

MOTION BY MR. ZUCKER, SECONDED BY MRS. RIVERS to approve the application of Andrew and Isa Leftwich, 4419 Churchill Blvd., to grant a 3 ft. side yard variance to allow whole house remodeling. On roll call, all voted "aye."

ITEM 3. Applicant: Ohio Special Olympics, 9841 York Alpha Dr., Unit K, North Royalton, OH, re: 14440 Cedar Rd., BZA08-03

Ms. Angela Burnett, Ohio Special Olympics, requested a Special Permit for the placement of a clothing donation receptacle on property at 14440 Cedar Rd., near CVS. Ms. Burnett stated that the receptacle has been located in the vicinity for several years and is very productive.

The police had no problems.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MR. COZZENS to grant a Special Permit to the Ohio Special Olympics for placement of a clothing donation receptacle on property located at 14440 Cedar Rd. near CVS. On roll call, all voted "aye."

ITEM 4. Applicant: Greg and Donna Kolb, 28126 Gates Mills Blvd., Pepper Pike, Ohio, owners of rental property located at 13660 Cedar Rd., Section 1252.02(b), BZA 07-85

Mrs. Donna Kolb, 28126 Gates Mills Blvd., Pepper Pike, Ohio, owner of rental property located at 13660 Cedar Rd., was present to renew a Special Permit for use of the third floor of a 2 family home to be used as a rental unit. This item was tabled from Board of Zoning Appeals meeting of December 12, 2007 requiring appearance due to police reports.

Police Lt. David Novinc reported that there was a 6/22/07 domestic problem with the second floor tenant and another domestic problem in November of 2007. Mrs. Kolb stated that the domestic problems stemmed from the second floor tenants, not the third floor tenant. She noted that the second floor tenants have been renting for 7 years, but have plans to move out in January, 2008.

Mayor Rothschild inquired as to what type of unit is on the third floor. Mr. Nadeau replied that the unit has independent access, utilities, full tiled bathroom, kitchen sink and two rooms. He added that rather than accepting the house as a three family dwelling, the City is allowing the third floor to be rented out.

Mr. Fisher stated that there is no reason not to renew the Special Permit since the disturbance was on the second floor. Mr. Nadeau stated that it is separate, but, since there is a Special Permit on the dwelling, the behavior of the tenants should be taken into consideration. Mr. Fisher asked how many people are on the third floor. Mrs. Kolb stated that there is one tenant on the third floor and one tenant on the first floor. Lt. Novinc stated that the disturbance calls did not qualify to contact the landlord under the nuisance ordinance. Mr. Nadeau explained that under the nuisance ordinance if there are three criminal nuisance activities at the property he has the authority to revoke the renters' permit for the property. He advised Mrs. Kolb to do her best to curtail those issues at the property.

MOTION BY MR. COZZENS, SECONDED BY MRS. RIVERS to renew the Special Permit granted to Greg and Donna Kolb, re: 13660 Cedar Rd., to allow a third floor tenant on the premises under the same conditions. On roll call, all voted "aye," except Mayor Rothschild, who voted "no."

ITEM 5. Applicant: Beverly Teer-Potter, 3916 Lansdale Rd., Section 1420.13(a), 1480.15(d), BZA 08-04

No appearance required for the annual renewal of Special Permit to allow converted garage to be used as a room until point of sale.

No calls or complaints were received. There were no violations on the property.

MOTION BY MR. COZZENS, SECONDED BY MR. ZUCKER to renew the Special Permit granted to Beverly Terr-Potter, 3916 Lansdale Rd., to allow owner to delay construction of a demolished garage for more than 180 days under the same conditions. On roll call, all voted "aye."

ITEM 6. Applicant: Tibor's Kosher Meat, 2185 South Green Road, PL 721-18-025, S/L 15, and Leonard Schwartz Furs, 2199 South Green Road, PL 721-18-022, S/L 12, Section 1270.13(b)(6), BZA 08-05

No appearance was required for the annual renewal of the Special Permit for two (2) non-conforming signs based on topographical hardship.

Mr. Nadeau stated that there is now only one sign for Schwartz Furs. He recommended that Tibor's Kosher Meat be removed from the permit.

No calls or complaints were received. There were no violations on the property.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MRS. RIVERS to renew the Special Permit for one (1) year which was granted to Leonard Schwartz Furs, 2199 So. Green Rd., for one (1) nonconforming sign based on topographical hardship. On roll call, all voted "aye."

ITEM 7. Applicant: Ezra Rahamin, 29750 North Hilltop Road, Orange Village, 13589 Cedar Road, Section 1280.14(4), BZA 08-06

No appearance was required for the annual renewal of the Special Permit for rental of the third floor unit for one tenant with no cooking facilities and for the room off the kitchen to be used as a bedroom in both units of the two-family dwelling at 13589 Cedar Road.

No calls or complaints were received. There were no violations on this property.

