

**BOARD OF ZONING APPEALS  
NOVEMBER 20, 2006**

**9:30**

**Calendar No. 06-210:**

**1440 East 41<sup>st</sup> Street**

**Ward 13**

**Joe Cimperman**

**8 Notices**

Anthony Hope, owner, appeals to change the use of an existing one-story building from a factory to an auto repair shop, situated on a 48' x 50' parcel located in a General Retail Business District on the west side of East 41<sup>st</sup> Street at 1440 East 41<sup>st</sup> Street; subject to the limitations of Section 343.11 the proposed use is not permitted and is first permitted in a Semi-Industry District, provided that it is a distance of one hundred feet from a residential district; and the substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Filed 10-4-06)

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**9:30**

**Calendar No. 06-214:**

**2133 Murray Hill Road**

**Ward 6**

**Patricia Britt**

**8 Notices**

Nella Gallito, owner, appeals to construct a five hundred seventy-five foot addition to an existing nonconforming beauty salon, situated on an irregular shaped parcel located in a Multi-Family District on the east side of Murray Hill Road at 2133 Murray Hill Road; contrary to Section 357.04, the building addition as proposed encroaches into the residential front yard, where there is a set back requirement from the street line that is a distance equal to fifteen percent of the lot depth; and the expansion of a nonconforming use in the residential district requires the Board of Zoning Appeals approval, according to Section 359.01 of the Codified Ordinances. (Filed 10-6-06)

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**9:30**

**Calendar No. 06-222:**

**11607 Honeydale Avenue**

**Ward 4**

**Kenneth Johnson**

**12 Notices**

Eadie Scott, owner, appeals to establish use as a fourteen bed boarding house in an existing two-story building situated on a 70' x 120' corner parcel located in a General Retail Business District on the northeast corner of Honeydale Avenue and East 116<sup>th</sup> Street at 11607 Honeydale Avenue; contrary to Section 355.05, a maximum gross floor area of six thousand one hundred fifty-one square feet is proposed, and four thousand two hundred square feet is permitted, where the maximum gross floor area for a residential building in a "C" Area District, cannot exceed one-half of the lot area; and contrary to Section 349.04(a), three parking spaces are proposed and four spaces plus one for each employee, owner or operator are required; and a ten foot wide landscaped transition strip is required to screen the premises from a Two-Family District to the east, according to the provisions of Sections 352.08 through 352.10 of the Codified Ordinances. (Filed 10-12-06)

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**BOARD OF ZONING APPEALS  
NOVEMBER 20, 2006**

**9:30**

**Calendar No. 06-223:**

**2057 West 85<sup>th</sup> Street**

**Ward 17**

**Matthew Zone**

**3 Notices**

Alejandro and Mayda Santos, owners, appeal to build a ten foot eight by fourteen foot, one-story frame bathroom addition to an existing one family dwelling, situated on a 70' x 136' parcel located in a Two-Family District on the east side of West 85<sup>th</sup> Street at 2057 West 85<sup>th</sup> Street; contrary to the Area Regulations, a distance of five point seventy five feet is provided and no building shall be constructed less than ten feet from a main building on an adjacent lot, as stated in Section 357.09(2)A of the Codified Ordinances. (Filed 10-13-06)

**9:30**

**Calendar No. 06-224:**

**4421 State Road**

**Ward 16**

**Kevin Kelley**

**10 Notices**

Bryce D. Robertson, owner, appeals to erect a one thousand five hundred square foot storage building at the rear premises of an auto repair business, situated on a 108' x 117' corner parcel located in a Local Retail Business District on the northeast corner of State Road and Ruby Avenue at 4421 State Road; subject to Section 359.01, the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in the Codified Ordinances. (Filed 10-23-06)

**POSTPONED FROM SEPTEMBER 18, 2006**

**10:30**

**Calendar No. 06-122:**

**3201 Chatham Avenue**

**Ward 14**

**Joe Santiago**

**6 Notices**

Barry Smith, owner, appeals to erect a 26' x 22'-10" three-story frame, single family dwelling on an approximate 30' x 65' "L" shaped corner parcel, located in a Two-Family District on the southwest corner of Chatham Avenue and West 32<sup>nd</sup> Street at 3201 Chatham Avenue; contrary to Section 357.05, a side street yard of 4'-5" is provided where not less than 5' is required for a corner lot; and the total interior side yards equal 7.5' and 10' is required under Section 357.09(2)B; and contrary to the Area Requirements and Section 355.05, the minimum lot size provided is 2,242 square feet instead of 4,800 square feet with a maximum gross floor area of 1,680 square feet that exceeds 50% of the lot size; and the proposed accessory garage is contrary to Section 337.23 being nonconforming to the required distance from all property lines, and 7'-4" is provided where 10' is required from a main building on an adjoining lot under Section 357.09(b)(2)A; and contrary to Section 357.13(b)(1) no entrance canopy shall project more than 6' from the property line or within 10' of the street line; and a 6' tall fence is provided where a fence in a side street yard shall not exceed 4' in height and shall be at least fifty percent open unless it is set back 4' from the side street property line, and then it may be a maximum of 6' tall and be solid or open, and no fence may be higher than its distance from a residence building on an adjoining lot, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 6-16-06; no testimony taken.)

**Third postponement granted for appellant to present the plan to the Housing Design Review Committee for their review.**

**BOARD OF ZONING APPEALS**

**NOVEMBER 20, 2006**

**10:30**

**Calendar No. 06-144:**

**2608 Chatham Avenue**

**Ward 14**

**Joseph Santiago**

**8 Notices**

J. Noel, Inc. and Joseph Isabella, owner, appeal to erect a 22' x 31' three-story, frame single family dwelling and a detached garage on an approximate 40' x 64.22' corner parcel, located in a B1 Two-Family District on the northwest corner of Chatham Avenue and West 26<sup>th</sup> Street at 2608 Chatham Avenue; contrary to Section 355.04, a 2,560 s/f minimum lot area is provided where 4,800 s/f is required with a maximum gross floor area of 1,800 s/f provided where 1,260 s/f is required; and contrary to Section 357.04 there is an 8' front yard where the requirement is either fifteen percent of the lot depth, 9.6' or in the alternative, a front yard depth of 10' measured by the line of existing dwellings; and an accessory building may not be less than 10' from a building on an adjoining lot, as stated in Section 337.23 A of the Codified Ordinances. (Filed 7-13-06; testimony taken.)

**Second postponement granted for appellant to present the plan to the Housing Design Review Committee for their review.**

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