

BOARD OF ZONING APPEALS

JULY 10, 2006

9:30

Calendar No. 06-112:

2002-2006 West 100th Street

Ward 18

Jay Westbrook

4 Notices

Sharon Bair, owner, appeals to install approximately 74 lineal feet of 6' high wooden fence in the required side street yard setback of a 60' x 71' parcel, located in a Local Retail Business District on the southeast corner of West 100th Street and Madison Avenue at 2002-2006 West 100th Street; contrary to the Fence Regulations and by reference, regulated in Section 357.05(a)(b), a fence located within 10' of a side street property line shall not exceed 4' in height and shall be at least 50% open above 2' in height as stated in Section 358.05(a)(2) of the codified Ordinances.

(Filed 5-31-06)

9:30

Calendar No. 06-114:

2147 West 81st Street

Ward 17

Matthew Zone

6 Notices

Luis Masas, owner, appeals to install approximately 70 lineal feet of 6' high wooden privacy fence in an actual front yard of a 45' x 125' parcel where it faces West 80th Street in a Two-Family District on the east side of West 81st Street at 2147 West 81st Street; contrary to the Fence Regulations for height and opacity that do not permit fences in actual front yards to exceed 4' in height and requires that it be at least 50% open, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 6-2-06)

9:30

Calendar No. 06-115:

1814 West 30th Street

Ward 13

Joe Cimperman

5 Notices

Christopher Leo, owner, appeals to erect a 23' x 24' one and a half story, frame garage with a second floor storage area, on a 33' x 116' parcel located in a B1 Two-Family District on the west side of West 30th Street at 1814 West 30th Street; subject to the limitations of Section 337.23(7)A for a dwelling house district, the floor area of a private garage erected as an accessory building shall not exceed 650 square feet unless the lot area exceeds 4,800 square feet and storage for a business purpose is not allowed as stated in Section 337.23 of the Codified Ordinances.

(Filed 6-5-06)

9:30

Calendar No. 06-116:

3340 West 25th Street

Ward 14

Joe Santiago

8 Notices

-Pedro Castro, Trustee, appeals to erect a 3,225 s/f one-story, self-serve car wash building on a 150' x 150' corner parcel located in a Semi-Industry District on the southwest corner of West 25th Street and Sackett Avenue at 3340 West 25th Street; contrary to Section 343.11(b)(2)(I), the property for the proposed use abuts a residential district and an automobile laundry must be 100' from a Residence District; and no landscape strip is provided where a 10' wide landscape transition strip is required to separate the use from the residential district that is west of the site; and a 5' side street yard setback is proposed where 8' is required along Sackett Avenue, contrary to Section 357.07 of the Codified Ordinances; and City Planning approval for the plan is required. (Filed 6-6-06)

9:30

Calendar No. 06-117:

1330 West Boulevard

Ward 18

Jay Westbrook

7 Notices

Edge Water Landing LLC, owner, appeals to erect a 37.63 square foot 5'-7.76" high free standing ID sign on an acreage parcel located in a Multi-Family District on the west side of West Boulevard at 1330 West Boulevard; contrary to the Sign Regulations for a residential district, the area of a free standing sign may not exceed 20 square feet and the maximum height permitted is 5' as stated in Section 350.13(a) of the Codified Ordinances. (Filed 6-7-06)

9:30

Calendar No. 06-128:

Appeal of MRN, Ltd

Ward 13

Joe Cimperman

Ari Maron of MRN, Ltd. appeals under the authority of Chapter 76-6 of the Charter of the City of Cleveland and Section 329.02 (d) of the Cleveland Codified Ordinances from the determination made by the Director of Public Service dated June 6, 2006 that denies a request, under the provisions of Section 1301:7-7-05 of the Ohio Administrative Code, to close East 4th Street for the purpose of creating outdoor restaurants. (Filed 6-23-06)

9:30

Calendar No. 06-131:

**9804 Wellington Place
Building 1 – Unit No. 1**

Ward 18

**Jay Westbrook
25 Notices**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached garage proposed to be situated on a 180' x 347' parcel in a Multi-Family District and being Unit 1 of two attached units in Building 1, located on the west side of West 98th Street and an address of 9804 Wellington Place; contrary to Section 357.09(2)A, there is 8.12' provided where no building shall be erected less than 10' from a main building on an adjoining lot and an interior side yard of 3.3' is provided contrary to Section 357.09(2)C that requires an interior side yard of 8' in a Multi-Family District; and contrary to Section 357.15, a distance of 26' is provided where 40' is required between main buildings and rear buildings erected on a lot; with approval by the Commissioner of Engineering and Construction of the Public Service Department being required for the consolidation plot as stated in Section 327.02(e) of the Codified Ordinances. (Filed 6-23-06)

