

**BOARD OF ZONING APPEALS
OCTOBER 31, 2005**

9:30

Calendar No. 05-305:

4837 State Road

Ward 16

Kevin Kelley

9 Notices

Bogdan One LLC and Richard Bogdan, owner, appeal to renovate and expand an existing transmission repair use, to be situated on an approximate 130' x 118' corner lot located in a Local Retail Business District on the northeast corner of State Road and Walbrook Avenue at 4837 State Road; subject to Section 359.01, the proposed expansion of a nonconforming use requires the Board of Zoning Appeals approval; and contrary to Sections 352.08 thru 352.10, a transition strip measuring between 6' and 8' is proposed at the rear property line where a width of 10' is required; and a front yard setback equal to 15% of the depth of the lot is required, as stated in Sections 357.01(b) and 357.04(a) of the Codified Ordinances. (Filed 9-30-05)

9:30

Calendar No. 05-306:

858 Royal Road

Ward 11

Michael Polensek

21 Notices

Cresthaven Development Incorporated, owner, appeals to erect an 18' x 35' two-story frame, single family residence and a 20' x 20' attached garage on a 50' x 86' lot in a Multi-Family District on the west side of Royal Road at 858 Royal Road; and as proposed, a lot size of 4,250 s/f is provided contrary to the required minimum lot size of 4,800 s/f as stated in Section 355.04(b) of the Codified Ordinances. (Filed 10-4-05)

9:30

Calendar No. 05-307:

871 Ruple Road

Ward 11

Cresthaven Development Corporation, owner, appeals to erect a 19' x 45' two-story frame, single family residence and a 20' x 20' attached garage on a 50' x 83' lot in a Multi-Family District on the east side of Ruple Road at 871 Ruple Road; contrary to Section 355.04(b), a minimum lot area of 4,170 s/f is proposed and 4,800 s/f is required and the maximum gross floor area of 3,940 s/f exceeds 50% of the lot size, or the 2,085 s/f that is allowed; and a rear yard depth of 17' is proposed where 20' is required according to Section 357.08(b)(1) of the Codified Ordinances.

9:30

Calendar No. 05-308:

855 Ruple Road

Ward 11

Cresthaven Development Corporation, owner, appeals to erect a 20' x 41' two-story frame, single family residence and a 20' x 20' attached garage on an 88' x 85' lot in a Multi-Family District on the east side of Ruple Road at 855 Ruple Road, and as proposed, there is a 15' rear yard depth where a 20' depth is required as stated in Section 358.08(b)(1) of the Codified Ordinances.

9:30

Calendar No. 05-309:

864 Royal Road

Ward 11

Cresthaven Development Corporation, owner, appeals to erect a 19' x 59' two-story frame, single family residence and a 20' x 20' attached garage on a 50' x 84' lot in a Multi-Family District on the west side of Royal Road at 864 Royal Road; contrary to Section 355.04(b), a minimum lot area of 4,211 s/f is proposed and 4,800 s/f is required and the maximum gross floor area of 2,721 s/f exceeds 50% of the lot size, or the 2,105 s/f that is allowed; and a rear yard depth of 18' is proposed where 20' is required according to Section 357.08(b)(1) of the Codified Ordinances.

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Calendar No. 05-310: 868 Royal Road Ward 11

Cresthaven Development Corporation, owner, appeals to erect a 19' x 37' two-story frame, single family residence and a 20' x 20' attached garage on an 60' x 83' lot in a Multi-Family District on the west side of Royal Road at 868 Royal Road, and as proposed, there is a 14' rear yard depth where a 20' depth is required as stated in Section 358.08(b)(1) of the Codified Ordinances.

9:30

Calendar No. 05-311: 859 Ruple Road Ward 11

Cresthaven Development Corporation, owner, appeals to erect a 19' x 45' two-story frame, single family residence and a 20' x 20' attached garage on a 50' x 84' lot in a Multi-Family District on the east side of Ruple Road at 859 Ruple Road; contrary to Section 355.04(b), a minimum lot area of 4,200 s/f is proposed and 4,800 s/f is required and the maximum gross floor area of 3,940 s/f exceeds 50% of the lot size, or the 2,100 s/f that is allowed; and a rear yard depth of 18' is proposed where 20' is required according to Section 357.08(b)(1) of the Codified Ordinances.

9:30

Calendar No. 05-312: 875 Ruple Road Ward 11

Cresthaven Development Incorporated, owner, appeals to erect an 18' x 35' two-story frame, single family residence and a 20' x 20' attached garage on a 50' x 83' lot in a Multi-Family District on the east side of Ruple Road at 875 Ruple Road; and as proposed, a lot size of 4,145 s/f is provided contrary to the required minimum lot size of 4,800 s/f as stated in Section 355.04(b) of the Codified Ordinances.

9:30

Calendar No. 05-313: 879 Ruple Road Ward 11

Cresthaven Development Corporation, owner, appeals to erect a 19' x 35' two-story frame, single family residence and a 20' x 20' attached garage on an 60' x 82' lot in a Multi-Family District on the east side of Ruple Road at 879 Ruple Road, and as proposed, there is a 14' rear yard depth where a 20' depth is required as stated in Section 358.08(b)(1) of the Codified Ordinances.

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9:30

Calendar No. 05-316:

1605 West Schaaf Road

Ward 16

Kevin Kelley

6 Notices

Douglas Champoir, owner, appeals to erect a 19' x 6' wooden arbor to the west side of an existing one family dwelling, situated on an irregular shaped 62' x 106' corner lot located in an A1 One-Family District on the southeast corner of Schaaf Road and West 16th Street at 1605 West Schaaf Road; contrary to Section 357.09(2)(B), 2' is provided where no building nor structure shall have less than a 5' interior side yard for a side street; and a 2' distance is provided where the proposed arbor may not be within 10' of the street line, as stated in Section 357.09((2)(B) of the Codified Ordinances. (Filed 10-5-05)

9:30

Calendar No. 05-243:

4447 Lee Road

Ward 1

James Knight

15 Notices

Upon its own Motion, the Board of Zoning Appeals will rehear the appeal of Quinton Durham and Durham Bros. Builders and Developers, owner, to renovate and build a 10,280 s/f additional storage unit to an existing warehouse/office building and establish a Trade School to be situated on an approximate 367' x 440' corner parcel in a Local Retail Business District on the southeast corner of South Miles and Lee Roads at 4447 Lee Road; the proposed storage and warehouse being contrary to Section 343.01 for a Local Retail Business District and first permitted in a Semi-Industry District, Section 345.03(c)(33); with no additional parking proposed, contrary to Section 349.04(j) that requires four additional parking spaces; and the Board of Zoning Appeals approval is required for the expansion of a nonconforming use, as stated in Section 359.01 of the Codified Ordinances.

(Filed 7-18-05; Heard 9-6-05; Plan Submitted 10-12-05; Rehearing Granted 10-17-05)