

BOARD OF ZONING APPEALS
JUNE 22, 2009

9:30

Calendar No. 09-95:

5100 Pearl Road

Ward 16

Kevin Kelley

The Alex Solomon Family Limited Partnership dba Pearl Plaza Mini Storage, Inc., owner, and Attorney David Lynch appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Codified Ordinances from a Violation Notice issued on April 15, 2009 by the Department of Building and Housing, for failure to comply with the provisions of Section 327.02(c) where it states there shall be no change or substitution in the use of any building or premises and no extension of any existing use, nor shall any premises be occupied for any new use until a Certificate of Occupancy has been issued. (Filed 5-14-09)

9:30

Calendar No. 09-96:

15313 Huntmere Avenue

Ward 11

Michael Polensek
6 Notices

Mikhail Skachko and Premier Home Development, Inc., owner, appeal to erect a 5.5 foot by 15.1 foot 2.5 story frame addition to a single family dwelling on a 40' x 125' parcel in a Two-Family District; nonconforming to Section 357.09(2)A where no building shall be erected less than 10 feet from a main building on an adjacent lot; and the total interior side yards equal 8.3 feet contrary to 10 feet that is required according to Section 357.09(2)B in the Cleveland Codified Ordinances. (Filed 5-15-09)

9:30

Calendar No. 09-97:

9618 Willard Avenue

Ward 18

Jay Westbrook
6 Notices

Enivel Diaz Aquirre, owner, appeals to install approximately 76 linear feet of 4 foot high chain link fence with a gate, contrary to Section 358.04(a)(c)(1) that fences in the actual front setback in a Two-Family District may only be ornamental and 50 percent open.

9:30

Calendar No. 09-99:

3136 West 63rd Street

Ward 17

Matthew Zone
6 Notices

Richard R. Kassouf, Inc., owner, appeals to establish use as a used car sales lot on a triangular shaped acreage parcel located between West 63rd Street and Stock Avenue in an A3 Unrestricted Industry District; and an 8 foot tall fence is along the front and side street property lines, contrary to the Fence Regulations and the requirement that fences in actual front and side street yards shall not exceed a six foot height and may be either open or solid; and that in actual rear and/or interior side yards fences shall not exceed 10 feet in height and may be open or solid as stated in Section 358.05(a)(1) of the Cleveland Codified Ordinances. (Filed 5-19-09)

9:30

Calendar No. 09-108:

4112 Whitman Avenue

Ward 13

Joe Cimperman

6 Notices

Anita Nonneman, owner, and Matthew Young, prospective purchaser, appeal to erect an 18.8 foot by 20.8 foot one-story frame accessory garage with a roof top deck and exterior stairs on a 31' x 96' corner parcel in a Two-Family District; and the rear of a corner lot where the rear lot line is also the side line of a butt lot and a setback building line is established at 11 feet, a setback of 4.6 feet is provided and no building shall be erected near to the street than the established setback building line as stated in Section 357.05(2) of the Cleveland Codified Ordinances. (Filed 6-3-09)

POSTPONED FROM MAY 26, 2009

10:30

Calendar No. 09-80:

8202 Superior Avenue

Ward 7

T. J. Dow

Moorad Rabah dba Moe's Tire Centers appeals under Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from being denied a Motor Vehicle Repair Garage License by the Commissioner of Assessments and Licenses upon the recommendation of the City of Cleveland Department of Building and Housing. (Filed 4-24-09; no testimony taken.)

First postponement taken by applicant's attorney to obtain public records request information.

POSTPONED FROM JUNE 1, 2009

9:30

Calendar No. 09-81:

1337 West 116th Street

Ward 18

Jay Westbrook

Donald P. Shury, owner, appeals under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation, issued by the Building and Housing Department on November 26, 2008 for failure to comply with the provisions of Sections 357.14 and 349.14(c)(6), regarding the parking of motor vehicles in the setback area at the location of 1337 West 116th Street, contrary to the Cleveland Codified Ordinances. (Filed 4-29-09; no testimony taken.)

First postponement requested by applicant due to unexpected emergency.

