

BOARD OF ZONING APPEALS
MAY 27, 2008

9:30

Calendar No. 08-77:

3909 West 140th Street

Ward 20

Martin Sweeney

5 Notices

Oswald Ortega, owner, appeals to erect a 3.4 foot by 20 foot temporary, wolmanized wooden ramp at the front of a single family dwelling, located in an A1 One-Family District on the southeast corner of West 140th Street and West Avenue at 3909 West 140th Street; contrary to the Area Regulations, a ramp is not a permitted yard encroachment in the front yard as stated in Section 357.13 of the Codified Ordinances. (Filed 4-21-08)

9:30

Calendar No. 08-78:

3239 West 73rd Street

Ward 17

Matthew Zone

8 Notices

James McCoy, owner, appeals to construct a new one-story HVAC shop and office on a 40' x 155' parcel located in split zoning between a Two-Family and Multi-Family District on the east side of West 73rd Street a 3239 West 73rd Street; subject to the limitations of Sections 337.03 and 337.08 an HVAC shop and office are not permitted but first permitted in a Local Retail Business District; and off-street parking shall be striped and have bumper guards installed so that no part of a parked vehicle extends beyond such parking space, according to the provisions of Section 337.18 of the Codified Ordinances. (Filed 4-22-08)

9:30

Calendar No. 08-80:

5209 Euclid Avenue

Ward 7

Fannie Lewis

6 Notices

Community Action Against Addiction, owner, appeals to construct a 7 foot high ornamental fence in an actual front yard of a 150' x 393.12' irregular shaped parcel, located in a Midtown Mixed Use District at 5209 Euclid Avenue; and in a non-residential district, a fence in an actual front yard shall not exceed a 4 foot height, as stated in Section 358.05(2) of the Codified Ordinances. (Filed 4-23-08)

9:30

Calendar No. 08-82:

1725 Fulton Road

Ward 13

Joe Cimperman

5 Notices

Michael Dougherty, owner, appeals to erect a 7 foot by 10 foot wolmanized wooden landing and stair to an existing second floor rear porch of a single family residence, located on a 26' x 127.75' parcel in a B1 Two-Family District on the southeasterly side of Fulton Road at 1725 Fulton Road; contrary to Section 337.23(a), no distance is provided and accessory uses shall be at least 10 feet from a main building on an adjoining lot; and no interior side yard is provided where, a minimum interior side yard of 3 feet is required, as stated in Section 357.09(2) of the Codified Ordinances. (Filed 4-24-08)

9:30

Calendar No. 08-84:

9718-22 Buckeye Road

Ward 4

Kenneth Johnson
4 Notices

Bryant Johnson, owner, appeals to establish use as a parking lot proposed to be on a consolidated parcel located in a General Retail Business and Semi-Industry split zoning district on the south side of Buckeye Road at 9718-22 Buckeye Road; contrary to Section 357.07, a 6.5 foot setback is proposed where a specific 10 foot setback is required along Buckeye Road; and a 6.5 foot wide grass area is proposed, where a 10 foot wide landscape strip is required along Buckeye Road, as stated in Section 352.10 of the Codified Ordinances. (Filed 4-29-08)

POSTPONED FROM APRIL 14, 2008

10:30

Calendar No. 08-49:

1455 East 185th Street

Ward 11

Michael Polensek
45 Notices

E-Poch Properties, owner and Safe Soil LLC, tenant, appeal to operate outdoor leaf and wood composting and a storage use on acreage located in split zoning between B1 Residence Industry and B3 General Industry Districts on the east side of East 185th Street at 1455 East 185th Street; contrary to Section 345.02(b) outdoor storage is proposed and all materials must be stored on the inside of buildings; and subject to Section 345.02(f), entrance and exit to any premises must be from a street designated as a major thoroughfare on the general plan adopted by the city Planning Commission, or if the premises does not abut such street, then from any street approved by the Board of zoning Appeals if it finds the probable volume and type of traffic to such premises will not change materially the existing character of such streets nor be detrimental to the adjoining or adjacent residential area; and under the provisions of Section 347.05, no space for storage of dust-producing material shall be located less than 300 feet from a residence district, except where the dust and odor will be effectively confined to the premises. No fence nor wall are shown on applicants' plan and an area marked "visual screen" is less than 50 feet from the residence district, contrary to Section 345.04(3) that requires open yard storage use to be enclosed with a minimum 7 foot high solid masonry wall or slightly solid, nontransparent, well maintained substantial fence not closer than 50 feet to any residence district. The proposed expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01(a) and a previous variance granted by the Board in Calendar No. 05-330 required all grass clippings and other yard maintenance byproducts to be emptied in the interior of the building and allowed only emptied and clean containers to be stored on the exterior of the building; and the proposed use encompasses unloading and storage of yard maintenance byproducts on the outside of the building. (Filed 3-6-08; partial testimony taken.)

First postponement granted to allow the applicants to have additional time for preparation.
