

CLEVELAND HEIGHTS

PLANNING COMMISSION CONDITIONAL USE PERMIT

FOR: MAC'S CITGO
 1828 SOUTH TAYLOR ROAD – PROJECT NUMBER 99-7

A conditional permit is hereby issued to Mac's Citgo for one-story, 17' x 19' storage room addition at rear (northwest corner) of existing service station at 1828 South Taylor Road in a "C-2" Local Retail zoning district as regulated by Codified Ordinances 1131, 1151, 1153 & 1161 in accordance with the drawings by Irving Rotherberg dated 2/2/99, and approved by the Planning Commission on April 14, 1999.

This permit is issued under authority of Sections 1111.06 and 1115.08 of the Zoning Code and is subject to compliance by the applicant with all pertinent provisions of the Zoning Code and with any other applicable ordinances of the City with the following additional conditions:

1. *That the addition be approved by the Board of Zoning Appeals for a rear yard setback variance;*
2. *That the area around the addition be completely fenced off from the neighboring residential property (requiring partial reconstruction of the existent stockade fence or equivalent);*
3. *That the 3' side alley created between the guardrail and the proposed addition not be fenced off from the street or parking area, but should be well lit to create a safe, highly discernable space without light glare onto the adjacent property;*
4. *Applicant shall comply with all conditions listed in the letter to Scott Berman (Mac's Citgo) from Thomas K. Stone (3447 Berkeley) which include:*
 - a. *The owners' (of 3447 Berkeley) fence (between 3447 Berkeley & 1828 South Taylor) will be extended at the rear of the existing fence that borders the rear of the 3447 Berkeley property.*
 - b. *The owners' (of 3447 Berkeley) fence (between 3447 Berkeley & 1828 South Taylor) will be extended at the front of the existing fence the length of one section of the existing guardrail.*
 - c. *All new fencing will be of the same type as the existing fence.*
 - d. *To gain consistency in appearance, the new fencing and existing fencing will be painted the same color as the existing fence on both sides.*
 - e. *Lighting will be stationed on the new addition (to the 1828 South Taylor) building in a way and manner sufficient to adequately illuminate the alley that will be created between the new addition and the owners' (of 3447 Berkeley) fence.*
 - f. *A flowerbed consistent with those on (Mac's Citgo's) property will be constructed, flowers planted and maintained at the southwest corner of (Mac's Citgo's) parking lot.*
 - g. *The two front sections of the guardrail at the southwest corner of (Mac's Citgo) parking lot will be removed.*

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- h. *All items are to be completed to the satisfaction of the owners (of 3447 Berkeley, Thomas & Yolanda Stone). Any disputes are to be arbitrated by the Planning Commission of the City of Cleveland Heights whose decision will be binding and final to both sides.*
- i. *All of the above stated items are to be completed no later than the date that the new addition to your building is completed.*


Should the holder of this permit at any time fail to comply with said provisions and limitations, and such failure continue beyond the time fixed by the Commissioner of Building in a written notice to remedy such failure, then this permit may be deemed terminated.

This permit is not transferable without the written consent of the Planning Commission.

GRANTED BY THE PLANNING COMMISSION

Effective Date: April 14, 1999

PLANNING COMMISSION

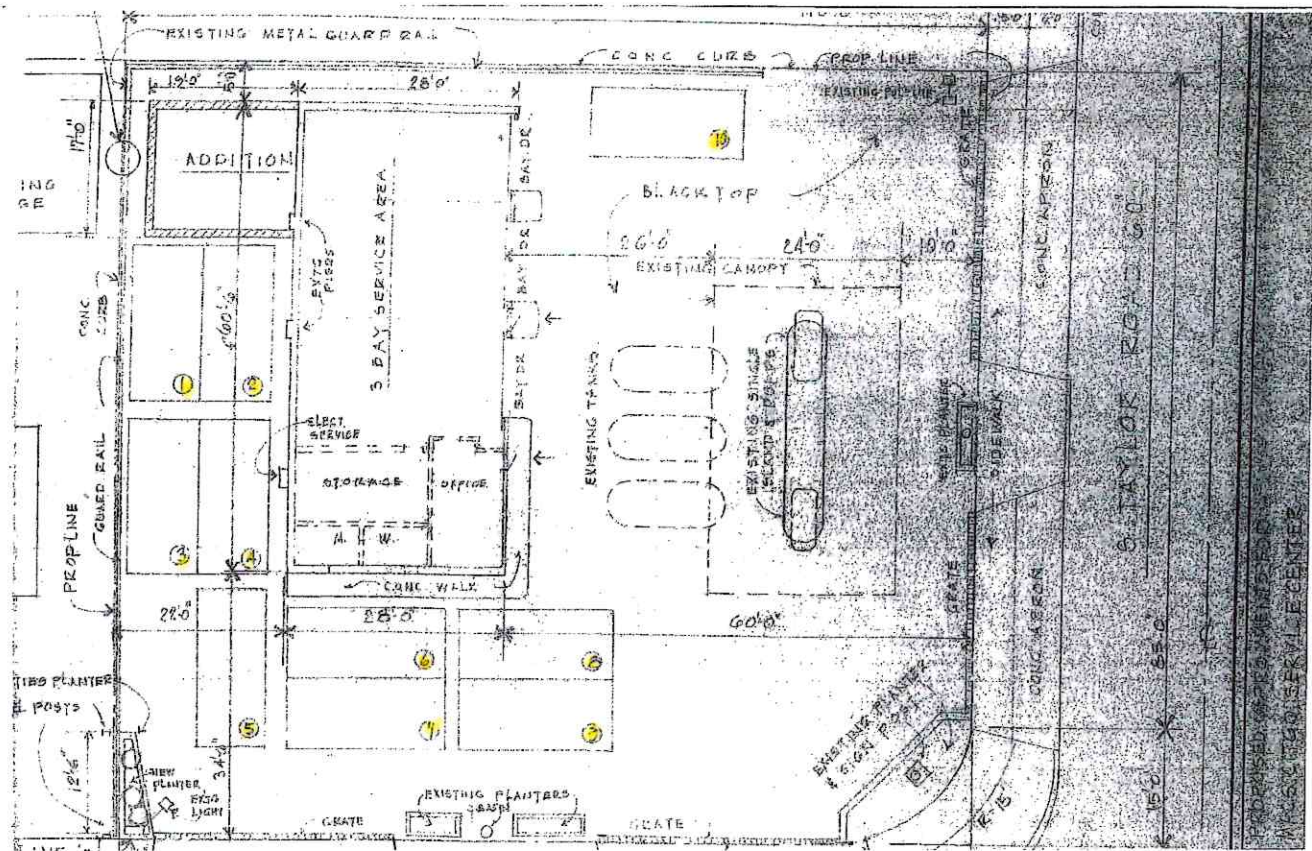


Michael N. Ungar, Chairperson



Richard Wong, Secretary

This permit represents Zoning approval only. A Building Permit may still be required.



CONDITIONAL USE PERMIT 99-7
 APPROVED PARKING PLAN
 10 SPACES