

**BOARD OF ZONING APPEALS
MARCH 8, 2010**

9:30

Calendar No. 10-17:

5608 Hough Avenue

Ward 7

TJ Dow

10 Notices

LTF 55 Properties Ltd, owner, and Tomco Metal Fabricating, lessee, appeal to establish use as a commercial scrap, salvage metal operation on a 61' x 114.67' parcel in a Semi-Industry District contrary to Section 345(c)(33) and first permitted in a General Industry District in accordance with Section 345.04(3) that requires the use to be completely enclosed by a minimum seven foot high non-transparent fence, contrary to an unspecified chain link fence that partially encloses the premises; and compliance with Section 349.04(j) requires parking at the rate of one for each two employees or a total parking area equivalent to 10 percent of the gross floor area, whichever is greater; and no paved areas nor parking areas are provided, contrary to Section 349.07(a) where all vehicle maneuvering and parking areas must be paved with concrete or asphaltic concrete, or a surface approved by the Building Commissioner, as stated in the Cleveland Codified Ordinances. (Filed 2-16-10)

9:30

Calendar No. 10-18:

5614 Hough Avenue

Ward 7

TJ Dow

10 Notices

LTF 55 Properties Ltd, owner, and Tomco Metal Fabricating, lessee, appeal to establish use as a commercial scrap, salvage metal operation on a 61' x 114.67' parcel in a Semi-Industry District contrary to Section 345(c)(33) and first permitted in a General Industry District in accordance with Section 345.04(3) that requires the use to be completely enclosed by a minimum seven foot high non-transparent fence, contrary to an unspecified chain link fence that partially encloses the premises; and compliance with Section 349.04(j) requires parking at the rate of one for each two employees or a total parking area equivalent to 10 percent of the gross floor area, whichever is greater; and no paved areas nor parking areas are provided, contrary to Section 349.07(a) where all vehicle maneuvering and parking areas must be paved with concrete or asphaltic concrete, or a surface approved by the Building Commissioner, as stated in the Cleveland Codified Ordinances. (Filed 2-16-10)

9:30

Calendar No. 10-19:

5616 Hough Avenue

Ward 7

TJ Dow

10 Notices

LTF 55 Properties Ltd, owner, and Tomco Metal Fabricating, lessee, appeal to establish use as a commercial scrap, salvage metal operation on a 61' x 114.67' parcel in a Semi-Industry District contrary to Section 345(c)(33) and first permitted in a General Industry District in accordance with Section 345.04(3) that requires the use to be completely enclosed by a minimum seven foot high non-transparent fence, contrary to an unspecified chain link fence that partially encloses the premises; and compliance with Section 349.04(j) requires parking at the rate of one for each two employees or a total parking area equivalent to 10 percent of the gross floor area, whichever is greater; and no paved areas nor parking areas are provided, contrary to Section 349.07(a) where all vehicle maneuvering and parking areas must be paved with concrete or asphaltic concrete, or a surface approved by the Building Commissioner, as stated in the Cleveland Codified Ordinances. (Filed 2-16-10)

POSTPONED FROM JANUARY 19, 2010

10:30

Calendar No. 09-233:

7310 Fleet Avenue

Ward 12

Anthony Brancatelli

6 Notices

Mukesh Agarwal, owner, appeals to construct an approximate 3,400 square foot second floor addition to an existing day care operation and to increase the current number from 67 children served to 137 in a one-story building on an acreage parcel in a Two-Family District; subject to the limitations of Section 337.03, and by reference to Section 337.02(f)(3)(C), the proposed use requires public notice, hearing and approval by the Board of Zoning Appeals to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board, such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood; and the child care business must be at least 30 feet from neighboring premises not used for a similar purpose; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval, according to the provisions of Section 359.01 of the Cleveland Codified Ordinances. (Filed 11-2-09; no testimony taken.)

Second postponement requested by the applicant for additional time to work with the Slavic Village Development Corporation on the issues of the plans related to the size and layout of the property with the proposed addition.

POSTPONED FROM FEBRUARY 16, 2010

10:30

Calendar No. 09-244:

1678 Leonard Avenue

Ward 3

Joe Cimperman

7 Notices

Mike Hirko, owner, and Chuck Rogers, tenant, appeal to change from factory/warehouse to a private club the use of an existing building on an irregular corner shaped parcel in a General Industry District; no parking spaces are provided and a private club requires a total parking area equal to one space per 100 square feet of floor area, or 45 required off-street parking spaces, determined by a calculation based upon 4,500 square feet in accordance with Section 349.04(f) in the Cleveland Codified Ordinances. (Filed 11-12-09; no testimony taken.)

Second postponement requested by the Councilman for additional review about the proposed plan.

POSTPONED FROM FEBRUARY 8, 2010

10:30

Calendar No.10-5:

3837 Ridge Road

Ward 15

Matthew Zone

6 Notices

WHS Realty Services, Inc., owner, and Salim Hasrouni tenant, appeal to add entertainment/dance hall use to an existing tavern/restaurant on a irregular shaped parcel in a Semi-Industry District; subject to the limitations of Section 347.12(a)(1), the property abuts a B1 Two-Family District where the proposed use is not permitted within 500 feet of a residence district, and a 10 foot wide transition landscape strip is required where none is provided contrary to Sections 352.08-352.12 of the Cleveland Codified Ordinances. (Filed 1-13-10; testimony taken.)

First postponement taken for the applicants to communicate with the neighboring property owners and residents for a consensus about the proposed added use for entertainment.