

BOARD OF ZONING APPEALS
NOVEMBER 19, 2007

9:30

Calendar No. 07-216:

3050 West 117th Street

Ward 19

Giant Eagle Incorporated appeals to erect a 92,646 square foot grocery store and 1,008 parking spaces that will be shared with a 126,842 square foot retail department store, proposed to be on acreage located in split zoning between General Industry and General Retail Business Districts on the west side of West 117th Street at 3050 West 117th Street, where the Board of Zoning Appeals granted a parking variance to allow 1,047 spaces for an 87,325 square foot grocery store and 126,842 square foot retail department store in Calendar No. 06-23; and contrary to Section 349.04(f), a total of 1,008 parking spaces is proposed with the grocery store square footage increased by 5,321 square feet, resulting in a parking deficiency of 75 total parking spaces, and the proposed nonconformance requires the Board of Zoning Appeals approval according to the provisions of Section 359.01 of the Codified Ordinances.

9:30

Calendar No. 07-217:

2390-92 East 79th Street

Ward 6

Fairfax Renaissance Development Corporation, owner, appeals to change use of property from a library to a community center and office, located in a B1 Two-Family District east of East 77th Street and in a Multi-Family District west of East 79th Street, and in a Local Retail Business District along the north side of Quincy Avenue, the entire property being identified as 2390-2392 East 79th Street; subject to the limitations of Sections 337.03 and 337.08, an office and community center are not permitted in the residence districts, the use for an office first permitted in a Local Retail District and use for a community center/assembly first permitted under Section 343.11(b)(2)(L) in a General Retail District; and contrary to Section 343.18(c) there is 7 feet proposed where the Driveway Regulations require 15 feet between the driveway and the property line; and under the provisions of Sections 347.12(a)(1) and (2), a social, sport or recreation center operated as a business is not permitted within 500 feet of a residential district, day care center, school, public library, church, playground, public or nonprofit recreation or community center and no similar use is permitted within a distance of 500 feet; and 46 parking spaces are proposed where 146 are required according to the Off Street Parking Requirements stated in Section 349 of the Codified Ordinances.

9:30

Calendar No. 07-218:

4612 East 177th Street

Ward 1

Pauline Jones, owner, appeals to store and park a 20' x 40' commercial vehicle on a 40.46' x 150' residential lot in an A1 One-Family District on the west side of East 177th Street at 4612 East 177th Street; contrary to Section 337.23(a) a distance of 1 foot is provided where accessory parking shall be on the rear half of the lot, a minimum of 18 inches from the property line; and all such parking space shall be located behind the setback building line and no such parking shall be located within 10 feet of any wall containing ground floor windows, as stated in Section 349.05(a); and subject to the limitations of Section 349.13(a), no commercial vehicle shall be allowed in a residence district but first allowed in a Semi-Industry District, according to the Codified Ordinances.

9:30

Calendar No. 07-219:

7210 Memphis Avenue

Ward 16

Mosha Incorporated, owner, appeals to establish use as a retail store at a gas station in a Local Retail Business District on the northeast corner of Memphis Avenue at West 73rd Street at 7210 Memphis Avenue; and no expansion of an existing nonconforming use shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or be attracted to the premises or in any other characteristic of the new use as compared with the previous use, according to Section 359.01(a) of the Codified Ordinances.