

BOARD OF ZONING APPEALS

MAY 15, 2006

9:30

Calendar No. 06-66:

7300 St. Clair Avenue

Ward 7

Fannie Lewis

12 Notices

David Bolger, owner, and Brightside Academy c/o John Eliopoulos, prospective tenant, appeal to establish use for a day care facility in an existing one-story masonry building, situated on an irregular shaped 308' x 404' corner parcel that extends from East 74th Street to East 72nd Street, located in a Local Retail Business District on the southwest corner of St. Clair Avenue at 7300 St. Clair Avenue; as proposed, the day care and its uses require the Board of Zoning Appeals approval if located less than 15' from a residential district, by reference as regulated in a Multi-Family District and Section 337.02(e)(3) of the Codified Ordinances. (Filed 4-19-06)

9:30

Calendar No. 06-67:

13528-30 Miles Avenue

Ward 1

Nina Turner

13 Notices

Marvin Butler, owner, appeals to change from a poultry house to wrecking, storage and auto repair, the use of an existing 48' x 76' one-story, brick building, situated on an approximate 38,400 s/f lot in a Semi-Industry District on the south side of Miles Avenue at 13528-30 Miles Avenue; contrary to Section 345.03, the proposed use is not permitted in the Semi-Industry District but first permitted in a General Industry District and is subject to Sections 345.04(a)(4) that require auto wrecking to be in an area of 50,000 s/f and open storage with auto wrecking to be enclosed by a minimum 7' high, solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence, as stated in Sections 345.04(a)(3) of the Codified Ordinances. (Filed 4-20-06)

9:30

Calendar No. 06-68:

16800 South Waterloo Road

Ward 11

Michael Polensek

11 Notices

Musmor Properties LLC, owner, and East Side Metals, tenant, appeal to establish use as a scrap metal recycling operation, situated on acreage located in zoning for Semi-Industry and General Industry Districts on the south side of Waterloo Road at 16800 South Waterloo Road; subject to the limitations of Section 345.03, the proposed use is not permitted in a Semi-Industry District but first permitted in Section 345.04 for a General Industry District, and a 6' wide landscaping strip is required along South Waterloo Road, as stated in Section 352.11 of the Codified Ordinances. (Filed 4-20-06)

**BOARD OF ZONING APPEALS
MAY 15, 2006**

9:30

Calendar No. 06-69:

2905-11 Chester Avenue

Ward 13

Joe Cimperman

11 Notices

The 2905 Chester Avenue, LLC, owner, and Michael Prosser, agent, appeal to erect a 340 room, 4-story dormitory with an accessory 120 space parking lot, proposed to be situated on consolidated parcels located in split zoning for General Retail Business and Semi-Industry Districts on the northwest corner of Chester Avenue and East 30th Street at 2905-11 Chester Avenue; contrary to Section 349.04(a), 120 parking spaces are provided where the rate of one space per four beds, or 170 spaces, are required, plus additional spaces in an undetermined number for managers and other employees; and subject to the limitations of Section 355.04, in a "C" Area District the maximum gross floor area cannot exceed one-half of the lot area; and contrary to Section 357.07(a), portions of the proposed building and parking are setback 5' to 8' along East 30th Street, where there is a specific 10' setback established; and no landscaping is provided along East 30th Street where a 6' landscaping strip of 50% opacity is required to screen the parking lot from the street, and a landscape plan listing botanic and common names of plants, quantities of planting, height and installation at maturity are required to be shown on a landscaping plan, as stated in Sections 352.08 through Section 352.12 of the Codified Ordinances. (Filed 4-20-06)

POSTPONED FROM MAY 1, 2006

10:30

Calendar No. 06-40:

5708 Train Avenue

Ward 17

Matthew Zone

3 Notices

The Estate of Charles Pearson, owner c/o Robert Lustig, and Dean Heidelberg, tenant, appeal to establish use for the storage wooden logs on an approximate 200' x 124' vacant lot located in a General Industry District on the north side of Train Avenue at 5708 Train Avenue; the proposed use being contrary to Section 349.07(a) that requires accessory off-street parking spaces, driveway and maneuvering areas to be properly graded for drainage so that all water is drained within the lot providing such areas are surfaced with concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash; and subject to the Requirements for Sight Lines, Height and Location, no portion of a fence located within 30' of the intersection of two street right-of-way lines shall exceed 2 ½' in height, unless all portions of the fence above 2 ½' are at least 75% open and the same restrictions apply to any portion of a fence located along and parallel to a driveway within 15' of its intersection with a public sidewalk, as stated in Section 358.03(a) of the Codified Ordinances.(Filed 3-15-06; testimony taken.)

Second postponement granted with a request from the Stockyard Redevelopment Organization to allow additional time for appellants to provide a plan showing site improvements for the proposed use.

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MAY 15, 2006

POSTPONED FROM APRIL 24, 2006

10:30

Calendar No. 06-50:

9422 Buckeye Road

Ward 4

Kenneth Johnson

6 Notices

The Calvary Apostolic Assembly Church c/o Pastor Louis Fitzpatrick, owner, and Darryl Lyn Lamb, agent, appeal to change the use of property to a car wash and to detail automobiles where there is an existing one-story masonry garage, situated on a 40' x 150' parcel located in a General Retail Business District on the south side of Buckeye Road at 9422 Buckeye Road; and the proposed use is approximately 30' from a Residence District to the north, instead of not less than a 100' distance as required in Section 343.11(b)(2)(I)(2) of the Codified Ordinances. (Filed 3-28-06; testimony taken.)

First postponement granted for appellants to provide a more detail specific plan for the site and the proposed use.
