BOARD OF ZONING APPEALS FEBRUARY 14, 2005

9:30 Appeal of

Calendar No. 04-2 North Coast Payphones

Howard Meister, president of North Coast Payphones/CevePhones, Inc., appeals under Section 76-6 of the Charter of the city of Cleveland from an order issued by the Commissioner of Assessments and Licenses, under authority of Section 670B.06 by written communication dated December 27, 2004, to remove nineteen (19) outdoor payphones declared to be a nuisance by the Director of Public Safety at the following locations:

12520 Lorain Ave	Ward 19	1210 East 79 th St	Ward 7	
14053 Lorain Ave	Ward 21	6206 Woodland Ave	Ward 5	
17136 Lorain Ave	Ward 21	8315 Woodland Ave	Ward 6	
15315 Bartlett Ave	Ward 3	15208 Lakeshore Blvd	Ward 11	
15315 Bartlett Ave	Ward 3	3332 West 32 nd St	Ward 14	
3111 East 93 rd St	Ward 4	3767 Community Colleg	e (permit 1206)	Ward 5
3111 East 93 rd St	Ward 4	1166 East 123 rd St	(permit 1218)	Ward 9
12914 Griffing Ave	Ward 6	3502 Walton Ave	(permit 1216)	Ward 14
2249 East 105 th St	Ward 6	15521 St. Clair Ave		Ward 10
7901 Cedar Ave	Ward 6.			

9:30 Ward 13
Calendar No. 05-9: 1801 Superior Avenue Joe Cimperman
6 Notices

The Plain Dealer Publishing Company c/o Joe DeAngelo, appeals to install a 6' high ornamental fence along the western side street yard facing East 18th Street and a portion of the northern front yard facing St. Clair Avenue, situated on acreage in a Semi-Industry District, located on the north side of Superior Avenue at 1801 Superior Avenue; contrary to the Fence Regulations, a fence height of 6' is proposed and in a non-residential district, a maximum height of 4' fence that is at least 50% open above a 2' height is permitted in the actual front and side street yards, as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 1-12-05)

9:30 Violation Notice

Calendar No. 05-10: 2781 West 11th Street Ward 13

Jesus Roman appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Codified Ordinances from a Notice of Violation issued on December 13, 2004, for failure to comply with Section 327.02(b) that states no building shall be erected, altered or enlarged until a permit for such construction has been issued by the Building and Housing Department. (Filed 1-13-05)

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9:30

3891 East 147th Street Calendar No. 05-12:

Zachary Reed 4 Notices

Ward 3

Gary L. Jackson, owner, appeals to erect a 34' x 22' two-story frame, reverse gable garage at the rear of an existing single family dwelling, situated on a 40' x 125' lot in an A1 One-Family District on the east side of East 147th Street at 3891 East 147th Street; as proposed, the garage is subject to the limitations of Section 337.23(7)A, because a floor area of 1,496 s/f is provided, where a floor area of 666.6 s/f is allowed. (Filed 1-13-05)

9:30 Ward 11

Calendar No. 05-13: 269-271 East 156th Street Michael Polensek

9 Notices

Doreen Mitchell, owner, appeals to install a 6' high board on board wooden fence along the perimeter of a 42' x 100' corner lot in a Local Retail Business District on the northeast corner of East 156th Street and Grovewood Avenue; contrary to Section 358.05(a)(2), a fence located along the side street yard in a non-residential district may not exceed 4' in height and shall be 50% open above a 2' height and Section 358.03(a) requires that no portion of a fence along and parallel to a driveway within 15' of its intersection with a public sidewalk shall exceed 2 ½' in height, unless all portions of the fence above 2 ½' in height are at least 75% open; and the proposed 6' high fence is not permitted where the rear lot line of the corner lot is also the side line of the butt lot for which a setback building line of 15' is established, provided that for each foot the corner lot sets in from the rear lot line, the fence may be set one foot near to the side street line as stated in Section 357.05(b)(2) of the Codified Ordinances. (Filed 1-13-05)

POSTPONED FROM JANUARY 24, 2005

10:30 Appeal of

Calendar No. 04-328: North Coast Payphones, Inc.

North Coast Payphones, Inc. and Howard Meister, appeal under authority of Section 76-6 of the Charter of the City of Cleveland from a decision of the Commissioner of Assessments and Licenses to deny multiple payphone permit applications, identified in writing by correspondence to the appellant dated December 7, 2004. (Filed 12-17-04; no testimony taken.)