Mr. Zucker requested that the minutes from the original application be included with the application next year.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MR. COZZENS to renew a Special Permit for one (1) year to Ezra Rahamin, 13589 Cedar Road, for rental of the third floor unit for one (1) tenant only with no cooking facilities and for the room off the kitchen to be used as a bedroom in both the first and second floor units of the two-family dwelling. On roll call, all voted "aye."

ITEM 8. Applicant: Vincent A. Conte, 14380 Washington Blvd., PL 721-23-117, Section 1448.02(b), BZA 08-07

No appearance was required for the annual renewal of a Special Permit for a 4ft. high fence forward of the rear foundation line of the house.

No calls or complaints were received. Mr. Nadeau reported that only one violation exists on the property-- to trim branches off of the house, which will be done in the spring.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MR. COZZENS to renew a Special Permit to Vincent A. Conte, for a 4 ft. high picket fence forward of the rear foundation line of the house for one (1) year. On roll call, all voted "aye."

ITEM 9. Applicant: Target, 14070 Cedar Road, BZA 08-08

No appearance was required for the annual renewal of Special Permit to govern hours of operation for Target, which are: Monday thru Sunday, 8:00 a.m. - 10:00 p.m.; holiday hours for the day after Thanksgiving through day after Christmas, 7:00 a.m. - 11:00 p.m., and other matters at Target.

No calls or complaints were received. There were no violations on this property.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MRS. RIVERS to renew the Special Permit granted to Target for one (1) year to govern hours of operation, which are: Monday thru Sunday, 8:00 am. - 10:00 p.m.; holiday hours for the day after Thanksgiving through day after Christmas, 7:00 a.m. - 11:00 p.m.; deliveries during hours of operation. On roll call, all voted "aye."

ITEM 10. Applicant: Macy's, 2201 Warrensville Center Rd., BZA 08-09

No appearance was required for the annual renewal of a Special Permit to govern hours of operation at Macy's, which are: Monday thru Thursday, 10:00 a.m. - 9:30 p.m.; Friday and Saturday, 10:00 a.m. - 10:00 p.m.; Sunday 11:00 a.m. - 7:30 p.m., and other matters at Macy's.

No calls or complaints were received. There were no violations on this property.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MRS. RIVERS to renew the Special Permit granted to Macy's for one (1) year to govern hours of operation, which are: Monday thru Thursday, 10:00 a.m. - 9:30 p.m.; Friday and Saturday, 10:00 a.m. - 10:00 p.m.; Sunday 11:00 a.m. - 7:30 p.m.; deliveries during hours of operation; holiday hours (to be obtained). On roll call, all voted "aye."

ITEM 11. Applicant: Inland Western Group of Companies, Retail Stores at University Square, BZA 08-10

No appearance was required for the annual renewal of a Special Permit to govern hours of operation for the retail stores at University Square, which are: Monday thru Saturday, 10:00 a.m. - 10:00 p.m.; Sunday, 12:00 noon - 6:00 p.m., and other matters.

Mayor Rothschild noted that the ramps were strengthened and Inland will be making a major investment to improve the internal ramp system.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MR. COZZENS to renew the Special Permit for one (1) year which as granted to the Inland Western Group of Companies to govern hours of operation University Square's retail stores, which are: Monday thru Saturday, 10:00 a.m. - 10:00 p.m.; Sunday, 12:00 noon - 6:00 p.m.; developer Inland Western Group Companies, be requested to form a Merchants' Association to set hours for the complex, with any changes to hours agreed to be re-evaluated by the Board of Zoning Appeals, including holiday schedules. On roll call, all voted "aye."

ITEM 12. Applicant: Norman Swirsky, 13854 Cedar Rd., PL 722-8-15, S/L 321, Section 1260.02 (a)(1)(2)(3), Section 1478.24 (b), BZA 08-11

No appearance was required for the annual renewal of a Special Permit to operate a business, Gramercy Interiors, 13854 Cedar Road, in a U-4, Multi-Family Residence District.

No calls or complaints were received. There were no violations on the property.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MR. COZZENS to renew the Special Permit for one (1) year which was granted to Norman Swirsky, 13854 Cedar Rd., to operate a business in a U-4, Multi-Family Residence District. On roll call, all voted "aye."

ITEM 13. Applicant: David Schwartz, 2199 South Green Rd., PL 721-18-22, S/L 12, Section 1260.02(a)(b), BZA 08-12

No appearance was required for the annual renewal of a Special Permit to operate a retail business, Schwartz Furs, 2199 South Green Road, in a U-6, Office Building District.

No calls or complaints were received. There were no violations on the property.

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MRS. RIVERS to renew the Special Permit for one (1) year which was granted to David Schwartz, 2199 South Green Rd., to operate a retail business in a U-6, Office Building District. On roll call, all voted "aye."

There being no further business to discuss, the meeting was adjourned.

Beryl E. Rothschild, Mayor

Nancy E. English, MMC