## BOARD OF ZONING APPEALS APRIL 19, 2004

9:30 Ward 16

Calendar No. 04-64: 5000 Pearl Road Michael O'Malley 14 Notices

Myron Kaplan, owner, appeals to construct a one-story 50' x 160' accessory storage building on an irregular shaped acreage parcel located in split zoning between a Semi-Industry District and a General Industry District on the west side of Pearl Road at 5000 Pearl Road; subject to the provisions in Section 359.01 for Nonconforming Uses, the expansion of a vehicle wrecking yard and uses is not permitted in a Semi-Industry District but first permitted in a General Industry District and requires the Board of Zoning Appeals approval for an expansion of nonconforming use, and contrary to Section 347.06(a) in Specific Uses Regulated, a 6' high fence with slats is proposed and a wrecking yard shall have a minimum 7' high solid masonry wall or slightly solid non-transparent, well-maintained, substantial fence; and there is no landscaping strip proposed where a 10' wide landscaping strip with 75% year-round opacity is required between the General Industry use and the abutting Two-Family District as stated in Section 352.11 of the Codified Ordinances. (Filed 3-30-04)

9:30 Ward 20

Calendar No. 04-65: 14129 Puritas Avenue Martin Sweeney 9 Notices

Coral Puritas Partnership, owner, appeals to construct a  $110' \times 70'$  one-story retail building on a  $110' \times 150'$  parcel in a General Retail Business District on the south side of Puritas Avenue at 14129 Puritas Avenue; contrary to Section 343.18 of the Business Districts Regulations, a proposed driveway apron on the northwest corner is 2' from the property line and at the southeast corner is 12' from the property line, and a distance of 15' from the property line is required; and contrary to Section 352.10 of the Requirements for Landscaping and Screening, a 4' wide landscaping strip is proposed where a 6' width is required along Puritas Avenue between the street and the parking lot, and there is no transition strip proposed along the west side of the lot between the General Retail District and the Two-Family District, where a 10' wide transition strip is required as stated in Section 352.11 of the Codified Ordinances. (Filed 3-31-04)

9:30 Ward 18
Calendar No. 04-66: 3140 West 98<sup>th</sup> Street Jay Westbrook
11 Notices

Gerald Zahler dba Mutual Properties, owner, appeals to construct a 5,119 s/f addition to the north side of an existing one-story retail building, situated on an acreage parcel in a General Retail Business District on the northeast corner of West 98<sup>th</sup> Street and Lorain Avenue; contrary to the Yards and Courts Regulations, the proposed addition is within the front setback and no portion of a building shall be erected within the specific 10' front setback as stated in Section 357.07(a) of the Codified Ordinances.(Filed 4-1-04)

## BOARD OF ZONING APPEALS APRIL 19, 2004

9:30 Ward 1
Calendar No. 04-57: 4856 Lee Road Joseph Jones
11 Notices

Lee Heights Community Church c/o Reverend Vern Miller, owner, appeals to maintain a 12′ x 60′ construction trailer on an approximate 169′ x 250′ irregular shaped vacant lot for the use of food storage and distribution, situated in a One-Family District on the west side of Lee Road at 4856-4878 Lee Road; contrary to Section 337.02(f)(3)(G) of the Residential District Regulations the proposed use by a charitable institution must be approved by the Board of Zoning Appeals and located not less than a distance of 30′ from other premises not used for a similar purpose and contrary to the Off-Street Parking and Loading Requirements, a gravel lot is proposed where vehicle maneuvering areas and parking spaces must be paved and properly graded for drainage, so that all water is drained within the lot as stated in Section 349.07(a) of the Codified Ordinances. (Filed 3-31-04)

Calendar No. 03-252: 4856 Lee Road Ward 1

Lee Heights Community Church, owner, and Reverend Vern Miller appeal to install approximately 592 linear feet of 4' high chain link fencing at the front and at the north and south sides of an approximate 169' x 250' irregular shaped parcel located in a One Family District on the west side of Lee Road and Highview Avenue at 4856 Lee Road; said installation of chain link fencing being contrary to the Fence Regulations, where in a residential district only ornamental fence is permitted in the actual front and actual side street yards as stated in Section 358.04(c)(1) of the Codified Ordinances. (Heard 10-6-03; held pending six months; testimony taken.)

Extended first postponement granted at the mutual request of the appellant and the local development corporation to allow the fence to remain temporarily, during discussions about housing development that would include this site.

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## BOARD OF ZONING APPEALS APRIL 19, 2004 POSTPONED FROM MARCH 22, 2004

10:30 Ward 19
Calendar No. 04-48: 3465-69 West 117<sup>th</sup> Street Dona Brady
20 Notices

Ralph and Denise Rescina, owners, and Angela Paluch, tenant, appeal to change from a tavern to a body piercing and tattooing service the use of a 2 ½-story brick building situated on a 46′ x 86′ corner parcel in a General Retail Business District on the southeast corner of West 117<sup>th</sup> Street and St. Mark Avenue at 3465-69 West 117<sup>th</sup> Street; contrary to the provisions for Specific Uses Regulated, the proposed change of use abuts a Residential District and is located within a distance of 1000′ of the Halloran Park Playground and Skating Rink, where a use for tattooing and body piercing are not permitted as stated in Section 347.12 of the Codified Ordinances. (Filed 2-24-04; no testimony taken.)

Appellants' first postponement granted due to a scheduling conflict for them.

## **POSTPONED FROM MARCH 29, 2004**

10:30 Ward 17 Calendar No. 04-52: 6304 Lorain Avenue Matt Zone 8 Notices

Steve Menyhart dba Menyhart Plumbing appeals to extend the storage area of a plumbing supply operation onto an additional parcel, a consolidation of appellant's parcels totaling to an approximate lot size of 210' x 132', all situated in a Local Retail Business District on the north side of Lorain Avenue at 6304 Lorain Avenue; contrary to Section 343.01 of the Business Districts Regulations that does not permit the storage for a legal, nonconforming plumbing supply business in a Local Retail District; and subject to Section 359.01 of the provisions for Nonconforming Uses, the expansion of a nonconforming use requires the Board of Zoning Appeals approval; and no detailed site plan is provided, identifying the features for the proposed use on the additional lot as required in Section 327.02(e) under Enforcement and Penalty in the Codified Ordinances. (Filed 3-3-04; no testimony taken.)

First postponement granted due to appellant's scheduling conflict.

9:30 Ward 12 Calendar No. 04-54: 4117 East 71<sup>st</sup> Street Violation Notice

Gerald Durante, owner, and Larry Duckworth, tenant, appeal under Section 329.01(e) from a Violation Notice issued February 18, 2004 by the Building and Housing Department for illegal conversion of the premises from a retail store to an adult entertainment use and is subject to the Enforcement and Penalty provisions of Section 327.02(c) of the Codified Ordinances. (Filed 3-4-04; no testimony taken.)

Appellants' counsel granted a first postponement due to conflicts with their schedule.