9:30 Ward 1
Calendar No. 04-220: 16920 Eldamere Avenue Joseph Jones
7 Notices

Laurent Berry, owner, appeals to establish a Type A day care in an existing 26' x 34' two-story dwelling, situated on a 40' x 142' lot located in an A1 One-Family District on the south side of Eldamere Avenue at 16920 Eldamere Avenue; the proposed day care is subject to the limitations of the Regulations for Residential Districts, where a day care and its uses may not be located less than 30' from an adjoining premises in a Residence District not used for a similar purpose and requires the Board of Zoning Appeals approval as stated in Sections 337.02(f)(3)(C) of the Codified Ordinances.

(Filed 9-10-04)

9:30 Ward 17 Calendar No. 04-221: 5702 Tillman Avenue Matt Zone 5 Notices

Jack Myers-Kiousis, owner, appeals to erect a 34' x 51' two-story single family dwelling on a 68' x 132' irregular shaped lot on the north side of Tillman Avenue at 5702 Tillman Avenue; contrary to the Regulations for Yards and Courts, there is a 3' rear yard provided and 20' is required and a rear porch is a distance of 2.44' from the property line where 3' is required, as stated in Section 357.08 of the Codified Ordinances. (Filed 9-10-04)

9:30 Ward 11
Calendar No. 04-223: 1378 Clearaire Road Michael Polensek
16 Notices

The Cleveland Municipal School District, owner c/o Marcia Conrad, agent, appeal, to erect a 53,868 s/f, two-story Kindergarten through 8th Grade school building, on acreage that is located between Clearaire Road and Larchmont Road in an A1 One-Family District on the west side of Clearaire Road at 1378 Clearaire Road; subject to Section 337.02(f)(3)A, a school located less than 30' from an adjoining residential premises in a Residence District requires the Board of Zoning Appeals approval; and Sections 357.06 and 357.14 of the Yards and Courts Regulations that require the established setback lines on Clearaire and Larchmont Roads be observed; and 21 parking spaces are provided, where Section 349.04(e) requires that there be parking at the rate of one space for each two staff members, plus one for each six seats or a total parking area equal to three times the gross floor area of the gymnasium, whichever is greater; and the gross floor area is limited to one-half of the total lot area, or 45,031 s/f, as stated in Section 355.04 of the Codified Ordinances. (Filed 9-10-04)

9:30 Appeal of

Calendar No. 04-224: Anthony L. Woodard

Anthony L. Woodard appeals under Section 76-6 of the Charter of the City of Cleveland and the authority of Section 329.02(d) from the rejection of an application filed August 23, 2004 for Handgun Registration and a Handgun Owner's Identification Card by Chief Edward F. Lohn, Cleveland Division of Police, according to Section 674.04 of the Cleveland Codified Ordinances. (Filed 9-14-04)

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9:30 Ward 10
Calendar No. 04-:225 16911 Euclid Avenue Roosevelt Coats
12 Notices

Roderick McClendon, owner, appeals to establish a used car sales lot as an additional use proposed to be on an approximate 55' x 220' irregular shaped lot that extends north from Euclid Avenue and fronts on the side street to the west, Urbana Road; and where an existing dwelling house and a car repair garage are situated in zoning for a Local Retail Business District and in a Multi-Family District at the street address of 16911 Euclid Avenue; contrary to Sections 343.01 and 347.08, the additional use is not permitted in a Local Retail District nor in a Multi-Family District but first permitted in a General Retail Business District; and contrary to Section 347.11(a), a lot width of 55' is proposed where a 60' minimum lot width is required; and contrary to Sections 357.04(a) and 357.14(a)(1)(2), the display of motor vehicles within a 26' front setback along Euclid Avenue is proposed where the required distance is 15% of the lot depth and the parking and sale of motor vehicles in the 20' front setback along Urbana Road is prohibited; and the expansion of an existing nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01(a) of the Codified Ordinances. (Filed 9-16-04)

