

**BOARD OF ZONING APPEALS
FEBRUARY 12, 2007**

9:30 Calendar No. 07-8:	Appeal of Mario Grgic Building Permit Revocation 17506 Harland Avenue	Ward 11 Michael Polensek
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Mario Grgic appeals under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) from a permit revocation notice issued December 21, 2006 by the Deputy Director of the Building and Housing Department for permit H-06065585 and the installation of a boiler at 17506 Harland Avenue. (Filed 1-17-07)

9:30 Calendar No. 07-9:	11333-35-37 Superior Avenue	Ward 9 Kevin Conwell 12 Notices
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Gerald DeBose, owner, appeals to change the use from stores to a beauty salon/barber shop in an existing one-story commercial building, situated on a 60.40' x 45.63' corner parcel located in a Multi-Family District on the northwest corner of Superior Avenue and East 114th Street at 11333-37 Superior Avenue; the proposed substitution of a nonconforming use being subject to the provisions of Section 359.01(a) where existing nonconforming buildings and uses that lawfully exist on the effective date of this Zoning Code or of any amendment or supplement thereto, or for which a permit has been lawfully issued, may be continued even though such use does not conform to the provision of the Code for the use district in which it is located, but no enlargement or expansion shall be permitted except as a variance under the terms of Chapter 329; and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in type or number of persons to occupy or be attracted to the premises, or in any other characteristic of the new use as compared with the previous one, as stated in Section 359.01(a) of the Codified Ordinances. (Filed 1-22-07)

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FEBRUARY 12, 2007**

9:30

Calendar No. 07-10:

4837 State Road

Ward 16

Kevin Kelley

4 Notices

Bogdan One, LLC and Richard Bogdan, owner, appeal to install approximately 40 linear feet of an 8' high fence at the south and along the east side of a 130' x 118' corner parcel, in a Local Retail Business District on the southeast corner of State Road and Silverdale Avenue; contrary to the Fence Regulations for Non-Residential Districts, fences in actual side street yards shall not exceed 4' in height and shall be at least 50% open as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 1-23-07)

POSTPONED FROM 1-2-2007

10:30

Calendar No. 06-253:

2808 Van Aken Boulevard

Ward 4

Kenneth Johnson

5 Notices

Alan Applegate, owner, appeals to erect a two car attached garage to a three-story multiple family building, situated on an approximate 80' x 160' parcel located in an E2 Multi-Family District on the west side of Van Aken Boulevard at 2808 Van Aken Boulevard; as proposed the garage is directly on the property line, providing no interior side yard, and in a Multi-Family District the required interior side yard shall not be less than a width of 8' according to Section 357.09Z(b)(2)(C) of the Codified Ordinances. (Filed 12-11-06; no testimony taken.)

First postponement requested by consultant for the appellant due to a scheduling conflict.

POSTPONED FROM JANUARY 8, 2007

10:30

Calendar No. 06-247:

7211 Quincy Avenue

Ward 5

Phyllis Cleveland

9 Notices

Robert Rosen, owner, appeals to have the outside storage of trailers, containers and scrap metals on a 152.58' x 150' parcel, located in a General Retail Business District on the north side of Quincy Avenue at 7211 Quincy Avenue; the proposed outside storage being contrary to Section 343.11, not permitted in a General Retail Business District but first permitted in a General Industry District; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 11-28-06; testimony taken.)

First postponement requested on behalf of the Councilwoman.
