### **BOARD OF ZONING APPEALS SEPTEMBER 12, 2005**

9:30 Ward 15

3664 West 46th Street Calendar No. 05-250: **Emily Lipovan Holan** 

2 Notices

Patricia Jordan, owner, appeals to install approximately 203 linear feet of 6' high chain link fence in the side street yard of an irregular shaped corner lot, located in a Two-Family District on the northwest corner of West 46<sup>th</sup> Street and Hannon Drive; contrary to Section 358.04(c)(1), in a residential district, only ornamental fence shall be installed and within 4' of the property line in an actual side street yard; and it may not exceed a 4' height, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 7-27-05)

9:30 Ward 12

Calendar No. 05-251: **6918 Gertrude Avenue Anthony Brancatelli** 

6 Notices

Walter and Nancy Eddy, owners, appeal to erect a 33' x 24' second story, frame room addition to an existing, nonconforming one family dwelling, situated on a 40' x 77' parcel on the south side of Gertrude Avenue at 6918 Gertrude Avenue; contrary to Section 355.05, a 33' lot width is provided and 40' is required; with a 2,524 s/f minimum lot area, instead of 4,800 s/f and the combined first and second floor gross floor area is 2,142 s/f where 50% of the lot size, or 1,262 s/f is allowed; and contrary to Section 357.09(2)A, there is a rear yard depth of 8.3' instead of 28'; with a distance of 5.7' provided where no less than 10' is required from a main building on an adjoining lot; and the nonconforming interior side yard, lot size and distance to the neighboring dwelling require the Board of zoning Appeals approval according to Section 359.01 of the Codified Ordinances. (Filed 7-27-05)

9:30 Ward 3

Calendar No. 05-252: 3404 East 140<sup>th</sup> Street **Zachary Reed** 

10 Notices

Zenobia Cummings, owner, appeals to establish use as a Type A Day Care in an existing two family dwelling, situated on a 50' x 145' parcel in a Multi-Family District on the west side of East 140<sup>th</sup> Street at 3404 East 140<sup>th</sup> Street; subject to the limitations of Section 337.08(e)(3), a day care is permitted if it is located 15' from an adjoining premises in a Residence District that's not used for a similar purpose and the proposed use abuts a Two-Family District at the rear and the Multi-Family District on both sides of the property and the Board of Zoning Appeals approval is required for the proposed day care. (Filed 8-1-05)

# BOARD OF ZONING APPEALS SEPTEMBER 12, 2005

9:30 Ward 19
Calendar No. 05-253: 10400 Lorain Avenue Dona Brady
10 Notices

Richard Giachetti, owner, appeals to change the use from 4 dwelling units and a bar to 2 dwelling units and an expansion of the existing bar in a mixed use two-story building, situated on a 42' x 120' corner parcel in a General Retail Business District on the northwest corner of West 104<sup>th</sup> Street and Lorain Avenue at 10400 Lorain Avenue; contrary to Section 349.04(e), only 10 parking spaces are proposed and 21 spaces are required and a 6' wide landscape strip is required between Lorain Avenue and the parking lot as stated in Section 352.10 of the Codified Ordinances; and no live entertainment is permitted in the proposed expansion. (Filed 8-1-05)

9:30 Ward 18

Calendar No. 05-254: 1499 West 117<sup>th</sup> Street Jay Westbrook

**6 Notices** 

Columbo Enterprises, owner, and Anthony Costanzo, agent, appeal to construct a  $25^{\circ}$  x  $40^{\circ}$  one-story car wash facility, on a  $38^{\circ}$  x  $150^{\circ}$  parcel, located in a General Retail Business District on the east side of West  $117^{th}$  Street at 1499 West  $117^{th}$  Street; the proposed car wash being permitted in a General Retail Business District, provided that it is a distance of  $100^{\circ}$  from a Residence District; and as proposed, the car wash abuts a Two-Family District at the rear property line, contrary to Section 343.11(b)(2)(I)(2) of the Codified Ordinances. (Filed 8-2-05)

