

BOARD OF ZONING APPEALS
AUGUST 31, 2009

9:30

Calendar No. 09-157:

8322 Woodland Avenue

Ward 5

Phyllis Cleveland

12 Notices

Saeid Amini, owner, appeals to establish use as an automobile dismantling yard on a 229.78' x 258.52' parcel composed of consolidated lots located in split zoning between General and Semi-Industry Districts; subject to the limitations of Section 345.03 the use is not permitted and the maximum width of a driveway shall not exceed 30 feet as stated in Section 349.07(c)(3) of the Cleveland Codified Ordinances.

(Filed 7-24-09)

9:30

Calendar No. 09-159:

16212 Invermere Avenue

Ward 1

Terrell Pruitt

8 Notices

Amy Hurd, owner, appeals to establish a Type A day care in a single family dwelling located on a 40' x 140' parcel in an A1 Single-Family District; contrary to the Residential District Regulations, where a day care and its uses are required to be 30 feet from any adjoining premises in a Residence District not used for a similar purpose, and the proposed Type A day care is surrounded by an A1 Single Family District and requires the Board of Zoning Appeals approval, as stated in Section 337.02(f)(3)(C) of the Cleveland Codified Ordinances. (Filed 7-27-09)

9:30

Calendar No. 09-161:

4716 West 158th Street

Ward 20

Martin Sweeney

6 Notices

William Dallapiazza, owner, appeals to erect a 40' x 36' x 26' high wood frame accessory garage on a 76.13' x 144.68' parcel in a One-Family District; the proposed overall height of 26 feet is contrary to Section 353.05 and a maximum height of 15 feet; and square footage of 1,440 square feet is proposed for the accessory building contrary to 1,162 square feet that is allowed according to Section 337.23A in the Cleveland Codified Ordinances. (Filed 7-27-09)

9:30

Calendar No. 09-162:

838 Eddy Road

Ward 9

Kevin Conwell

SIP One, LLC and Najeh Salti, by their attorney, Nate Malek, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland from a Notice of Violation issued by the Cleveland Building and Housing Department on June 29, 2009 for failure to comply with the zoning requirements in Sections 327.02(c), 347.08(a) and 349.07 of the Cleveland Codified Ordinances. (Filed 7-29-09)

9:30

Calendar No. 09-163:

17426-76 Harvard Avenue

Ward 1

Terrell Pruitt

10 Notices

B&E Properties and Robert Hunt, owner, appeal to add a roof over an outdoor patio of an existing, nonconforming tavern/restaurant on a 45.84' x 150' corner parcel in a Local Retail Business District; 11 parking spaces are provided and an establishment of 1, 600 square feet requires parking at the rate of one space per 100 square feet plus one for each employee according to Section 349.04; an existing driveway is 140 feet wide, exceeds the maximum width of 30 feet allowed under Section 349.07(3) and requires driving over the sidewalk, backing into traffic and does not minimize traffic congestion. No landscaping is provided contrary to Sections 352.08-352.11 where an 8 foot wide landscaped strip with a 75 percent year-round opacity is required along the rear property line that abuts a residential district and a 6 foot width of landscaping is required where the parking abuts the street; and subject to the provisions in Section 349.03, the addition of an approximate 400 square feet of covered patio space requires an additional 4 parking spaces; and the nonconforming use is subject to the Board of Zoning Appeals approval as stated in Section 359.01 of the Cleveland Codified Ordinances. (Filed 7-30-09)

POSTPONED FROM AUGUST 3, 2009

10:30

Calendar No. 09-135:

13835 Lorain Avenue

Ward 20

Martin Sweeney

J-SET Limited LLC, owner, and Jesse Adkins dba Fat Boys Sports Bar, Inc., tenant, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland from the decision of the Public Safety Department to disapprove an application for a Music License for the premises at 13835 Lorain Avenue, as stated in the notice issued June 16, 2009 from the Cleveland Division of Assessments and Licenses. (Filed 6-29-09; no testimony taken.)

First postponement requested by applicant due to a conflict with a family travel schedule.

POSTPONED FROM AUGUST 10, 2009

10:30

Calendar No. 09-140:

12805 Shaker Boulevard

Ward 6

Mamie Mitchell

11 Notices

Shaker House LLC and David Goodman, owners, appeal to install a generator for a wireless telecommunications site at the rear of an irregular shaped corner parcel occupied by two multiple dwelling buildings in a General Retail Business District; subject to the provisions in Sections 352.08 and 352.11, a 10 foot wide landscaping/transition strip with a 75 percent year-round opacity is required along the rear of the property between the General Retail Business and abutting Two-Family District; and a dumpster enclosure within the required 10 foot transition strip is not permitted in Sections 352.09 and 352.11 of the Cleveland Codified Ordinances. (Filed 7-9-09; testimony taken.)

First postponement taken at request of the Board for applicants to apprise the neighboring community and the Councilmember about the proposed plan.

POSTPONED FROM AUGUST 10, 2009

10:30

Calendar No. 09-142:

1378 West 114th Street

Ward 18

Jay Westbrook

8 Notices

Angela Gomez, owner, appeals from the limitations of Section 347.02(c)(1) to keep a pig on a 3,640 square foot lot in a Multi-Family residential district, where the required parcel of land for the proposed use may not be less than 24,000 square feet, as stated in the Cleveland Codified Ordinances. (Filed 7-9-09; no testimony taken)

First postponement requested by applicant due to a conflict with a previously scheduled vacation.