

**BOARD OF ZONING APPEALS  
SEPTEMBER 8, 2008**

**9:30**

**Calendar No. 08-155:**

**4585 Hilland Road  
aka 4631 Broadale Avenue**

**Ward 15**

**Brian Cummins  
6 Notices**

Joseph Bucha, owner, appeals to erect 117 lineal feet of 6 foot high wooden fence in the actual side street and front yards of a 120.25' x 57.54' parcel located in an A1 One-Family District on the northeast corner of Hilland Road and Broadale Avenue; contrary to Section 358.04(a) the proposed fence exceeds a 4 foot height and is not at least 50 percent open; and no portion of a fence located along and parallel to a driveway within 15 feet of its intersection with a public sidewalk shall exceed two and one-half feet in height unless all portions of the fence above two and one-half feet are at least 75 percent open, as stated in Section 358.03(a) of the Codified Ordinances. (Filed 8-15-08)

**9:30**

**Calendar No. 08-156:**

**4493 West 14<sup>th</sup> Street**

**Ward 15**

**Brian Cummins  
5 Notices**

Lucille Cline, owner, appeals to erect a handicap ramp at the front of a single family dwelling, located in an A1 One-Family District on the east side of West 14<sup>th</sup> Street; the proposed ramp extending 37 feet contrary to 6 feet that is allowed and is not a permitted yard encroachment, according to Section 357.13 of the Codified Ordinances. (Filed 8-20-08)

**9:30**

**Calendar No. 08-157:**

**11219 Nelson Avenue**

**Ward 2**

**Robert White  
8 Notices**

Georgia Ross-Hepburn, owner, appeals to expand the use of a two family dwelling, located on a 34.65' x 162.19' parcel in a B1 Two-Family District on the north side of Nelson Avenue; subject to the limitations of a residence district, and with reference to Section 337.02(f)(3)(c), a day care is required to be 30 feet from any adjoining premises in a residence district not used for a similar purpose and requires the Board of Zoning Appeals review and approval to determine if there are adequate yard spaces and safeguards to preserve the character of the neighborhood and if such building and use is appropriately located and designed to meet a community need without adversely affecting the neighborhood. (Filed 8-22-08)

**9:30**

**Calendar No. 08-158:**

**5504 Harvard Avenue**

**Ward 12**

**Anthony Brancatelli  
14 Notices**

Paul Colletti, owner, appeals to extend a patio at the front of an existing tavern and install a 6 foot high board on board fence and brick planter bed, and a 4 foot 6 inch high steel fence on a 33.65' x 148.95' parcel located in General Retail Business District on the south side of Harvard Avenue; the proposed front patio extension being subject to the limitations of Section 357.01(d), and a specific 10 foot setback that is established for Harvard Avenue; and is contrary to Section 357.13, not being a permitted encroachment into the required front yard setback; and fences in actual front yards shall not exceed 4 feet in height and must be at least 50 percent open above 2 feet in height, as stated in Section 358.05(a)(2) of the Codified Ordinances.

**BOARD OF ZONING APPEALS  
SEPTEMBER 8, 2008**

**POSTPONED FROM JULY 14 2008**

**10:30**

**Calendar No. 08-67:**

**9201 Hillock Avenue**

**Ward 8**

**Sabra Pierce Scott**

**15 Notices**

The Cleveland Metropolitan School District, owner, appeals to construct a new Kindergarten through Grade 8 elementary school on a corner acreage parcel located between Hillock and Carr Avenues in split zoning between C1 Multi-Family and B1 Two-Family Districts at 9201 Hillock Avenue; the proposed building and uses by reference are regulated in the provisions of Sections 337.02(f)(3)(A) and require the Board of Zoning Appeals approval, after public notice and hearing, to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and whether such buildings and uses are appropriately located and designed to meet a community need without adversely affecting the neighborhood; and 61 parking spaces are proposed, where the requirement is one for each two staff members and one for each six school gymnasium seats, or a total parking area equal to three times the gross floor area, whichever is greater, as stated in Sections 349.04(c)(e) of the Codified Ordinances. (Filed 4-11-08; no testimony taken.)

**Second postponement requested by the applicant for time to provide additional information about the project to the neighboring community.**

**POSTPONED FROM AUGUST 18, 2008**

**10:30**

**Calendar No. 08-148:**

**1500 Brookpark Road**

**Ward 16**

**Kevin Kelley**

**5 Notices**

Martina Family Properties, owner, and Dan Kulchytsky, agent, appeal to erect an 11,952 square foot warehouse and a two-story office building, with 6,048 square feet per floor and associated parking on a parcel at 1500 Brookpark Road in Semi-Industry and General Industry Districts; contrary to Section 357.14 of the Zoning Code, which requires that parking be located behind the front setback line, with a 20-foot required in this location and 6 feet proposed. (Filed 7-29-08; no testimony taken.)

**First postponement requested by the Councilman.**