

**BOARD OF ZONING APPEALS
OCTOBER 16, 2006**

9:30	Violation Notice	Ward 5
Calendar No. 06-154:	5353 Dolloff Road	Phyllis Cleveland

Otis Elkins, owner, and Kimberly Hill, tenant, appeal under the authority of Chapter 76-6 of the charter of the city of Cleveland and Section 329.02(d) from a Notice of Violation issued by the Building and Housing Department for unauthorized use of the property located at 5353 Dolloff Road, according to the provisions of Section 347.12(a)(1) of the Codified Ordinances. (Refiled 9-11-06)

9:30	8501 Aetna Road	Ward 2
Calendar No. 06-179:		Robert White
		7 Notices

Kilroy Land Company, owner, appeals to establish use of property for a truck traffic turnaround and open outdoor storage on acreage located in a General Industry District on the north side of Aetna Road at 8501 Aetna Road; the use as proposed being contrary to Section 349.07(a) that requires all vehicle maneuvering areas to be properly graded for drainage, surfaced with concrete, asphaltic concrete or asphalt and Section 349.07(c)(3) where the maximum width of a driveway is 30 feet, and open yard storage use must be completely enclosed with a minimum seven foot high solid wall or fence, as stated in Section 345.04(a)(3) of the Codified ordinances. (Filed 8-24-06)

9:30	2217 Broadview Road	Ward 15
Calendar No. 06-186:		Brian Cummins
		16 Notices

Fred Manson, owner, and Gus Mouligiannis, tenant, appeal to establish use for piercing and tattooing on the first floor of an existing 19'-6" x 53'-4" two-story masonry building, situated on a 45' x 130' parcel located in a Local Retail Business District on the east side of Broadview Road at 2217 Broadview Road; the proposed use being subject to the limitations of Section 343.01(b) and not permitted in a Local Retail Business District; and contrary to the Business District Requirements, the use will be within 100 feet of a Residence District, and where the use is permitted in a General Retail Business District, Section 343.11(b)(2)P, a piercing and tattooing use must be at least 1,000 feet from a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center, as stated in Section 347.12(b)(1) of the Codified Ordinances. (Filed 9-7-06)

9:30	3002 Clark Avenue	Ward 14
Calendar No. 06-188:		Joseph Santiago

Allied Lighting Service and Erin Wasserman appeal under the authority of Chapter 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Codified Ordinances from a decision of the Cleveland City Planning Commission rendered on April 7, 2006 to deny the approval for a 24 foot tall pole sign for AutoZone #1997, located at 3002 Clark Avenue, Cleveland, Ohio. (Filed 9-11-06)

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OCTOBER 16, 2006**

9:30

Calendar No. 06-189:

1900 West 50th Street

Ward 17

Matthew Zone

4 Notices

Donald Oros, owner, appeals to erect a 6' x 20' wooden open front porch to a one family dwelling, situated on a 30' x 132' parcel located in a Two-Family District on the west side of West 50th Street at 1900 West 50th Street; contrary to Section 357.09(b) an interior side yard of 2 feet is provided and 3 feet is required; and the proposed open porch extends to within 8 feet of the street line, contrary to Section 357.13(b)(4) where it may not extend within 10 feet; and an 8 foot distance is provided where no building may be erected less than 10 feet from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

(Filed 9-12-06)

POSTPONED FROM SEPTEMBER 25, 2006

10:30

Calendar No. 06-171:

2487 West 25th Street

Ward 14

Joseph Santiago

15 Notices

George Sass, owner, appeals to construct a two-story building for an automobile wrecking yard and a repair garage on a 41,852 square foot lot, located in a General Industry District on the east side of West 25th Street at 2487 West 25th Street; the proposed lot size being deficient and contrary to the minimum area of 50,000 square feet that is required for auto wrecking, as stated in Section 345.04(a)(1)C(4) of the Codified Ordinances. (Filed 8-10-06; testimony taken.)

First postponement requested by Clark Metro Development Corporation for time to convene a meeting between the appellant and the BRD Design Review Committee about the proposed plan.

POSTPONED FROM OCTOBER 2, 2006

10:30

Calendar No. 06-174:

1255 East 58th Street

Ward 13

Joe Cimperman

4 Notices

Chi Hang Chang, owner, appeals to enclose an existing 8' x 20' open front porch of one-family dwelling, situated on a 40' x 125' parcel located in a Two-Family District on the east side of East 58th Street at 1255 East 58th Street; contrary to the permitted yard encroachments, an 8' projection is proposed where an enclosed porch shall not project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 8-11-06; testimony taken.)

First postponement granted at the request of the Councilman for additional review on the appellant's plan with the local development corporation.
