

BOARD OF ZONING APPEALS

SEPTEMBER 17, 2007

9:30

Calendar No. 07-162: 4500 West 130th Street- Parcel 1

Ward 20

**Martin Sweeney
24 Notices**

Gary Weiss dba BMW Realty Company, owner, appeals to establish use for wrecking and dismantling of automobiles, storage of automobiles pending wrecking or dismantling and used automobile sales, proposed to be situated on Parcel #1 of an acreage parcel located in a General Industry District on the west side of West 130th Street at 4500 West 130th Street; and contrary to Section 345.04(a)(4) an approximate three quarters of the area is properly screened and a portion of Parcel #1 will not have a solid fence or wall, where a minimum 7 foot high solid fence or wall is the required screening use; and the storage of used materials or parts cannot exceed 3 feet above the height of the fence or wall enclosing the yard, or a permitted 12 foot height, and 16 to 18 foot high storage racks are proposed, contrary to Section 347.06(d) of the Codified Ordnanances. (Filed 8-8-07)

9:30

Calendar No. 07-163: 4500 West 130th Street- Parcel 2

Ward 20

Gary Weiss dba BMW Realty Company, owner, appeals to establish use for storage of automobiles pending wrecking or dismantling, proposed to be situated on Parcel #2 of an acreage parcel located in a General Industry District at 4500 West 130th Street; and an approximate three quarters of the area is properly screened and a portion of Parcel #2 will not have a solid fence or wall where a minimum 7 foot high solid fence or wall is required as stated in Section 345.04(a)(4) of the Codified Ordinances.

9:30

Calendar No. 07-164: 4500 West 130th Street- Parcel 3

Ward 20

Gary Weiss dba BMW Realty Company, owner, appeals to establish use for storage of automobiles pending wrecking or dismantling, proposed to be situated on Parcel #3 of an acreage parcel located in a General Industry District at 4500 West 130th Street; and an approximate three quarters of the area is properly screened and a portion of Parcel #3 will not have a solid fence or wall where a minimum 7 foot high solid fence or wall is required as stated in Section 345.04(a)(4) of the Codified Ordinances.

9:30

Calendar No. 07-165: 4614 West 130th Street- Parcel 4

Ward 20

Gary Weiss dba BMW Realty Company, owner, appeals to establish use for storage of automobiles pending wrecking or dismantling, proposed to be situated on Parcel #4 of an acreage parcel located in a General Industry District at 4500 West 130th Street; and an approximate three quarters of the area is properly screened and a portion of Parcel #4 will not have a solid fence or wall where a minimum 7 foot high solid fence or wall is required as stated in Section 345.04(a)(4) of the Codified Ordinances.

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9:30

Calendar No. 07-167:

12501 Larchmere Boulevard

Ward 6

Patricia Britt

14 Notices

John Negus, owner, and Robbie Willis, lessee, appeal to change from a store to a day care center and a rear yard outdoor playground area, the use of an existing one-story building, situated on a 50' x 155' parcel in a Local Retail Business District on the north side of Larchmere Boulevard at 12501 Larchmere Boulevard; the proposed use being permitted under Section 343.01(b)(2) in a Local Retail District as regulated in the adjacent Two-Family District and is contrary to Section 337.02(f)(3)(C) with less than a 30 foot separation between the playground area and the abutting residential district; and the Board of Zoning Appeals approval is required to determine that there are adequate yard spaces and other safeguards to preserve the character of the neighborhood, and if such use is appropriately located and will meet a community need without adversely affecting the neighborhood; and a 10 foot wide landscape strip providing at least 75 percent year-round opacity is required to separate the retail district from the residential district at the rear, as stated in Sections 352.08 through 352.10 of the Codified Ordinances. (Filed 8-13-07)

9:30

Calendar No. 07-175:

14009 Tuckahoe Avenue

Ward 21

Martin Keane

2 Notices

Candace Kinsner, owner, and Kenneth Reese, agent, appeal to erect a 12' x 14' patio enclosure at the rear of a one family dwelling, situated on a 26.76' x 126' parcel in a Two-Family District on the east side of Tuckahoe Avenue at 14009 Tuckahoe Avenue; contrary to Section 357.09(2)(b) a 1 foot width is provided and an interior side yard must be a minimum of 3 feet; and zero distance is provided where no building shall 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 8-22-07)

9:30

Calendar No. 07-176:

16204 Southland Avenue

Ward 21

Martin Keane

4 Notices

Kenneth Trump, owner, appeals to erect a new accessory garage, proposed to be situated on a 40' x 101.12' parcel located in a One-Family District on the north side of Southland Avenue at 16204 Southland Avenue; contrary to Section 337.23(7)(a), a floor area of 749 square feet is proposed contrary to 650 square feet; with an overall height of 20 feet and 17 foot mean height proposed where the maximum height allowed is 15 feet, as stated in Section 353.05 of the Codified Ordinances. (Filed 8-23-07)

9:30

Calendar No. 07-183:

Robert L. Burton dba J & B Club

7019 Superior Avenue

Ward 7

Fannie Lewis

Robert L. Burton dba J & B Club, appeals under the authority of Section 76.6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from a denied Coin Operated Amusement Device License by the Commissioner of Assessments and Licenses for the property at 7019 Superior Avenue, upon the disapproved license application by the Departments of Public Safety and of Building and Housing. (Filed 8-30-07)

**BOARD OF ZONING APPEALS
SEPTEMBER 17, 2007**

POSTPONED FROM SEPTEMBER 4, 2007

10:30

Calendar No. 07-116:

4190 Bradley Road

Ward 15

Brian Cummins

9 Notices

Ron and Debra Roy, owners, appeal to establish use of a 377' x 368' parcel for auto storage, repair and sales, situated in a Residence Industry District on the south side of Bradley Road at 4190 Bradley Road; subject to the limitations of Section 345.02, auto storage and a repair garage are not permitted and first permitted in a Semi-Industry District, provided that the auto storage lot is enclosed by a 7 foot high, solid fence and the use for auto repair may not be located less than 100 feet from a residence district, and as proposed, there is no fence that complies with Section 345.03(c)(2) and the property is less than 100 feet from a Multi-Family District; and no barrier is proposed, where a used car lot must maintain a one and a half foot barrier at the setback line (15 feet) behind which all vehicles, advertising and parking must be kept; no landscaping is proposed and a 4 foot wide, frontage landscape strip is required where the lot abuts the street, according to the provisions of Section 352.10 of the Codified Ordinances. (Filed 6-21-07; no testimony taken.)

Second postponement requested by the neighboring homeowners association for discussion about the proposed plan.

POSTPONED FROM AUGUST 27, 2007

10:30

Calendar No. 07-135:

Robert L. Burton Enterprise

d.b.a. J & B Club

7019 Superior Avenue

Ward 7

Fannie Lewis

Robert L. Burton Enterprise d.b.a. J & B Club, appeals under the authority of Section 76.6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from a denied Dance Hall License by the Commissioner of Assessments and Licenses for the property at 7019 Superior Avenue, upon the disapproved license application by the Cleveland Department of Building and Housing. (Filed 7-12-07; no testimony taken.)

Second postponement granted at request of the Division of Assessments and Licenses.
