

**BOARD OF ZONING APPEALS
JANUARY 22, 2008**

9:30

Calendar No. 07-245:

2872 West 11th Street

Ward 13

Joe Cimperman

7 Notices

West 11th Street Properties, owner, appeals to erect a two-story single family dwelling, proposed to be on a 14' x 89.16' lot located in a B1 Two-Family District on the west side of West 11th Street at 2872 West 11th Street; subject to the Enforcement Regulations of Section 327.02, approval is required from the Division of Engineering and Construction for lot consolidation and encroachment beyond yard lines for retaining walls, patio decks, stairs and stairlanding; and subject to Section 349.05, all parking spaces shall be located behind the setback line and not within 10 feet of any wall containing ground floor openings providing light and ventilation; and contrary to Section 355.04(a), a minimum lot width of 24 feet is provided and 40 feet is required, the minimum lot area being 2,140 square feet and not 4,800 square feet and a maximum gross floor area of 1,294 square feet that exceeds 50 percent of the lot size; and contrary to Section 357.08(b)(1) a rear yard of 19 feet is provided where 20 feet is required; and no building shall be erected less than 10 feet from a main building on an adjoining lot, there being no interior side yards provided for the open porch and rear deck, where 3 feet and an aggregate width of 10 feet for both side yards is required, according to the provisions of Sections 357.09(2)A and B of the Codified Ordinances. (Filed 11-28-07)

9:30

Calendar No. 07-246:

2874 West 11th Street

Ward 13

West 11th Street Properties, owner, appeals to erect a two-story single family dwelling, proposed to be on a 14' x 89.16' lot located in a B1 Two-Family District on the west side of West 11th Street at 2874 West 11th Street; subject to the Enforcement Regulations of Section 327.02, approval is required from the Division of Engineering and Construction for lot consolidation and encroachment beyond yard lines for retaining walls, patio decks, stairs and stairlanding; and subject to Section 349.05, all parking spaces shall be located behind the setback line and not within 10 feet of any wall containing ground floor openings providing light and ventilation; and contrary to Section 355.04(a), a minimum lot width of 14 feet is provided and 40 feet is required, the minimum lot area being 1,248 square feet and not 4,800 square feet and a maximum gross floor area of 1,204 square feet that exceeds 50 percent of the lot size; and contrary to Section 357.08(b)(1) a rear yard of 8 feet is provided where 20 feet is required; and no building shall be erected less than 10 feet from a main building on an adjoining lot, there being no interior side yards provided for the open porch and rear deck, where 3 feet and an aggregate width of 10 feet for both side yards is required, according to the provisions of Sections 357.09(2)A and B of the Codified Ordinances. (Filed 11-28-07)

9:30

Calendar No. 07-247:

2878 West 11th Street

Ward 13

Joe Cimperman

7 Notices

West 11th Street Properties, owner, appeals to erect a two-story single family dwelling, proposed to be on a 24' x 89.16' lot located in a B1 Two-Family District on the west side of West 11th Street at 2878 West 11th Street; subject to the Enforcement Regulations of Section 327.02, approval is required from the Division of Engineering and Construction for lot consolidation and encroachment beyond yard lines for retaining walls, patio decks, stairs and stairlanding; and subject to Section 349.05, all parking spaces shall be located behind the setback line and not within 10 feet of any wall containing ground floor openings providing light and ventilation; and contrary to Section 355.04(a), a minimum lot width of 24 feet is provided and 40 feet is required, the minimum lot area being 2,140 square feet and not 4,800 square feet and a maximum gross floor area of 1,294 square feet that exceeds 50 percent of the lot size; and contrary to Section 357.08(b)(1) a rear yard of 19 feet is provided where 20 feet is required; and no building shall be erected less than 10 feet from a main building on an adjoining lot, there being no interior side yards provided for the open porch and rear deck, and an interior side yard of 4 feet provided where 3 feet is required and an aggregate width of 10 feet is required for both side yards, according to the provisions of Sections 357.09(2)A and B of the Codified Ordinances.

(Filed 11-28-07)

9:30

Calendar No. 07-248:

2868 West 11th Street

Ward 13

West 11th Street Properties, owner, appeals to erect a two-story single family dwelling, proposed to be on a 24' x 89.16' lot located in a B1 Two-Family District on the west side of West 11th Street at 2868 West 11th Street; subject to the Enforcement Regulations of Section 327.02, approval is required from the Division of Engineering and Construction for lot consolidation and encroachment beyond yard lines for retaining walls, patio decks, stairs and stairlanding; and subject to Section 349.05, all parking spaces shall be located behind the setback line and not within 10 feet of any wall containing ground floor openings providing light and ventilation; and contrary to Section 355.04(a), a minimum lot width of 24 feet is provided and 40 feet is required, the minimum lot area being 1,248 square feet and not 4,800 square feet and a maximum gross floor area of 1,204 square feet that exceeds 50 percent of the lot size; and contrary to Section 357.08(b)(1) a rear yard of 8 feet is provided where 20 feet is required; and no building shall be erected less than 10 feet from a main building on an adjoining lot, there being no interior side yards provided for the open porch and rear deck, and an interior side yard of 4 feet provided where 3 feet is required and an aggregate width of 10 feet is required for both side yards, according to the provisions of Sections 357.09(2)A and B of the Codified Ordinances.

