and contrary to the Yards and Courts Requirements where parking is not a permitted encroachment in the required 15' setback on Lorain Avenue as stated in Section 357.14 of the Codified Ordinances.(Filed 10-24-03; no testimony taken.)

10:30
Calendar No. 03-303: 15310 Lorain Avenue Ward 21

Ganley Real Estate Company c/o Tom Ganley, owner, appeals to erect a parking lot for auto sales and parking on an approximate 213' x 172' irregular shaped parcel located on the north side of Lorain Avenue where it intersects with Triskett Road at 15310 Lorain Avenue; contrary Sections 343.11(b)(2)(I)(4) where a 4-5' setback line is proposed and all vehicles and advertising must be behind a 15' setback line on Lorain Avenue and a 10' setback line on Triskett Road and a barrier must be erected at the required setback lines; and contrary to the Yards and Courts Requirements, where parking is not a permitted encroachment in either the required 15' or the 10' setback lines on Lorain Avenue and Triskett Road as stated in Section 357.14 of the Codified Ordinances.(Filed 10-24-03; no testimony taken.)

First postponement granted for appellant property owners' attendance or written authorization for a representative on their behalf at the hearing.

