

**April 30, 2012**

**9:30**

**Calendar No. 12-54:**

**6607 Park Avenue**

**Ward 12,**

**Anthony Brancatelli**

**17 Notices**

Bernadine Gusley, owner, appeals to establish use for scrap metal storing and processing, with no outside storage of scrap or materials, on a 35' x 120' lot in a B2 General Industry District; subject to the provisions under Sections 349.04(j) and 349.07(a) a parking area equal to 10 percent of the gross floor area is required and an accessory off-street parking area shall be properly graded so that all water is drained within the lot and maintained in good condition. Grading is not indicated and the lot does not contain designated striped parking spaces of 180 square feet as required under Section 325.03; and no landscaping is provided contrary to Sections 352.08-10 that require a 6 foot wide landscaped transition strip along the parking lot where it adjoins the street. (Filed 3-27-12)

**9:30**

**Calendar No. 12-56:**

**11885 Bellaire Road**

**Ward 17**

**Dona Brady**

**17 Notices**

Yakup Cukurcavir, owner, appeals to establish an open sales lot (used car sales) proposed to be on consolidated parcels located in a C1 Local Retail Business District; contrary to the limitations under Section 343.11(b)(2)(I)(4) the proposed use is not permitted and first permitted in a General Retail Business District, provided that all vehicles' advertising matter, all structures, movable or fixed, are kept in back of a structurally-sound barrier at least one and one-half feet high; and used car lot must provide 25 percent of the gross lot area for customer parking in accordance with Section 349.04(f); and the provisions under Section 325.03 require a parking space to be 180 square feet, and a plan showing ADA parking and a vehicle display area configuration is required. No landscaping plan is provided contrary to Section 352.08-10 and the requirement for a front landscaped strip 4 feet wide along Bellaire Road and a transition landscaped strip 10 feet wide with a 75 percent year-round opacity is required along the rear of the property where the lot abuts a Two-Family District. (Filed 3-27-12)

**9:30**

**Calendar No. 12-58:**

**1020-30 Euclid Avenue**

**Ward 3**

**Joe Cimperman**

**11 Notices**

CR Truman, LP, owner, appeals for a change of use from offices to apartments in a six-story building, the Truman Building, located in an E5 General Retail Business District; subject to the Area Regulations under Section 355.04(b) in an "E" area district the maximum, gross floor area may not exceed one-half the lot area and approximately 47,740 square feet is proposed contrary to 21,964 square feet; a rear yard depth of 20 feet is required and side yard width shall in no case be less than one-fourth the height of the main building on the premises, not less than 8 feet, in accordance with Cleveland Codified Ordinances 357.08(b)(1) and 357.09(b)(2)C. (Filed 3-30-12)

9:30

Ward 3

Calendar No. 12-59:

1120 Chester Avenue

Joe Cimperman

7 Notices

Chester/12, Ltd., owner, appeals for a change of use from offices to apartments in a four-story building, the Chester Commons, located on the southwest corner of East 12<sup>th</sup> Street and Chester Avenue in an E5 General Retail Business District; subject to the Area Regulations under Section 355.04(b) in an "E" area district the maximum, gross floor area may not exceed one-half the lot area and approximately 47,230 square feet is proposed contrary to 27,000 square feet; a rear yard depth of 20 feet is required and side yard width shall in no case be less than one-fourth the height of the main building on the premises, not less than 8 feet, in accordance with Cleveland Codified Ordinances 357.08(b)(1) and 357.09(b)(2)C. (Filed 3-30-12)

9:30

Ward 6

Calendar No. 12-65:

12402 Britton Drive

Mamie Mitchell

4 Notices

Phillip White, owner, appeals to erect 40 linear feet of 7 foot high wood, privacy fence in the side/front yard of an irregular shaped corner parcel in an A1 One-Family District; contrary to the Fence Regulations under Section 358.04(a) that limit fence height in the actual front yard to a height of 4 feet and a fence that is at least 50 percent open and a limit of 6 feet in height for fence in an interior side yard. (Filed 4-10-12)

**POSTPONED FROM MARCH 12, 2012**

10:30

Ward 3

Calendar No. 11-202:

