

**BOARD OF ZONING APPEALS  
FEBRUARY 1, 2010**

**9:30**

**Calendar No. 10-2:**

**9208 Detroit Avenue**

**Ward 16**

**Jay Westbrook  
13 Notices**

Brian Lyons, owner, appeals to establish use as a bar with entertainment in an existing one-story building on a 60.26' x 201.17' corner parcel in a General Retail Business District; subject to Section 347.12 and regulations for location, the proposed use may not be established on a lot or lots within 500 feet of a residence district and a required total parking area according to Section 349.04(c) is three times the gross floor area or 24 off-street parking spaces; and 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 other surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash and provided with wheel or bumper guards, located so that no part of a parked vehicle extends beyond a parking space; and landscaped strips shall be separated by curbing according to Section 352.05(g) and a 6 foot wide, side street, frontage landscaping strip is required at the parking lot where it borders the street, as stated in Sections 352.08 through 352.11 of the Cleveland Codified Ordinances.

**9:30**

**Calendar No. 10-3:**

**Appeal of Moses Shareef  
Revocation Second Hand Dealers License  
12913 St. Clair Avenue**

**Ward 10**

**Eugene Miller**

Moses Shareef appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 676.12(d) of the City of Cleveland Codified Ordinances from the decision of the Commissioner of Assessments and Licenses to revoke a Second Hand Dealers License for Moses Appliance Repair, located at 12913 St. Clair Avenue.

**9:30**

**Calendar No. 10-4:**

**Appeal of Khalil Abduilatt  
Revocation Second Hand Dealers License  
9824 Miles Avenue**

**Ward 2**

**Zack Reed**

Khalil Abduilatt appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 676.12(d) of the City of Cleveland Codified Ordinances from the decision of the Commissioner of Assessments and Licenses to revoke a Second Hand Dealers License for All Sorts Trading, located at 9824 Miles Avenue.

**9:30**

**Calendar No. 10-7:**

**Appeal of Victor Simmons  
Revocation Second Hand Dealers License  
6218 St. Clair Avenue**

**Ward 7**

**T J Dow**

Victor Simmons appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 676.12(d) of the City of Cleveland Codified Ordinances from the decision of the Commissioner of Assessments and Licenses to revoke a Second Hand Dealers License for Victor's Art Studio, located at 6218 St. Clair Avenue.

**10:30**

**Calendar No. 09-241:**

**6605 Barberton Avenue**

**Ward 15 / 16**

**Matthew Zone  
5 Notices**

Kenneth Easterly, owner, appeals to change the use of a one-story brick building from storage to a vehicle repair garage on an acreage parcel in a General Industry District; and a 6-foot wide frontage landscaping strip is required along the parking lot where the lot borders the street, as stated in Sections 352.08 through 352.11 of the Cleveland Codified Ordinances. (Filed 11-9-09; dismissed 12-21-09; reinstated 1-11-10)



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FEBRUARY 1, 2010**

**POSTPONED FROM SEPTEMBER 14, 2009**

**10:30**

**Calendar No. 09-118:**

**3710 Fulton Road**

**Ward 14 / 15**

**Brian Cummins**

**8 Notices**

Sheila Maurer, owner appeals to expand the use of an existing automobile repair garage to include used car sales on an irregular shaped corner lot in a General Retail Business District; subject to the provisions in Section 359.01(a) a use of a building or land lawfully existing on the effective date of this Zoning Code or any amendment or supplement thereto for which a permit has been lawfully issued may be continued even though it does not conform to the use district in which it is located, but no enlargement nor expansion shall be permitted except as a variance under the terms of Chapter 329 and no other change in such nonconforming use shall be permitted except by special permit from the Board of Zoning Appeals issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied in volume of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use, as stated in the Cleveland Codified Ordinances. (Filed 6-10-09; no testimony taken.)

**Third postponement requested by the Councilmember for additional time to consult about the proposed plan for the expansion of use with the applicants and the local development corporation.**