

**BOARD OF ZONING APPEALS
FEBRUARY 2, 2009**

9:30

Calendar No. 08-220:

4965 Broadview Road

Ward 16

Kevin Kelley

1 Notice

CSX Railroad, owner, and CBS Outdoor and Tim Keaton, tenant, appeal to install automatic changeable copy signs on an existing 14' x 48' and 70 foot high billboard, located on an acreage in a General Industry District; and under the provisions of Section 350.10(j) a billboard is permitted in general industry zoning and can only be illuminated by means of continuous reflected light; automatic changeable copy signs are not permitted. (Filed 12-4-08)

9:30

Calendar No. 08-223:

6611 Barberton Avenue

Ward 16

Kevin Kelley

22 Notices

Calogero Monastra, owner, and AMS International Samidam Trading, tenant, appeal to establish use for motor vehicle storage on acreage located in a General Industry District; contrary to Sections 352.08 and 352.11 of the Cleveland Codified Ordinances, no landscaping strip is proposed and an 8 foot wide (75 percent year-round opacity) landscaping strip is required at the front yard between the General Industry and Local Retail Business District; and under the provisions of Sections 349.07 (a) and (b), accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash and provided with wheel or bumper guards that are located so that no part of a parked vehicle will extend beyond such parking space. (Filed 12-5-08)

9:30

Calendar No. 08-224:

3584 West 67th Street

Ward 16

Kevin Kelley

22 Notices

Calogero Monastra, owner, and Samidam Trading Modern Welding, Inc., tenant, appeal to establish use for motor vehicle repair and storage on a 192.86' x 180.44' parcel located in a Semi-Industry District; subject to the limitations of Section 345.03(c)(2) a repair garage is permitted, provided that it is located not less than 100 feet from a residence district and the proposed use abuts a Two-Family District; and contrary to Sections 352.08 and 352.11, no landscaping is proposed, and a 10 foot wide (75 percent opacity) landscaping strip is required at lot lines which are also the boundary lines of a residence district. (Filed 12-5-08)

9:30

Calendar No. 08-225:

1163 East 123rd Street

Ward 9

Kevin Conwell

8 Notices

Alaeddin Mohammad and 1163 East 123rd Street Ltd., owner, appeals to install a 6 foot high board on board wooden fence within the front and side street yard setback on the southeast corner of East 123rd Street and Phillips Avenue in a Local Retail Business District; and except as specifically required because of the type of use, in non-residential districts other than General and Unrestricted Industry Districts, fences in actual front and side street yards shall not exceed 4 feet in height and shall be at least 50 percent open above 2 feet in height, as stated in Sections 358.05(a)(2) of the Codified Ordinances. (Filed 12-8-08)

9:30

Calendar No. 08-241:

12408 Union Avenue

Ward 3

Zachary Reed

20 Notices

Fahed Hamze, owner, and AT&T Mobility, prospective lessee, appeal to add a 15 foot antenna extension to a 110 foot high existing nonconforming telecommunications tower in a Local Retail Business District, for which the Board of Zoning Appeals granted approval with conditions in Calendar No. 00-249; and subject to the provisions of Section 354.10, an existing nonconforming telecommunications tower may be continued, but such tower shall not be made more nonconforming unless the alteration is approved by the Board of Zoning Appeals. The existing tower being nonconforming in location, not permitted in Local Retail per Section 354.06(a); and approximately 100 feet from a residential district, contrary to a setback from residential district lines that is a distance of three times the tower height, or 345 feet; and a tower height may exceed the height limit of 35 feet only when it is in compliance with all other provisions of Chapter 354 of the Zoning Code. (Filed 12-26-08)

POSTPONED FROM DECEMBER 8, 2008

10:30

Calendar No. 08-205:

**Violation Notice
4965 Broadview Road**

Ward 16

Kevin Kelley

CSX Railroad, owner, and CBS Outdoor and Tim Keaton, tenant, appeal from a Notice of Violation issued by the Building and Housing Department on October 10, 2008 for failure to comply with the provisions of Section 350.10(j) of the Codified Ordinances. (Filed 11-12-08; no testimony taken.)

First postponement requested by applicants' agent in the interest of applicants considering the hiring of legal counsel.