3007 Clinton Avenue

Joe Cimperman 30+ Notices

Storer Meat Company Incorporated, owner, appeal to change use from a meat processing facility to storage, warehouse and distribution an existing one and two story structure located on an irregular shaped corner parcel in a D1 Residence Industry District; contrary to Area Regulations in the Cleveland Zoning Code under Sections 345.02(c), (f) and (g), a side yard of 3 feet and a rear yard of 14 feet are provided where not less than 25 feet is required at lot lines that are also the boundary lines of Residence Districts and the property abuts a residential district to the east; the entrance and exit to the premises are from a street approved by the Board of Zoning Appeals, if it finds the probable volume and type of traffic to such premises will not change materially the existing character of such streets nor be detrimental to the adjoining or adjacent residential area; and trucking operations may not be conducted in evenings, nights or on Sundays nor on holidays generally observed by business and single-shift industry; and under the provisions in Section 349.07(a) accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained with the lot providing such parking spaces, surfaced with concrete, asphalt or other approved surfacing material and maintained in good condition; and no landscaping is provided, contrary to Sections 352.08-12 that require a 6 foot width of landscaped frontage that provides 50 percent year round opacity where the parking lot abuts the street and a 10 foot wide landscaped transition strip that provides a minimum of 75 percent year round opacity where the premises abuts the residence district; and the substitution of a nonconforming use requires a special permit from the Board of Zoning Appeals, issued only if after public hearing the Board finds that such substitution or other change is no more harmful or objectionable according to Section 359.01(a) in the Cleveland Codified Ordinances. (Filed 10-13-11; testimony taken.)

**First postponement granted to appellant's request for additional discussion about the prospect of alternative change for use.**

10:30

Calendar No. 12-12

5418 Fleet Avenue

Ward 12

Anthony Brancatelli

22 Notices

2281 Sullivant LLC/ Amer Al Ahmad, owner, appeals to change the use of a property at 5418 Fleet Avenue in a Local Retail B1 District from a storage use to a minor motor vehicle repair use; such use being contrary to the provisions of Zoning Code Section 343.01, which prohibit minor motor vehicle repair in a Local Retail District, with such use being first permitted in a General Retail District; and contrary to the provisions of Section 349.07(b), which require wheel or bumper guards; and contrary to the provisions of Section 349.07(c)(3), which limit the width of driveways to 30 feet; and contrary to the provisions of Section 343.18(c), which require a driveway to be set back at least 15 feet from a property line, whereas only 3 feet is provided; and contrary to the provisions of Section 352.08-352.11, which require a 10'-wide landscape transition strip along the adjoining Two-Family District, and only a 3'-wide strip is provided, and which require a 6'-wide frontage strip along East 55<sup>th</sup> Street where parking abuts the street and none is provided. (Filed 1-20-12; no testimony taken.)

**Second postponement requested by the appellant in conjunction with Slavic Village Development to work out an improved plan for the proposed use.**

**POSTPONED FROM MARCH 19, 2012**

10:30

Calendar No. 12-30

5700 Lorain Avenue

Ward 15

Matthew Zone

17 Notices

Ayad Gatea Abed, owner, appeals to establish use for auto sales on a 34.10' x 120' lot in a C1 Local Retail Business District; where the proposed use is not permitted under Section 343.01 and first allowed in a General Retail District according to Section 343.11(b)(2)(H)(4); and a minimum width of 60 feet is required in Section 347.11(a) for an open sales lot; and a one and one half high, structurally sound barrier is required at the front setback, behind which all vehicles and advertising matter must be kept to comply with Sections 343.11(b)(2)(i)(4); and under Sections 357.01(b)(4)(a), the parking or display of vehicles is not permitted within a front yard equal to 15 percent of the lot depth; and a frontage landscape strip 4 feet wide is required along Lorain Avenue and West 57<sup>th</sup> Street and no landscaping is proposed where an 8 foot wide transition strip is required at the rear of the lot where it abuts a Two-Family District contrary to Sections 352.08-11 in the Cleveland Codified Ordinances. (Filed 2-23-12)

**First postponement requested by counsel for the appellant due to his conflict with scheduled depositions.**