

**BOARD OF ZONING APPEALS  
AUGUST 20, 2007**

**9:30**

**Calendar No. 07-138:**

**11321 Parkview Avenue**

**Ward 4**

**Kenneth Johnson**

**4 Notices**

Sylvester Stinson, owner, appeals to erect approximately 200 feet of 6 foot high wooden fence along the rear and east side property lines of a 40' x 167.25' parcel, located in a Two-Family District on the north side of Parkview Avenue at 11321 Parkview Avenue; contrary to Section 358.04(a) a 6 foot tall fence is proposed at a less than 6 foot distance where no fence shall be higher than its distance from a residence building on an adjoining lot, if such fence is parallel and adjacent to the wall of a residence; and the proposed placement of the fence is between one and a half and 2 feet from the garage, where a fence running parallel and adjacent to a building on the same property shall be located no closer than 3 feet to the wall of the building, as stated in Section 358.04(b) of the Codified Ordinances. (Filed 7-16-07)

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**9:30**

**Calendar No. 07-139:**

**4430 State Road**

**Ward 16**

**Kevin Kelley**

**42 Notices**

Constellation Community Schools, owner, appeal to construct a two-story addition to an existing school building situated on an acreage parcel between Leopold and Dawning Avenues in a Two-Family District on the west side of State Road at 4430 State Road; subject to the limitations of Section 337.03 and by reference regulated under Section 337.02(f) for a One-Family District, a public school building and uses located within 30 feet of a residence district are subject to the Board of Zoning Appeals approval and review according to the provisions of Section 337.02(f)(3)A; with a 6 foot wide landscape strip required along Leopold Avenue according to provisions of Sections 352.10 and 352.11; and in a Residence District where the lot abuts a Residence District on the rear third of a corner lot, Section 357.05(b)(1) requires that the building line shall be not less than 10 feet back from the side street line, and the parking of motor vehicles within this setback is prohibited, as stated in Section 357.14(a)(1) of the Codified Ordinances. (Filed 7-17-07)

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**9:30**

**Calendar No. 07-140:**

**16602 Melgrave Avenue**

**Ward 20**

**Martin Sweeney**

**5 Notices**

Melissa Bernath, owner, and Kevin Walsh, agent, appeals to erect a one-story, 24' x 23' frame accessory garage on a 50.15' x 108' corner parcel, located in a One-Family District on the northwest corner of Melgrave Avenue and West 166<sup>th</sup> Street at 16602 Melgrave Avenue; contrary to the Area Regulations, a distance of 8 feet is provided where a minimum distance of 10 to 15 feet from the neighboring dwelling is required, according to the provisions of Section 353.05(a) of the Codified Ordinances. (Filed 7-17-07)

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**BOARD OF ZONING APPEALS  
AUGUST 20, 2007**

**9:30**

**Calendar No. 07-141:**

**1854 West 58<sup>th</sup> Street**

**Ward 17**

**Matthew Zone  
9 Notices**

Bridge Housing Corporation, owner, appeals to erect a two-story, frame 20' x 40' dwelling with a detached 20' x 20' garage, on a 46.73' x 84.54' corner parcel in a Two-Family District on the southwest corner of West 58<sup>th</sup> Street and Ellen Avenue at 1854 West 58<sup>th</sup> Street; the width of lot being 3,950 square feet and not 4,800 square feet as required in the provisions of Section 355.05(a) of the Codified Ordinances. (Filed 7-20-07)

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**9:30**

**Calendar No. 07-145:**

**6022 Wakefield Avenue**

**Ward 17**

**Matthew Zone  
4 Notices**

Carl Stutts, owner, appeals to construct a 12' x 30' addition to an existing one family dwelling, situated on a 41' x 45' parcel located in a Two-Family District on the north side of Wakefield Avenue at 6022 Wakefield Avenue; contrary to Section 355.04(b), the gross floor area of 936 square feet exceeds fifty percent of the lot size or 922 square feet with a lot width of 1,845 square feet where 4,800 square feet is required; and contrary to Sections 357.08(b)(1) and 357.09(2)A, a 3 foot rear yard and not 20 feet is provided with a 6 foot distance where no building shall be erected less than 10 feet from a main building on an adjoining lot. No parking is provided contrary to one required parking space per dwelling, according to the provisions of Section 349.04 of the Codified Ordinances. (Filed 7-31-07)

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**POSTPONED FROM JULY 16, 2007**

**10:30**

**Calendar No. 07-102:**

**Violation Notice  
15206 Aldene Avenue**

**Ward 20**

**Martin Sweeney**

Robert and Sharon DeCarlo appeal 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 May 2, 2007 for failure to comply with the Zoning Code and the requirements for Yards and Courts under Section 357.13 and the Off-Street Parking and Loading requirements under Sections 349.05(a) and 349.02 of the Codified Ordinances. (Filed 6-1-07; no testimony taken.)

**First postponement granted at request of appellants' counsel in order to prepare properly for their representation at the hearing.**

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**BOARD OF ZONING APPEALS**  
**AUGUST 20, 2007**  
**POSTPONED FROM JULY 23, 2007**

**10:30**

**Calendar No. 07-115:**

**19142 Davinwood Drive**

**Ward 21**

**Martin Keane**

**3 Notices**

Rodica Cocan, owner, appeals to install a 5 foot x 7 foot hot tub on a 7 foot x 7 foot deck at the rear of a one-story brick dwelling, situated on an approximate 50' x 145' parcel located in an A1 One-Family District on the east side of Davinwood Drive at 19142 Davinwood Drive; the proposed accessory use required to be on the rear half of the lot measures 71.5 feet, an overage of 11.4 feet, where 60.1 foot is allowed, according to the provisions of Section 337.23(a) of the Codified Ordinances. (Filed 6-21-07; no testimony taken.)

**First postponement granted to appellant due to conflict with schedule for travel.**

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**POSTPONED FROM AUGUST 6, 2007**

**10:30**

**Calendar No. 07-134:**

**2472 West 7<sup>th</sup> Street**

**Ward 13**

**Joe Cimperman**

**4 Notices**

Sara Osberger, owner, appeals to install approximately 35 linear feet of 6 foot high wooden fence in the actual rear yard and actual interior side yard of a 33' x 146' parcel located in a Two-Family District on the west side of West 7<sup>th</sup> Street at 2472 West 7<sup>th</sup> Street; subject to Section 358.04(a), a fence in the actual rear and interior side yards shall not exceed a 6 foot height nor be higher than its distance from a residence building on an adjoining lot, according to the Fence Regulations of the Codified Ordinances. (Filed 7-11-07; no testimony taken.)

**First postponement granted at request of appellant due to a conflict with a work commitment that could not be modified.**

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