

BOARD OF ZONING APPEALS
MARCH 22, 2004

9:30

Calendar No. 04-44:

12319 Osceola Avenue

Ward 9

Kevin Conwell

10 Notices

Willie C. Hubbard, owner, and Beverly Mills, agent, appeal to establish a Type A day care in the second floor of a two-family dwelling situated on a 35' x 115' parcel in an A1 Single-Family District on the north side of Osceola Avenue at 12319-21 Osceola Avenue; contrary to the Residential Districts Regulations, where a day care and its uses are required to be 30' from any adjoining premises in a Residence District not used for a similar purpose, and the proposed Type A day care is surrounded by an A1 Single Family District, which requires the Board of Zoning Appeals approval as stated in Section 337.02(f)(3)(C) of the Codified Ordinances. (Filed 2-23-04)

9:30

Calendar No. 04-45:

1216-26 East 105th Street

Ward 8

Sabra Pierce Scott

8 Notices

Bethany Baptist Church c/o Reverend Steven Rowan, owner, appeals to construct a parking lot on an approximate 135' x 120' vacant corner parcel in a Local Retail Business District on the west side of East 105th Street at 1216-26 East 105th Street; contrary to Section 349.08 in the Off-Street Parking and Loading Requirements, a strip of land approximately 2.34' with no landscaping is proposed where a 4' wide landscaping strip is required between the parking lot and a dwelling unit building at the southwest corner of the lot, and a 6' wide landscaping strip is required along East 105th Street and Olivet Avenue according to Section 352.11 of the Landscaping and Screening Requirements, and contrary to Section 357.04(a) of the Yards and Courts Regulations, no front yard setback is proposed where a 15.5' front yard setback is required along East 105th Street, and the parking of motor vehicles is prohibited in the front yard setback as stated in Section 357.14(a)(1) of the Codified Ordinances. (Filed 2-23-04)

9:30

Calendar No. 04-46:

4142-46 Lorain Avenue

Ward 13

Joe Cimperman

23 Notices

Harry Pallas, owner, appeals to change two storefronts of a one-story building from a tavern and restaurant to a night club with live entertainment and all situated on a 40' x 132' parcel in a Local Retail Business District on the north side of Lorain Avenue at 4142-46 Lorain Avenue; contrary to Section 343.01(b)(2)(F) of the Regulations for Business Districts, where a bar and restaurant with live entertainment are not permitted in a Local Retail Business District but first permitted in a General Retail Business District, but subject to the Regulations for Specific Uses in Section 347.12(a)(1), where a 500' distance from a Residential District is required and the proposed use abuts a Two-Family District; and contrary to Section 349.04(e) no parking is provided and a parking area equal to three times the gross floor area is required; and subject to the provisions for Nonconforming Uses, an expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 2-23-04)

**BOARD OF ZONING APPEALS
MARCH 22, 2004**

9:30

Calendar No. 04-47:

13835 Lyric Avenue

Ward 20

Martin Sweeney

4 Notices

Douglas Brown, owner, appeals to enclose an existing 6' x 18' front porch of a one-story, frame dwelling house on a 40' x 115' parcel in an A1 One-Family District on the south side of Lyric Avenue at 13835 Lyric Avenue; contrary to the Regulations for Yards and Courts, a 6' porch projection is proposed where not more than 4' is allowed as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 2-23-04)

9:30

Calendar No. 04-48:

3465-69 West 117th Street

Ward 19

Dona Brady

20 Notices

Ralph and Denise Rescina, owners, and Angela Paluch, tenant, appeal to change from a tavern to a body piercing and tattooing service the use of a 2 1/2-story brick building situated on a 46' x 86' corner parcel in a General Retail Business District on the southeast corner of West 117th Street and St. Mark Avenue at 3465-69 West 117th Street; contrary to the provisions for Specific Uses Regulated, the proposed change of use abuts a Residential District and is located within a distance of 1000' of the Halloran Park Playground and Skating Rink, where a use for tattooing and body piercing are not permitted as stated in Section 347.12 of the Codified Ordinances. (Filed 2-24-04)

**BOARD OF ZONING APPEALS
MARCH 22, 2004**

POSTPONED FROM MARCH 8, 2004

10:30 a.m.

Calendar No. 04-34:

6501-03 Union Avenue

Ward 12

Edward Rybka

9 Notices

Jeffrey Oliver, Inc., owner, appeals to change a former service station use to a sales lot for used cars on an approximate 50' x 130' corner lot located in a General Retail Business District on the northeast corner of East 65th Street and Union Avenue at 6501 Union Avenue; contrary to Section 343.11(b)(2)(I)(4) of Business Districts, where a used car lot must maintain a 1 1/2' high barrier at the setback line behind which all vehicles, advertising and parking must be kept and the proposed display area is within the 10' setback and no barrier is proposed; and Section 347.11 of the Specific Uses Regulated, where a used car lot must be 60' in width and 50' is proposed; and contrary to Section 349.04 of the Off-Street Parking and Loading Requirements, there is no space provided for customer parking and 25% of the lot space is required; and contrary to Landscaping and Screening Requirements, there is no landscaping is provided where the lot abuts the street, nor at the rear where the lot abuts a Residential District and a 10' wide transition strip is required as stated in Section 352.10 of the Codified Ordinances. (Filed 2-9-04; no testimony taken.)

First postponement requested by appellant's attorney due to his scheduling conflict.

10:30 a.m.

Calendar No. 04-35:

2266 West 41st Place

Ward 14

Nelson Cintron

6 Notices

Philip Erb, owner, appeals to erect a three-story, 3,000 s/f single family house on a 30' x 85' parcel located in a B1 Two-Family District on the west side of West 41st Place at 2266 West 41st Place; contrary to the Area District Regulations, where the maximum gross floor area cannot exceed one-half of the lot area in a "B" Area District, and a gross floor area of more than 2,500 s/f is proposed where a maximum gross floor area of 1,275 s/f is permitted, as stated in Section 355.04 of the Codified Ordinances. (Filed 2-11-04; no testimony taken.)

First postponement requested by the City Planning and Community Development Departments in order for the appellant to meet with the Housing Design Review Subcommittee about the proposed plan.
