

BOARD OF ZONING APPEALS

FEBRUARY 17, 2009

9:30

Calendar No. 09-6:

2239 East 95th Street

Ward 6

Mamie Mitchell

4 Notices

Cleveland Green Homes East LPI, owner, appeal to erect a 14' x 20' one-story detached garage on a 39' x 70.30' parcel in a Two-Family District; contrary to Section 337.14 a distance of 8 feet is provided and no parking space shall be located within 10 feet of a building with ground floor windows; and a minimum distance of 18 inches from all property lines is required and none is provided from the rear property line, contrary to Section 337.23(a) of the Codified Ordinances.

(Filed 1-15-09)

9:30

Calendar No. 09-7:

2122-24 West 73rd Street

Ward 17

Matthew Zone

15 Notices

George Smee, owner, appeals to change from a legal nonconforming service station to auto repair use an existing building on an irregular shaped corner lot in a Local Retail Business District; subject to Section 359.01, the substitution of nonconforming use requires the Board of Zoning Appeals approval; the proposed change not permitted in a Local Retail District, the site conditions and use as a service station previously granted in Board of Zoning Appeals Calendar No. 52-765 for driveway size (a maximum 30 foot driveway is permitted), a lack of frontage landscape strip (a 6 foot landscaped strip required where the parking lot meets the street); a buffer transition landscape strip (a 10 foot landscape strip required along the rear property line); and striping for parking (striping and bumper guards required for parking spaces). (Filed 1-23-09)

9:30

Calendar No. 09-8:

7026 Kinsman Road

Ward 5

Phyllis Cleveland

13 Notices

Cuyahoga Metropolitan Housing Authority, owner, appeal to construct 20 new townhouses on acreage in a Multi-Family District; contrary to the Area and Yard Regulations in an RA-3 (Residential Attached) District, a 16 foot rear yard is proposed at the southeast corner of the project where it abuts a Two-Family District and 20 feet is required according to Section 337.031(g) of the Codified Ordinances.

(Filed 1-27-09)

9:30

Calendar No. 09-9:

12222 Soika Avenue

Ward 3

Zachary Reed

12 Notices

AKM Property Management LLC and Abdul Muhammad, owner, appeal to change from a retail store to a barber shop and carry out restaurant the use of an existing one-story building on a 45' x 125.25' corner parcel located in a Local Retail Business District; the proposed change being subject to the requirements of Yards and Courts Regulations and Sections 357.04, 357.05 and 357.14, that prohibit the parking of motor vehicles within the front yard and side street yard setback; and under the provisions of Sections 352.09 and 352.11, a dumpster enclosure within the required 8 foot transition strip is not permitted, according to the Landscaping and Screening requirements of the Codified Ordinances. (Filed 1-28-09)

POSTPONED FROM JANUARY 20, 2009

10:30

Calendar No. 08-236:

4120 Lee Road

Ward 1

Terrell Pruitt

21 Notices

Sherry Wingfield, owner, and Eddie Adya, prospective purchaser appeal to construct a new restaurant on a 40' x 135' parcel in a General Retail Business District at the northwest corner of Lee Road and Judson Drive; and a driveway access to the property is contrary to Section 343.18(c), being located less than 15 feet between the point of tangency of the driveway apron radius and a prolongation of the property line to the curb line measured at the curb line; and subject to Section 357.07, motor vehicle parking is prohibited within the 50 foot specific building line front yard setback measured from the center line of Lee Road; and an open 24 hours drive through for retail sales that abuts a residential use shall be prohibited from 11:00 PM to 6:00 AM daily and conform to the applicable requirements of Section 347.16(g)(6) and its other divisions concerning regulations for location and operation of drive through establishments; and an 8 foot high fence is proposed along the west property line, contrary to Section 358.05(a)(2) that states fences in actual front and side street yards shall not exceed a 4 foot height and shall be at least 50 percent open above 2 feet in height and that fences in actual rear and interior side yards shall not exceed a 6 foot height. (Filed 12-18-08; testimony taken.)

First postponement requested by the Councilman for additional review of the proposed plan and a meeting with the neighboring community about the project.

