

BOARD OF ZONING APPEALS
JULY 13, 2009

9:30

Calendar No. 09-115:

4700 West 130th Street

Ward 20

Martin Sweeney

8 Notices

Joseph Tomazic, owner, appeals to establish use as a repair garage in a one-story building located on the northwest corner lot at West 130th Street and Astor Avenue in a General Retail Business District; subject to the limitations of Section 343.11, the auto repair use is not permitted and first allowed in a Semi-Industry District, provided that it is at least 100 feet from a Residence District; and contrary to Section 352.10, no landscaping detail is provided and a 6 foot wide landscape strip is required where parking abuts the frontage along West 130th Street, and subject to Section 357.07, a 10 foot specific setback is required at the front of the lot where none is proposed; and a driveway that exceeds the maximum width of 30 feet is proposed, contrary to the provisions in Section 349.07(c)(3) of the Cleveland Codified Ordinances. (Filed 6-9-09)

9:30

Calendar No. 09-116:

5902 Storer Avenue

Ward 17

Matthew Zone

7 Notices

MSM Family Investment, owner, appeals to change use from one to a two family dwelling with dormer and alterations an existing one dwelling unit on a 37.32' x 75.54' parcel in a General Retail Business District; contrary to Section 355.04 the lot density provided is 2,819 square feet and 6,000 square feet is required; and nonconforming side yards of zero and 14 feet are provided where 3 feet and 7 feet are required, according to the provisions of Section 357.09(b)(2) of the Cleveland Codified Ordinances. (6-9-09)

9:30

Calendar No. 09-119:

1168 East 114th Street

Ward 9

Kevin Conwell

6 Notices

Gary Samuels, owner, appeals to erect a 9.4' x 24.6' wooden platform porch to the front of a two family dwelling on a 35' x 105' parcel in a Two-Family District; and the proposed open porch projects more than 6 feet contrary to Section 357.13(4) and is 6 feet from a main building on an adjoining lot where Section 357.09(2)A states that there be not less than 10 feet and providing for 1 foot where an interior side yard of 3 feet is required, according to Section 357.09(2)B and the Board of Zoning Appeals approval is required for the existing nonconforming dwelling, as stated in Section 359.01 of the Cleveland Codified Ordinances. (Filed 6-10-09)

9:30

Calendar No. 09-120:

1575 Merwin Avenue

Ward 13

Joe Cimperman

Target Industries, Inc., owner, and Justine White dba Club Alchemy, tenant, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland from a denied Dance Hall License, upon recommendation of the Cleveland Fire Prevention Bureau to disapprove an application for a Dance Hall License for the premises at 1575 Merwin Avenue, as stated in the notice dated June 1, 2009 from the Cleveland Division of Assessments and Licenses.

9:30

Calendar No. 09-123:

3704 West 41st Street

Ward 15

Brian Cummins

5 Notices

Frances Kacala, owner, appeals to install 150 linear feet of 4 foot tall chain link fence with 2 gates in the actual front yard and side street yards of a 71.10' x 81.1' parcel in a Two-Family District; contrary to Section 358.04(c)(1) in the Cleveland Codified Ordinances, where it states that in a Residence District only ornamental fences shall be installed in actual front yards and in actual side street yards if it is located within 4 feet of the side street property line. (Filed 6-16-09)

9:30

Calendar No. 09-124:

3235 West 119th Street

Ward 19

Dona Brady

5 Notices

Samuel Roman, owner appeals to install a wheelchair ramp that projects 16 feet into the front setback of a 40' x 225' parcel and a one family dwelling in a One-Family District; contrary to the permitted encroachments in Section 357.13 of the Cleveland Codified Ordinances. (Filed 6-17-09)

POSTPONED FROM MAY 26, 2009

10:30

Calendar No. 09-82:

18308 Ferncliff Avenue

Ward 21

Martin Keane

13 Notices

The Islamic Mosque, owner, and Ayham Abazid appeal to establish a day care in an existing building on a 59' x 186' parcel in a One-Family District; nonconforming to the limitations of Section 337.02(f)(3)(C) that a day care use must be at least 30 feet from an adjoining premises in a residential district and requires the Board of Zoning Appeals review to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if such building and use are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. (Filed 4-29-09; testimony taken.)

First postponement taken for applicant to consolidate existing mosque and school use with the residential property; to communicate with neighbors about the plan; to enhance the appearance of the overall site, show areas for patron drop off and pick up and how parking is provided for staff and visitors.

POSTPONED FROM JUNE 15, 2009

10:30

Calendar No. 09-98:

4960 Old Grayton Road

Ward 20

Martin Sweeney

2 Notices

City of Cleveland Department of Port Control appeals to expand an existing parking lot located on acreage in a General Retail Business District; and under the provisions in Section 352.10, a 4 foot wide, 100 square foot island strip is required and shall be separated by no more than 20 parking spaces. (Filed 5-18-09; no testimony taken.)

First postponement requested by the Councilman for additional review of the project.