First postponement requested by appellant's counsel for additional time to prepare their response.

BOARD OF ZONING APPEALS FEBRUARY 14, 2005 POSTPONED FROM JANUARY 24, 2005

10:30 Ward 8
Calendar No. 04-331: 10733 Leuer Avenue Sabra Pierce Scott
3 Notices

Liberty Self-Storage c/o Rebecca Doty, owner, and Clear Channel Outdoor, lessee, appeal to erect a 672 s/f electronically changeable copy billboard on an existing 65' high, 14' x 48' double face billboard sign, situated on acreage located in a B-3 Semi-Industry District on the south side of Leuer Avenue at 10733 Leuer Avenue; as proposed, no panels of the existing billboard are to be replaced, contrary to Sections 350.10(I)(5) that permits a new or reconstructed automatic, changeable copy billboard, only if each new panel replaces two or more billboard panels on a single parcel of property or on adjacent properties; and no plan for site and design improvements is provided, contrary to the requirements in Sections 350.10(I)(1) of the Codified Ordinances. (Filed 12-28-04; testimony taken.)

First postponement granted for additional discussion between appellants, the neighboring community organizations and the city about the proposed billboard project.

10:30 Ward 17 Calendar No. 04-332: 2120 West 55th Street Matt Zone 4 Notices

Pleasant Valley Associates c/o Ted Soberay, owner, and Clear Channel Outdoor, lessee, appeal to erect a 672 s/f electronically changeable copy billboard on an existing 100′ high, two-sided, illuminated 14′ x 48′ billboard, situated on an approximate 60′ x 154′ lot in a B-3 General Industry District on the west side of West 55th Street at 2120 West 55th Street; as proposed, no panels of the existing billboard are to be replaced, contrary to Sections 350.10(l)(5), that permits a new or reconstructed automatic, changeable copy billboard only if each new panel replaces two or more billboard panels on a single parcel of property or on adjacent properties, and no plan for site and design improvements is provided, contrary to the requirements in Sections 350.10(l)(1) of the Codified Ordinances. (Filed 12-28-04; testimony taken.)

First postponement granted for additional discussion between appellants, the neighboring community organizations and the city about the proposed billboard project.

BOARD OF ZONING APPEALS FEBRUARY 14, 2005

POSTPONED FROM JANUARY 24, 2005

10:30 Ward 13

Calendar No. 04-333: 2019 West 3rd Street Joe Cimperman

3 Notices

United Garage and Service Corporation c/o Terry Gump, owner, and Clear Channel Outdoor, lessee, appeal to erect a 672 s/f electronically changeable copy billboard on an existing 160' high 14' x 48' billboard situated on an approximate 90' x 134' lot in a B-3 General Industry District on the northeasterly side of West 3rd Street at 2019 West 3rd Street; as proposed, no panels of the existing billboard are to be replaced, contrary to Sections 350.10(l)(5), that permits a new or reconstructed automatic, changeable copy billboard, only if each new panel replaces two or more billboard panels on a single parcel of property or on adjacent properties, and no plan for site and design improvements is provided, contrary to the requirements in Sections 350.10(l)(1) of the Codified Ordinances. (Filed 12-28-04; testimony taken.)

First postponement granted for additional discussion between appellants, the neighboring community organizations and the city about the proposed billboard project.

10:30 Ward 13
Calendar No. 04-334: 3185 Independence Road Joe Cimperman 2 Notices

Wheeling & Lake Erie Rail Road c/o Clarence Jaeger, owner, and Clear Channel Outdoor, lessee, appeal to erect a 672 s/f electronically changeable copy billboard on an existing 80' high 14' x 48' two sided illuminated billboard sign, situated on acreage in an A-3 Unrestricted Industrial District on the east side of Independence Road at 3185 Independence Road; as proposed, no panels of the existing billboard are to be replaced, contrary to Sections 350.10(l)(5), that permits a new or reconstructed automatic, changeable copy billboard, only if each new panel replaces two or more billboard panels on a single parcel of property or on adjacent properties, and no plan for site and design improvements is provided, contrary to the requirements in Sections 350.10(l)(1) of the Codified Ordinances. (Filed 12-28-04; testimony taken.)

First postponement granted for additional discussion between appellants, the neighboring community organizations and the city about the proposed billboard project.