

**BOARD OF ZONING APPEALS
MARCH 9, 2009**

9:30

Calendar No. 09-13:

13920 Triskett Road

Ward 20

Martin Sweeney

12 Notices

Paul and Patricia Zimmer, owners, appeal to expand a nonconforming use to operate a business for minor auto repairs in a General Retail Business District by increasing from 10 to 25 the requirement number of automobiles that may be kept overnight on the premises, as stated in the condition imposed with the variance granted in Calendar No. 01-38 by the Board of Zoning Appeals. (Filed 2-11-09)

9:30

Calendar No. 09-19:

2493 West 8th Street

Ward 13

Joe Cimperman

15 Notices

West 11th Street Properties, LLC, owner, appeals erect a 27' x 30' three-story single family dwelling on a 35' x 30' parcel located in a B1 Two-Family District; contrary to the Area Requirements of Sections 355.05 thru 355.07, a maximum gross floor area that is greater than 50 percent of the lot size is provided; and a minimum lot width of 35 contrary to 40 feet; a minimum lot size of 1,050 square feet where 4,800 is required; and contrary to Section 357.04 no front yard setback is provided and 4.5 feet is required; and contrary to Sections 357.08(b)(1) a rear yard of 3 feet and not 31 feet is provided; and a distance of 5 feet and 6 feet is provided where 10 feet is required under Section 357.09(2)A; the minimum interior side yards equal 5 feet and not 10 feet as required under Sections 357.09(2)B; and steps and landings shall not extend nearer than 1 foot from the rear property line, as stated in Sections 357.13(b)(5); and by the provisions in Section 327.02(e) a denied driveway width plan and survey approval are required by the Division of Engineering and Construction as stated in the Codified Ordinances. (Filed 2-18-09)

9:30

Calendar No. 09-20:

2495 West 8th Street

Ward 13

West 11th Street Properties, LLC, owner, appeals erect a 27' x 30' three-story single family dwelling on a 35' x 30' parcel located in a B1 Two-Family District; contrary to the Area Requirements of Sections 355.05 thru 355.07, a maximum gross floor area that is greater than 50 percent of the lot size is provided; and a minimum lot width of 35 contrary to 40 feet; a minimum lot size of 1,050 square feet where 4,800 is required; and contrary to Section 357.04 no front yard setback is provided where 4.5 feet is required; a rear yard of 3 feet and not 31 feet is provided contrary to Sections 357.08(b)(1); and, a distance of 5 feet and 6 feet and 4.6 feet to the rear property line are provided, contrary to Sections 357.09(2)A and 10 feet from a main building on an adjoining lot; the minimum interior side yards equal 5 feet and not 10 feet as required under Sections 357.09(2)B; and steps and landings shall not extend nearer than 1 foot from the rear property line, as stated in Sections 357.13(b)(5); and by the provisions in Section 327.02(e) a denied driveway width plan and survey approval are required by the Division of Engineering and Construction prior to the issuance of permits as stated in the Codified Ordinances. (Filed 2-18-09)

9:30

Calendar No. 09-21:

2491 West 8th Street

Ward 13

Joe Cimperman

15 Notices

West 11th Street Properties, LLC, owner, appeals erect a 27' x 30' three-story single family dwelling on a 35' x 30' parcel located in a B1 Two-Family District; contrary to the Area Requirements of Sections 355.05 thru 355.07, a maximum gross floor area that is greater than 50 percent of the lot size is provided; and a minimum lot width of 35 contrary to 40 feet; a minimum lot size of 1,050 square feet where 4,800 is required; and contrary to Sections 357.04 and 357.06(b) no front yard setback is provided and 4.5 feet is required; and a side street yard setback of 2.4 feet is provided where 6 feet is required; and contrary to Sections 357.08(b)(1) a rear yard of 3 feet and not 31 feet is provided; and contrary to Section 357.09(2)A, 5 feet is provided where no building shall be erected less than 10 feet from a main building on an adjoining lot; the total of interior side yards equals 5.4 feet and not 10 feet as required under Sections 357.09(2)B; steps and landings shall not extend nearer than 1 foot from the rear property line, as stated in Sections 357.13(b)(5); and by the provisions in Section 327.02(e) a denied driveway width plan and survey approval are required by the Division of Engineering and Construction as stated in the Codified Ordinances. (Filed 2-18-09)

9:30

Calendar No. 09-22:

2501 West 8th Street

Ward 13

West 11th Street Properties, LLC, owner, appeals erect a 27' x 30' three-story single family dwelling on a 35' x 30' parcel located in a B1 Two-Family District; contrary to the Area Requirements of Sections 355.05 thru 355.07, a maximum gross floor area that is greater than 50 percent of the lot size is provided; and a minimum lot width of 35 contrary to 40 feet; a minimum lot size of 1,050 square feet where 4,800 is required; and contrary to Sections 357.04 and 357.06(b), no front yard setback is provided and 4.5 feet is required and a side street yard setback of 2 feet is provided where 10 feet is required; a rear yard of 3 feet and not 31 feet is provided contrary to Sections 357.08(b)(1); a 5 foot distance and 4.63 feet to the rear property line are provided contrary to Section 357.09(2)A and the provision that no building shall be erected less than 10 feet from a main building on an adjoining lot; interior side yards equal 5 feet and not 10 feet as required under Sections 357.09(2)B; and steps and landings shall not extend nearer than 1 foot from the rear property line, as stated in Sections 357.13(b)(5); and by the provisions in Section 327.02(e) a denied driveway width plan and survey approval are required by the Division of Engineering and Construction as stated in the Codified Ordinances. (Filed 2-18-09)

POSTPONED FROM FEBRUARY 2, 2009

10:30

Calendar No. 08-225:

1163 East 123rd Street

Ward 9

Kevin Conwell

8 Notices

Alaeddin Mohammad and 1163 East 123rd Street Ltd., owner, appeals to install a 6 foot high board on board wooden fence within the front and side street yard setback on the southeast corner of East 123rd Street and Phillips Avenue in a Local Retail Business District; and except as specifically required because of the type of use, in non-residential districts other than General and Unrestricted Industry Districts, fences in actual front and side street yards shall not exceed 4 feet in height and shall be at least 50 percent open above 2 feet in height, as stated in Sections 358.05(a)(2) of the Codified Ordinances. (Filed 12-8-08; testimony taken.)

First postponement granted at applicant's request to work with City Planning on an improved plan.

POSTPONED FROM FEBRUARY 17, 2009

10:30

Calendar No. 09-9:

12222 Soika Avenue

Ward 3

Zack Reed

12 Notices

AKM Property Management LLC and Abdul Muhammad, owner, appeal to change from a retail store to a barber shop and carry out restaurant the use of an existing one-story building on a 45' x 125.25' corner parcel located in a Local Retail Business District; the proposed change being subject to the requirements of Yards and Courts Regulations and Sections 357.04, 357.05 and 357.14, that prohibit the parking of motor vehicles within the front yard and side street yard setback; and under the provisions of Sections 352.09 and 352.11, a dumpster enclosure within the required 8 foot transition strip is not permitted, according to the Landscaping and Screening requirements of the Codified Ordinances. (Filed 1-28-09; no testimony taken.)

First postponement requested by the Councilman due to a scheduling conflict.