9:30 Ward 6

Calendar No. 05-255: 2780 East 116<sup>th</sup> Street Patricia Britt

12 Notices

Hanini Properties, owner, and Carleton Moore, agent, appeal to expand a gas station by constructing a 40' x 60' one-story retail sales building in a Local Retail Business District, proposed to be situated on the southwest corner of East 116<sup>th</sup> Street and Shaker Boulevard at 2780 East 116<sup>th</sup> Street; contrary to Section 343.01, a gas station is first permitted in a General Retail business District and a 6' wide landscape transition strip is proposed where 8' is required between the proposed gas station and the abutting Multi-Family District and a 4' wide landscaping frontage strip is required along Shaker Boulevard and East 116<sup>th</sup> Street as stated in Sections 352.11 and 351.10; and Section 357.14(a)(1) prohibits parking of motor vehicles along Shaker Boulevard in the established 21' building line setback; and enlargement or expansion of the existing nonconforming gas station requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 8-2-05)

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## BOARD OF ZONING APPEALS SEPTEMBER 12, 2005

9:30 Ward 20

Calendar No. 05-257: 12300 Sprecher Avenue Martin Sweeney

8 Notices

Timco Rubber Products, Inc., owner, and David Smik, agent, appeal to a 39' x 82' one-story addition to an existing warehouse, proposed to be situated on a 40' x 174' lot located in split zoning for One-Family, Semi-Industry and General Industry Districts and located on the north side of Sprecher avenue at 12300 Sprecher Avenue; subject to Section 359.01(a), the proposed accessory use is in a One-Family District and first permitted in a Semi-Industry District, Section 345.03, and contrary to Section 343.18(c), a proposed driveway along Sprecher Avenue is approximately 1' where a driveway providing access to a property shall be located to provide not less than 15' 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 the Board of zoning Appeals shall not allow uses other than those listed in the Zoning Code as permitted in the use district next lower in order of restrictiveness to the district in which such lot is located, as stated in Section 329.04(d)(3) of the Codified Ordinances. (Filed 8-4-05)

#### **POSTPONED FROM AUGUST 22, 2005**

10:30 Calendar No. 05-235:

9010-9110 Kenmore Avenue 1576-1596 Crawford Road Ward 7
Fannie Lewis
6 Notices

Kenmore Village Limited Partnership, owner, and Dennis Robinson, agent, appeal to install 670 linear feet of 4' high ornamental fence; and 370 linear feet of 10' high ornamental fence; and approximately 80 linear feet of 8' high ornamental fence at the perimeters of a multi-family buildings, located in a Multi-Family District and situated along the north side of Kenmore Avenue from 9010-9110 Kenmore Avenue and the west side of Crawford Road from 1576-1596 Crawford Road; contrary to the restrictions of the Fence Regulations, an 8' fence is proposed in the side yard and a 10' height in the rear yard, exceeding the 6' height that is allowed, as stated in Section 358.04 of the Codified Ordinances. (Filed 7-8-05; testimony taken.

First postponement reque	sted by the	councilwoman	for	additional	research
on the proposed project.				_	

## BOARD OF ZONING APPEALS SEPTEMBER 12, 2005

#### **POSTPONED FROM AUGUST 22, 2005**

10:30 Ward 11

Calendar No. 05-236: 403-05 East 152<sup>nd</sup> Street Michael Polensek

**5 Notices** 

Richard Harris, owner, appeals to erect a  $5' \times 38'$ -6'' wooden wheelchair ramp at the front of an existing two family dwelling, situated on a  $45' \times 150'$  parcel located in a B1 Two-Family District on the east side of East  $152^{nd}$  Street at 403-405 East  $152^{nd}$  Street; as proposed, the ramp is within 2' of the street line and open porches may not extend with in 10' of the street line, as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 7-8-05; testimony taken.)

First postponement requested for additional review of legal occupancy and current property maintenance.