

BOARD OF ZONING APPEALS
JUNE 9, 2008

9:30

Calendar No. 08-90:

9310 Amesbury Avenue

Ward 7

Fannie Lewis

6 Notices

Amesbury-Rosalind Estates, owner, appeal to install a 6 foot high chain link fence in the actual front yard of an acreage parcel located in a Multi-Family District on the south side of Amesbury Avenue at 9310 Amesbury Avenue; the fence and height being contrary to the Fence Regulations, where a fence in the actual front yard of a residence district may not exceed 4 feet in height and must be an ornamental fence, according to Section 358.04(a) and (c) of the Codified Ordinances. (Filed 5-1-08)

9:30

Calendar No. 08-93:

18235 Euclid Avenue

Ward 10

Roosevelt Coats

13 Notices

The NRP Group LLC, owner, appeals to erect Phase 1 of a 2 phase elderly housing apartment building, proposed to be on an acreage parcel located in a Multi-Family District on the north side of Euclid Avenue at 18235 Euclid Avenue; the proposed phase 1 construction places the building directly on the property line and no front yard is provided across the full width of the lot, where a front yard equal to fifteen percent of the depth of the lot is required, as stated in Section 357.04(a) of the Codified Ordinances. (Filed 5-7-08)

9:30

Calendar No. 08-94:

18300 Woda Avenue

Ward 1

Nina Turner

33 Notices

The Cleveland Metropolitan School District, owner, appeals to construct a 57,460 square foot Kindergarten through Eighth Grade school on an acreage parcel in a One-Family District on the south side of Woda Avenue between Wendy and Jo Ann Avenues at 18300 Woda Avenue; contrary to Sections 349.04(c)(e) there is a parking deficiency of 23 spaces, where the one space required for each staff person equals 19 spaces, and one space per six seats for the gymnasium bleachers equals 72 spaces, or a total of 91 spaces where 68 are provided; and the provisions of Section 349.07(b) require that accessory off-street parking spaces be provided with wheel or bumper guards that are located so that no part of the parked vehicle extends beyond such parking space; and parking is arranged so that vehicles are parked and pull off directly from and into the street, where a driveway to provide accessibility to accessory off-street parking spaces shall be located and arranged to minimize traffic congestion, as stated in Section 349.07(c) of the Codified Ordinances. (Filed 5-8-08)

9:30

Calendar No. 08-96:

4028 East 144th Street

Ward 1

Nina Turner

4 Notices

June Rodgers, owner, appeals to erect a frame handicap ramp, 36 inches wide by 33 feet long, at the front of a single family dwelling on a 42' x 112.86' parcel in a Two-Family District on the west side of East 144th Street at 4028 East 144th Street; contrary to the Area Regulations, a ramp is not a permitted yard encroachment in the front yard as stated in Section 357.13 of the Codified Ordinances. (Filed 5-8-08)

9:30

Calendar No. 08-100:

9800 Prince Avenue

Ward 2

Robert White

8 Notices

Tonya Diggs, owner, appeals to establish use as a Type A day care a one family dwelling on a 40.02' x 70' parcel located in a Two-Family District on the south side of Prince Avenue at 9800 Prince Avenue; and the use proposed in a Residence District must be 30 feet from any adjoining premises and is subject to the Board of Zoning Appeals approval, according to the provisions of Section 337.02(f)(3)(c) of the Codified Ordinances. (Filed 5-14-08)

9:30

Calendar No. 08-101:

11025 Magnolia Drive

Ward 8

Sabra Pierce Scott

21 Notices

Montessori Development Partnerships, owner, appeal for a change of use from a one family residence to a use for a high school a three-story brick dwelling on a 100.20' x 185' parcel, located in an AA1 Limited One-Family District on the north side of Magnolia Drive at 11025 Magnolia Drive; subject to the provisions of Sections 337.01(a)(2), a school building and uses in a Limited One-Family District require the Board of Zoning Appeals review and approval to determine after public notice and hearing if there are appropriate safeguards and such special conditions as the Board may deem necessary, and if in the judgment of the Board such uses and buildings are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. (Filed 5-15-08)

POSTPONED FROM MAY 5, 2008

10:30

Calendar No. 07-261:

12222 Soika Avenue

Ward 3

Zachary Reed

12 Notices

Abdul Muhammad, aka AKM Properties Management LLC, owner, appeals to change from a retail store to a barber shop and carry out restaurant the use of an existing one-story building on a 45' x 125.25' corner parcel, located in a Local Retail Business District on the southwest corner of Soika Avenue and East 123rd Street at 12222 Soika Avenue; the proposed change being subject to the requirements of Yards and Courts Regulations and Sections 357.04, 357.05 and 357.14, that prohibit the parking of motor vehicles within the front yard and side street yard setback; and under the provisions of Sections 352.09 and 352.11, a dumpster enclosure within the required 8 foot transition strip is not permitted, according to the Landscaping and Screening requirements of the Codified Ordinances. (Filed 12-20-07; testimony taken.)

Third postponement requested by the Councilman due to an unexpected family circumstance necessitating his absence from the City on May 5, 2008.

POSTPONED FROM MAY 5, 2008

10:30

Calendar No. 08-64:

1170 Ivanhoe Road

Ward 10

Roosevelt Coats

2 Notices

1170 Ivanhoe Road, LLC, owner, and Peter Shokalook, agent, appeal to install approximately 650 linear feet of 6 foot high chain link fence with three strings of barbed wire in the actual front yard of an irregular shaped acreage, corner parcel, located in a Semi-Industry District at 1170 Road; contrary to the Fence Regulations, the proposed height exceeds 4 feet and a fence with barbed wire shall be located at least 4 feet from a sidewalk in the public right-of-way, as stated in Section 358.05(a)(1) of the Codified Ordinances. (Filed 4-8-08; no testimony taken.)

First postponement requested by applicants to allow time for a meeting with the Councilman and the local development corporation.

POSTPONED FROM MAY 27, 2008

9:30

Calendar No. 08-77:

3909 West 140th Street

Ward 20

Martin Sweeney

5 Notices

Oswald Ortega, owner, appeals to erect a 3.4 foot by 20 foot temporary, wolmanized wooden ramp at the front of a single family dwelling, located in an A1 One-Family District on the southeast corner of West 140th Street and West Avenue at 3909 West 140th Street; contrary to the Area Regulations, a ramp is not a permitted yard encroachment in the front yard as stated in Section 357.13 of the Codified Ordinances. (Filed 4-21-08; no testimony taken.)

First postponement requested by applicant due to a conflict with scheduled travel plans.