

BOARD OF ZONING APPEALS

DECEMBER 15, 2008

9:30

Calendar No. 08-209:

3965 West 25th Street

Ward 15

Brian Cummins

25 Notices

Rockport Lands Ltd., owner, and T-Mobile Corporation, prospective lessee, appeal to erect a 170 foot high monopole telecommunications tower on an approximate 53' x 744' irregular shaped parcel in a General Industry District at 3965 West 25th Street; subject to Section 354.05(a), a new telecommunications tower shall not be approved unless an affidavit is submitted by the applicant attesting that placement of an antenna(s) on an existing tower, building, utility pole or other structure where permitted is made infeasible by one or more of the following conditions: (1) No existing towers or other suitable structures are located within the geographic area requiring service. (2) Existing towers or other structures suitably located are not of sufficient height or are not of sufficient structural strength and cannot be reasonably altered to meet the applicant's engineering requirements. (3) Co-location would cause electromagnetic interference between the proposed and existing antennas and that such interference cannot be prevented at reasonable cost. (4) Applicant has made reasonable offer to co-locate on one or more suitably located towers or other structures, but the owner of such structure or structures or the owner of the telecommunications equipment thereon has refused permission for co-location. No such affidavit has been submitted. The proposed 170 foot tall tower is approximately 350 feet from a residential district and 400 feet from a Landmark District, contrary to Section 354.06(b) that requires it to be located a distance equal to three times the height of the tower as stated in the Codified Ordinances.

(Filed 11-18-08)

9:30

Calendar No. 08-212:

11101 Magnolia Drive

Ward 8

Sabra Pierce Scott

10 Notices

The Magnolia Clubhouse, owner, and Laurie DeAngelo appeal to expand a nonconforming, adult psychosocial rehabilitation agency by adding a 2,000 square foot kitchen addition with stairs and basement storage, proposed to be on consolidated parcels in an AA Limited One-Family District; and contrary to Section 337.01(a) the proposed expansion of nonconforming use is not listed among the permitted uses in an AA Limited One-Family District; and is subject to the limitations of Section 359.01 and requires the Board of Zoning Appeals approval for the expansion of a nonconforming use. (Filed 11-25-08)

9:30

Calendar No. 08-213:

3902-04 Riverside Avenue

Ward 15

Brian Cummins

3 Notices

Richard Burns, owner, appeals to install approximately 60 linear feet of 6 foot high wooden fence and 20 linear feet of 6 foot high chain link fence in the actual front yard of a corner parcel located in a B1 Two-Family District; contrary to Section 358.04(a) and (c), a 6 foot wooden fence is proposed, and a fence in the actual side street yard of a residence district shall not exceed 4 feet in height and must be at least a 50 percent open and ornamental fence. (Filed 11-28-08)

Rules and Regulations of the Cleveland Board of Zoning Appeals will be reviewed for approval by the members of the Board on December 15, 2008.