BOARD OF ZONING APPEALS JULY 21, 2008

9:30 Appeal of Ward 14

Calendar No. 08-105: La Copa Sports Bar Joseph Santiago

2704 Clark Avenue

Gerald Zahler, owner, and Crucita Santini Ortiz, on behalf of La Copa Sports Bar, tenant, appeal under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from the revocation of a Coin Operated Pool Table License, No. 100, and a Music Permit, No. 203, issued by the Commissioner of Assessments and Licenses, pursuant to the request of the Director of the Cleveland Public Safety Department that the permits be rescinded. (Filed 5-20-08)

9:30 Appeal of James Horn Calendar No. 08-126: Hack License Suspension

James Horn appeal under the authority of Section 76-6 of the Cleveland City Charter from the suspension of a City of Cleveland Hack License that was scheduled to begin June 16, 2008 and continue through June 23, 2008, as issued by the Commissioner of Assessments and Licenses for violation of Section A-3(f), using language offensive to the passenger, as stated in the Rules and Regulations for Taxicab Drivers and the provisions of Section 443.012 of the Cleveland Codified Ordinances, (Filed 6-20-08)

9:30 Ward 17 Calendar No. 08-127: 5823 Detroit Avenue Matthew Zone 5 Notices

Cheryl Lessin and Mack Bailey, owners, appeal to erect a 12' x 20' one-story frame garage in the southwest corner of a 31.50' x 81.39' parcel located in a Semi-Industry District on the south side of Detroit Avenue at 5823 Detroit Avenue; and the provisions for accessory uses in residence districts, requires that there must be a minimum of 18 inches from all property lines and at least 10 feet from any main building on an adjoining lot in a Residence District, according to Section 337.23 of the Codified Ordinances. (Filed 6-20-08)

9:30 Ward 9
Calendar No. 08-128: 11010-22 Superior Avenue Kevin Conwell
10 Notices

Maher Suleiman, owner, appeals to construct a parking lot on a 124' x 104.52' parcel located in a Multi-Family District on the south side of Superior Avenue at 11010-22 Superior Avenue; and the proposed parking lot is subject to the provisions of Section 349.13(c) and requires the Board of Zoning Appeals approval as stated in the Off-Street Parking and Loading Requirements of the Codified Ordinances. (Filed 6-24-08)

9:30 Ward 10 Calendar No. 08-129: 684 East 152nd Street Roosevelt Coats 5 Notices

Brett Greer, owner, appeals to install approximately 200 lineal feet of 5 foot 10 inch high ornamental metal and 7 foot high masonry pier fence, proposed to be on consolidated parcels located in a General Retail Business District on the northwest corner of East 152nd Street and Cardinal Avenue at 984 East 152nd Street; where fences in actual front and side street yards shall not exceed 4 feet in height and the proposed fences are located within the established 10 foot front and side street yard building line setback, contrary to Section 358.05(a)(2) of the Codified Ordinances. (Filed 6-25-08)

9:30 Ward 15 Calendar No. 08-130: 4305 State Road Brian Cummins 5 Notices

John Zajac, owner, appeals to install 70 linear feet of 6 foot high board on board fence and 46 linear feet of 5 foot high ornamental fence, seventy-five percent opacity with three columns and guard rail on a 48' x 120' vacant corner parcel located in a General Retail Business District on the northeast corner of State Road and Searsdale Avenue at 4305 State Road; where fences in non-residential districts shall not exceed a 4 foot height in an actual front yard and a 5 foot high ornamental fence is proposed, contrary to Section 358.05(a)(2) of the Codified Ordinances. (Filed 7-1-08)

POSTPONED FROM JUNE 23, 2008

10:30 Ward 13 Calendar No. 08-68: 3232 Lakeside Avenue Joe Cimperman 5 Notices

Flextron LLC, owner, and Theodore Talliere, agent, appeal to change use from a bar/restaurant to adult cabaret an existing two-story building on a 130.66' x 117.25' corner parcel in a General Industry District on the southwest corner of Lakeside Avenue at East 33rd Street at 3232 Lakeside Avenue; subject to the provisions of Section 349.01(c), whenever the existing use of a building or structure shall hereafter be changed to a new use, parking facilities shall be provided as required for such new use; and no accessory off-street parking is provided, where a parking area equal to three times the gross floor area, or approximately 15,300 square feet of accessory off-street parking area is required, according to Section 349.04(e) of the Codified Ordinances. (Filed 4-11-08; testimony taken.)

Second postponement requested by the applicant to meet with the local development corporation about the proposal and for information to be provided that shows a record of service calls from the Cleveland Division of Police for the property in question.

POSTPONED FROM JULY 7, 2008

10:30 Ward 13
Calendar No. 08-116: 2011 West 20th Street Joe Cimperman
5 Notices

Elizabeth Ilg, owner, appeals to erect an 8' x 21.6' two-story, frame, single family second floor addition to an 1 ½-story frame dwelling on a 30.24' x 54.75' parcel located in a B1 Two-Family District on the east side of West 20th Street at 2011 West 20th Street; contrary to Section 349.04(a) no parking is provided; one space is required; a maximum gross floor area of 1,688 square feet is provided contrary to Section 355.04(b) that allows fifty percent of the lot size or 983 square feet; and contrary to Section 357.08(b)(1) a rear yard of 7.8 feet is proposed where the depth may not be less than the height of the main building or 35 feet; and a distance of 7 feet is provided where not less than 10 is required from a main building on an adjoining lot; and a 1 foot minimum interior side yard rather than 3 feet is provided and is contrary to a total of both side yards being an equivalent of not less than 10 feet and are contrary to Sections 357.09(2)A ad B; and the existing nonconforming use building requires the Board of Zoning Appeals approval according to the provisions of Section 359.01(a) of the Codified Ordinances. (Filed 6-6-08; no testimony taken.)

First postponement granted at applicant's request due to a confoict with scheduled travel plans.