

**BOARD OF ZONING APPEALS**  
**APRIL 28, 2008**

**9:30**

**Calendar No. 07:239**

**10606 Bellaire Road**

**Ward 19**

**Dona Brady**

**18 Notices**

Ennan and Essam Abdallah, owners, appeal to construct a grocery store proposed to be on a consolidated corner parcel and at an existing service station, located in split zoning between a Local Retail Business District and a B1 Two-Family District on the northwest corner of Bellaire Road and Jasper Avenue at 10606 Bellaire Road; the service station and uses being first permitted in a General Retail Business District and as proposed partially located in a Two-Family District and subject to the provisions of Section 329.03(d), where the Board of Zoning Appeals shall not allow uses other than those listed in the Zoning Code as permitted in the use next lower in the order of restrictiveness to the district in which such lot is located; and contrary to Sections 352.10 and 352.11, no landscape is provided where a 4 foot wide landscaped frontage strip is required along Bellaire Road, and a 10 foot setback is provided along Jasper Avenue where a specific building setback of 18 feet is required, according to the provisions of Section 357.07 of the Codified Ordinances.

(Filed 11-16-07)

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**9:30**

**Calendar No. 08-55:**

**5000 Pearl Road**

**Ward 16**

**Kevin Kelley**

**13 Notices**

Myron Kaplan, owner, appeals to erect a wind turbine on an acreage, flag shaped corner parcel, located in split zoning between a B1 Semi-Industry District and a B3 General Industry District on the southwest corner of Pearl Road and Wetzel Avenue at 5000 Pearl Road; and the height of the proposed wind turbine is approximately 168 feet and 9 inches and exceeds the height limit of 115 feet that is permitted in a Height District "3" and contrary to Section 353.01(b) of the Codified Ordinances.

(Filed 3-24-08)

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**9:30**

**Calendar No. 08-61:**

**748 Brayton Avenue**

**Ward 13**

**Joe Cimperman**

**5 Notices**

Carly Cahlik, owner, appeals to construct a second floor room addition to a one family dwelling on a 30' x 56' parcel located in a B1 Two-Family District on the north side of Brayton Avenue at 748 Brayton Avenue; and contrary to Section 355.04(b), a minimum lot width of 30 feet is provided and 40 feet is required, the minimum lot area being 1,680 square feet and not 4,800 square feet with a maximum gross floor area of 990 square feet that exceeds 50 percent of the lot size, or 840 square feet; and contrary to Section 357.09(2)B, an interior side yard of 1 foot 7 inches is provided and a minimum of 3 feet is required, the total of interior side yards being 9 feet 4 inches, where not less than 10 feet is required; and enlargement of a nonconforming one family dwelling requires the Board of Zoning Appeals approval, according to the provisions of Section 359.01(a) of the Codified Ordinances.

(Filed 4-4-08)

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9:30

Calendar No. 08-63:

4624 East 162<sup>nd</sup> Street

Ward 1

Nina Turner

9 Notices

Rashawn Ford, owner, appeals to appeals to establish a Type A day care use in an existing one family dwelling on a 55' x 108' corner parcel located in an A1 One-Family District on the southwest corner of East 162<sup>nd</sup> Street and Bryce Avenue at 4624 East 162<sup>nd</sup> Street; where the change of use proposed in a Residence District must be 30 feet from any adjoining premises and is subject to the Board of Zoning Appeals approval, according to the provisions of Section 337.02(f)(3)(c) of the Codified Ordinances. (Filed 4-4-08) \_\_\_\_\_

**POSTPONED FROM MARCH 17, 2008**

10:30

Calendar No. 08-29:

11901 Mayfield Road

Ward 6

Mamie Mitchell

17+ Notices

Constance Perotti, owner, and Mayfield Lofts LLC appeal to erect a 6-story, 24,410 square foot, 60 foot high condominium building with parking on the ground floor, proposed to be located on a 66.67' x 110' parcel in a Semi-Industry District on the north side of Mayfield Road at 11901 Mayfield Road; subject to the limitations of Section 355.04, in a "B" Area District the maximum gross floor area of a residential building may not exceed one-half the lot size, and a square foot floor area of 24,410 is proposed contrary to 3,666 square feet; no side yards are provided contrary to Section 357.09(b)(2)(c) where side yards equal to one-fourth the height of the building or 15 feet are required; and a 10 foot rear yard is provided, contrary to Section 357.08(b)(2) that requires a rear yard equal to one-half the height of the building, or 30 feet; and no front setback is provided where a 10 foot setback, as specifically noted on the Zoning Map, is required according to the provisions of Section 357.07(a) of the Codified Ordinances. (Filed 2-15-08; testimony taken.)

**First postponement granted for applicants, the Councilwoman, neighboring property owners, interested parties who testified at the hearing on March 17, 2008, and representatives of the community to meet for additional discussion and review about the proposed project.** \_\_\_\_\_

10:30

Calendar No. 07-238:

4679 West 146<sup>th</sup> Street

Ward 20

Martin Sweeney

2 Notices

David and Kelly Gaum, owners, appeal to erect a 10' x 7' metal shed on a 40' x 123.11' parcel located in a One-Family District on the east side of West 146<sup>th</sup> Street at 4679 West 146<sup>th</sup> Street; contrary to the minimum requirement of 18 inches from the property line as stated in Section 337.23(a) of the Codified Ordinances. (Filed 11-16-07; testimony taken 12-3-07; Rehearing approved 4-14-08) \_\_\_\_\_