9:30

Calendar No. 06-131:

**9808 Wellington Place
Building 1 - Unit No. 2**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Multi-Family District and being Unit 2 of two attached units in Building 1, located on the west side of West 98th Street and an address of 9808 Wellington Place; contrary to Section 357.15, a distance of 15' is provided where 40' is required between main buildings and rear buildings erected on a lot; with approval by the Commissioner of Engineering and construction of the Public Service Department being required for the consolidation plot as stated in Section 327.02 of the Codified Ordinances.

9:30

Calendar No. 06-132:

**9812 Wellington Place
Building 2 - Unit No. 1**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 1 of four attached units in Building 2, located on the west side of West 98th Street and an address of 9812 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 14' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30

9816 Wellington Place

Calendar No. 06-132:

Building 2 – Unit No. 2

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 2 of four attached units in Building 2, located on the west side of West 98th Street and an address of 9816 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 14' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30

9820 Wellington Place

Calendar No. 06-132:

Building 2 - Unit No. 3

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 3 of four attached units in Building 2, located on the west side of West 98th Street and an address of 9820 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 14.4' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30

9824 Wellington Place

Calendar No. 06-132:

Building 2 - Unit No. 4

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 4 of four attached units in Building 2, located on the west side of West 98th Street and an address of 9824 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 13' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30

9828 Wellington Place

Calendar No. 06-133:

Building 3 - Unit No.1

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 1 of two attached dwelling units in Building 3 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9828 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 17.57' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9832 Wellington Place**
Calendar No. 06-133: **Building 3 - Unit No. 2**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 2 of two attached units in Building 3 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9832 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 17' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9829 Wellington Place**
Calendar No. 06-134: **Building 4 - Unit No. 1**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 1 of two attached units in Building 4 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9829 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 17.79' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9833 Wellington Place**
Calendar No. 06-134: **Building 4 - Unit No. 2**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 2 of two attached units in Building 4 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9833 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 18.23' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9811 Wellington Place**
Calendar No. 06-135: **Building 5 - Unit No. 1**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 1 of four attached units in Building 5 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9811 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 15' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9819 Wellington Place**
Calendar No. 06-135: **Building 5 - Unit No. 2**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 2 of four attached units in Building 5 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9819 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and with a distance of 35' provided where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9815 Wellington Place**
Calendar No. 06-135: **Building 5 – Unit No. 3**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 3 of four attached units in Building 5 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9815 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; with a distance of 35' provided where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances.

9:30 **9823 Wellington Place**
Calendar No. 06-135: **Building 5 – Unit No. 4**

Rockport Holdings, owner, and Horizon Construction Co., Ltd., agent, appeal to erect an 18' x 35' two-story, frame single family residence with an attached 12' x 23' garage, proposed to be situated on a 180' x 347' parcel in a Two-Family District and being Unit No. 4 of four attached units in Building 5 of a multiple dwelling complex, located on the west side of West 98th Street and an address of 9823 Wellington Place; subject to the limitations of Section 337.03, multiple dwelling unit buildings are first allowed in a Multi-Family District under Section 337.08; and contrary to Section 357.08, a 15.7' rear yard is provided and 20' is required; with a distance of 35' where Section 357.15 requires 40' between main buildings and rear buildings erected on a lot; and under Section 349.07(c), the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged as to minimize traffic congestion, and approval is required by the Commissioner of Engineering and Construction of the Public Service Department for the consolidation plot, as stated in Section 327.02(e) of the Codified Ordinances. (Filed 6-23-06)

POSTPONED FROM JUNE 19, 2006

10:30 **Ward 16**
Calendar No. 06-60: **4669 State Road** **Kevin Kelley**
15 Notices

Mark Heil, owner, appeals to add a properly screened, outdoor automobile storage area at an existing, legal nonconforming auto service garage, situated on an approximate 78' x 116' corner lot in a Local Retail Business District on the southeast corner of State Road and Portman Avenue at 4669 State Road; and the proposed expansion of a legal nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances. (Filed 4-13-06; testimony taken.)

Third postponement requested by the Councilmember to allow time for added discussion between the parties involved regarding the proposed plan.