9:30 Ward 6
Calendar No. 04-171: 8211 Platt Avenue Patricia Britt
5 Notices

Lawrence Lane, owner, appeals to change the use from a grocery store to an office in a 40' x 40' one-story building situated on a 50' x 150' parcel located in Local Retail Business and Multi-Family Districts on the north side of Platt Avenue at 8211 Platt Avenue; contrary to Section 337.08 of the Regulations for Residential Districts, an office is not a permitted use in a Multi-Family District but first permitted in a Local Retail Business District under Section 343.01G(3), provided that personnel customarily required for the business or profession do not exceed more than five persons at any one time; and the substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Reinstated 9-13-04)

9:30 Violation Notice

Calendar No. 04-246: 5100 Pearl Road Ward 16

Alexander Solomon, owner, and David Lynch, attorney, appeal under the authority of Section 329.02(d) of the Codified Ordinances from a Violation Notice issued on September 17, 2004 by the Department of Building and Housing, for failure to comply with the Sign Regulations of Section 350.04 that requires no sign or display be erected without first obtaining a permit for such use and that moving, revolving or flashing signs are prohibited as stated in Section 350.06(d) of the Cleveland Codified Ordinances.

POSTPONED FROM SEPTEMBER 13, 2004

10:30 Ward 12 Calendar No. 04-179: 4257 East 71st Street Edward Rybka 9 Notices

Roy & Jay Inc. c/o Jay Patel, owner, appeal to expand an existing grocery store by adding a carry-out restaurant, situated on a 77' x 140' corner parcel in a Local Retail Business District on the northeast corner of East 71st Street and Rathbun Avenue at 4257 East 71st Street; subject to the provisions of Nonconforming Uses that require the Board of Zoning Appeals to approve the expansion of a nonconforming use, as stated in Section 359.01 of the Codified Ordinances. (Filed 7-22-04; testimony taken.)

Second postponement granted for appellant to consult with the Councilman and the local development corporation about the proposed plan.

POSTPONED FROM SEPTEMBER 20, 2004

10:30 Ward 7
Calendar No. 04-202: 1215 East 82nd Street Fannie Lewis
5 Notices

Kimberly Capers, owner, appeals to erect an 18' x 23' one and a half story room addition to the rear of an existing 23' x 28' two-story single family dwelling and a 26' x 26' one-story frame garage, all situated on a 33' x 76' parcel in a Two-Family District on the east side of East 82nd Street at 1215 East 82nd Street; subject to Section 327.02, a lot consolidation approved by the Division of Engineering and Construction is required; and contrary to Sections 337.23(a) and 337.23(a)(7), an accessory garage shall not be less than 10' from a main building on an adjoining lot and 676 s/f is provided, where the maximum allowable gross floor area is 668 s/f; and contrary to Section 357.08 of the Yards and Courts Requirements, a rear yard depth of 10.3' is provided where 20' is required for the room addition and deck and a minimum interior side yard of 2' is provided where a 3' minimum interior side yard is required as stated in Section 357.09(2)(b) of the Codified Ordinances. (Filed 8-19-04; no testimony taken.)

First postponement reques	sted by appellant'	s contractor de	ue to his s	scheduling
conflict.				_

10:30 Ward 5
Calendar No. 04-205: 3500 Woodland Avenue Frank Jackson

2 Notices

Neal Desatnik, owner, appeals to erect an 84 s/f, 25' high, free-standing sign in the employee parking lot on the east side of an existing building, situated on an acreage parcel in a Semi-Industry District on the south side of Woodland Avenue at 3500 Woodland Avenue; subject to the limitations of Section 350.15(b) of the Sign Regulations for Industrial Districts, an 84 s/f free-standing sign is proposed and 50 s/f is the maximum square footage allowed; and Section 350.15(c) requires that a free-standing sign must be 5' from the side and rear lot lines and 3' away from the street right-of-way; and no site plan was submitted to show the property lines, location of the sign and the distance of its location from the property lines as required in Section 350.04(c) of the Codified Ordinances. (Filed 8-24-04; no testimony taken.)

First postponement requested by the sign contractor due to a scheduling conflict for the property owner.