(Filed 11-28-07)

**BOARD OF ZONING APPEALS
JANUARY 22, 2008**

9:30

Calendar No. 07-257:

2835 West 11th Street

Ward 13

Joe Cimperman

10 Notices

Erich Hooper, owner, appeals to establish a retail store in the ground level of a single family dwelling with residential occupancy on the second floor, located in a B1 Two-Family District on a 40' x 256' parcel on the east side of West 11th Street at 2835 West 11th Street; the proposed accessory use that involves trading (selling) of merchandise being subject to the limitations in a Residence District, where customary home occupation for gain may be carried out in the main building or in a rear building, provided that no non-resident help is employed, no trading in merchandise is carried on and no physical service is performed as stated in Section 337.23(a)(2) of the Codified Ordinances. (Filed 12-5-07)

9:30

Calendar No. 07-262:

3403-23 Clark Avenue

Ward 14

Joseph Santiago

17 Notices

Hani and Samira Ziadeh, owners, and Visconsi Land Company, prospective purchaser, appeal to construct a retail store proposed to be on a consolidated corner parcel located in split zoning between a Local Retail Business District and a B1 Two-Family District on the southeast corner of Clark Avenue and Fulton Road at 3403-23 Clark Avenue; the retail store and accessory uses being first permitted in a Local 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 a driveway providing access to the property shall be located so that there would be not less than 15 feet 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, according to the provisions of Section 343.18(c) of the Codified Ordinances. (Filed 12-21-07)

POSTPONED FROM NOVEMBER 19, 2007

10:30

Calendar No. 07-219:

7210 Memphis Avenue

Ward 16

Kevin Kelley

16 Notices

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. (Filed 10-30-07; testimony taken.)

First postponement taken for applicants to meet with City Planning to review the plan for improving upon the parking area and appearance of the site with the addition of landscaping.

POSTPONED FROM NOVEMBER 26, 2007

10:30

Calendar No. 07-228:

2112 West 93rd Street

Ward 18

Jay Westbrook

4 Notices

Cornel Popa, owner, appeals to install a 3'6" high chain link fence in the actual front yard of a 42' x 132' parcel, located in a Two-Family District on the west side of West 93rd Street at 2112 West 93rd Street; subject to the limitations of the Fence Regulations, in residential districts only ornamental fences shall be installed in actual front yards; however, an exception for the fence material may be permitted, if the Board of Zoning Appeals determines that such fence is common in the immediate vicinity of the subject property, according to the provisions of Section 358.04(c)(1) of the Codified Ordinances. (Filed 11-7-07; no testimony taken.)

First postponement taken at the mutual request of the Councilman and the applicant for additional review of the proposed plan.

POSTPONED FROM DECEMBER 31, 2007

10:30

Calendar No. 07-256:

14713 Lakeshore Boulevard

Ward 11

Michael Polensek

20+ Notices

The Christian Fellowship Center, owner, appeals to build-out and occupy an existing approximate 135 x 115 square foot building as a church, on an approximate 200' x 1,106.23' parcel, located in split zoning with the frontage along Lakeshore Boulevard in a B1 Two-Family District and the balance of the property in an A1 One-Family District on the north side of Lakeshore Boulevard at 14713 Lakeshore Boulevard; contrary to Section 349.07(a), the parking lot spaces are not proposed to be paved for a temporary period of three (3) years, where accessory off-street parking spaces and driveways must be paved with asphalt, concrete or asphaltic concrete; and subject to the provisions of Section 349.08, a parking lot must be screened from adjacent residential lots by a wall, fence, or a four foot wide landscape strip that provides a dense, year round screen; and where the parking lot abuts Lakeshore Boulevard, a six foot wide frontage landscape strip that provides a fifty percent year round opacity is required, as stated in Sections 352.08-352.10 of the Codified Ordinances. (Filed 12-5-07; testimony taken.)

First postponement taken to allow applicants, Northeast Shores Development Corporation and the neighboring property owners to have an opportunity for meeting and consulting together regarding concerns about the applicants' proposal.
