

**BOARD OF ZONING APPEALS
FEBRUARY 2, 2009**

9:30

Calendar No. 08-220:

4965 Broadview Road

Ward 16

Kevin Kelley

1 Notice

CSX Railroad, owner, and CBS Outdoor and Tim Keaton, tenant, appeal to install automatic changeable copy signs on an existing 14' x 48' and 70 foot high billboard, located on an acreage in a General Industry District; and under the provisions of Section 350.10(j) a billboard is permitted in general industry zoning and can only be illuminated by means of continuous reflected light; automatic changeable copy signs are not permitted. (Filed 12-4-08)

9:30

Calendar No. 08-223:

6611 Barberton Avenue

Ward 16

Kevin Kelley

22 Notices

Calogero Monastra, owner, and AMS International Samidam Trading, tenant, appeal to establish use for motor vehicle storage on acreage located in a General Industry District; contrary to Sections 352.08 and 352.11 of the Cleveland Codified Ordinances, no landscaping strip is proposed and an 8 foot wide (75 percent year-round opacity) landscaping strip is required at the front yard between the General Industry and Local Retail Business District; and under the provisions of Sections 349.07 (a) and (b), accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash and provided with wheel or bumper guards that are located so that no part of a parked vehicle will extend beyond such parking space. (Filed 12-5-08)

9:30

Calendar No. 08-224:

3584 West 67th Street

Ward 16

Kevin Kelley

22 Notices

Calogero Monastra, owner, and Samidam Trading Modern Welding, Inc., tenant, appeal to establish use for motor vehicle repair and storage on a 192.86' x 180.44' parcel located in a Semi-Industry District; subject to the limitations of Section 345.03(c)(2) a repair garage is permitted, provided that it is located not less than 100 feet from a residence district and the proposed use abuts a Two-Family District; and contrary to Sections 352.08 and 352.11, no landscaping is proposed, and a 10 foot wide (75 percent opacity) landscaping strip is required at lot lines which are also the boundary lines of a residence district. (Filed 12-5-08)

9:30

Calendar No. 08-225:

1163 East 123rd Street

Ward 9

Kevin Conwell

8 Notices

Alaeddin Mohammad and 1163 East 123rd Street Ltd., owner, appeals to install a 6 foot high board on board wooden fence within the front and side street yard setback on the southeast corner of East 123rd Street and Phillips Avenue in a Local Retail Business District; and except as specifically required because of the type of use, in non-residential districts other than General and Unrestricted Industry Districts, fences in actual front and side street yards shall not exceed 4 feet in height and shall be at least 50 percent open above 2 feet in height, as stated in Sections 358.05(a)(2) of the Codified Ordinances. (Filed 12-8-08)

9:30

Calendar No. 08-241:

12408 Union Avenue

Ward 3

Zachary Reed

20 Notices

Fahed Hamze, owner, and AT&T Mobility, prospective lessee, appeal to add a 15 foot antenna extension to a 110 foot high existing nonconforming telecommunications tower in a Local Retail Business District, for which the Board of Zoning Appeals granted approval with conditions in Calendar No. 00-249; and subject to the provisions of Section 354.10, an existing nonconforming telecommunications tower may be continued, but such tower shall not be made more nonconforming unless the alteration is approved by the Board of Zoning Appeals. The existing tower being nonconforming in location, not permitted in Local Retail per Section 354.06(a); and approximately 100 feet from a residential district, contrary to a setback from residential district lines that is a distance of three times the tower height, or 345 feet; and a tower height may exceed the height limit of 35 feet only when it is in compliance with all other provisions of Chapter 354 of the Zoning Code. (Filed 12-26-08)

POSTPONED FROM DECEMBER 8, 2008

10:30

Calendar No. 08-205:

**Violation Notice
4965 Broadview Road**

Ward 16

Kevin Kelley

CSX Railroad, owner, and CBS Outdoor and Tim Keaton, tenant, appeal from a Notice of Violation issued by the Building and Housing Department on October 10, 2008 for failure to comply with the provisions of Section 350.10(j) of the Codified Ordinances. (Filed 11-12-08; no testimony taken.)

First postponement requested by applicants' agent in the interest of applicants considering the hiring of legal counsel.

POSTPONED FROM DECEMBER 8, 2008

10:30

Calendar No. 08-208:

4250 East 68th Street

Ward 12

Anthony Brancatelli

21 Notices

PSC Metal, Inc., owner, appeals for an expansion of use to add storage, dismantling and compacting of vehicles (a wrecking yard) to a scrap metal processing yard on an acreage parcel in a General Industry District; subject to Section 359.01(a) approval is required by the Board of Zoning Appeals for the proposed expansion of the existing nonconforming buildings and use that are contrary to Section 345.04(a)(3) being located within 50 feet of a Residence District; and accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash as stated in Section 349.07(a) of the Codified Ordinances. (Filed 11-14-08; no testimony taken.)

First postponement granted at applicants' request for additional review of the proposed plan with the Councilman, the neighboring community and Slavic Village Development Corporation.

POSTPONED FROM DECEMBER 22, 2008

10:30

Calendar No. 08-214:

2012 West 25th Street

Ward 14

Joseph Santiago

18 Notices

United Twenty-Fifth Building LLC, owner, appeals for a change of use from office to office and apartments a 9-story building located on a 118.17' x 239.96' parcel in a General Retail Business District at 2012 West 25th Street; contrary to Section 355.04, a maximum lot coverage area of 126,617 square feet is proposed and 42,480 square feet is permitted; and contrary to Section 357.04(a) no front yard is proposed and 30 feet is required; and under Section 357.08(b)(2) a 20 foot rear yard is required where none is proposed; and all accessory off-street parking spaces shall be provided with wheel or bumper guards, as stated in Section 349.07(b) of the Codified Ordinances. (Filed 12-2-08; testimony taken.)

First postponement taken for added review of the plan to upgrade appearance of property line at the area of the parking lot that abuts West 26th Street.

POSTPONED FROM JANUARY 5, 2009

10:30

Calendar No. 08-221:

2320 East 30th Street

Ward 5

Phyllis Cleveland

4 Notices

Cuyahoga Metropolitan Housing Authority, owner, appeals to construct a parking lot on an acreage parcel located in a Multi-Family District on the west side of East 30th Street; the proposed parking lot being subject to the provisions of Section 349.13(c) for approval from the Board of Zoning Appeals and the installation of a 6 foot wide landscaping frontage strip with a 50 percent year-round opacity being required along East 30th Street, according to Sections 352.10 and 352.11 of the Codified Ordinances. (Filed 12-4-08; testimony taken.)

First postponement taken for applicants to consult with City Planning about sustainability features for the parking lot plan.

