

**BOARD OF ZONING APPEALS
NOVEMBER 29, 2004**

9:30

Calendar No. 04-259:

917 East 105th Street

Ward 8

**Sabra Pierce Scott
9 Notices**

James Lee Richardson, owner, appeals to convert to a carryout restaurant/drive-through establishment a 46' x 52' one-story auto repair garage building on the 110' x 175' corner lot in a Local Retail Business District on the southeast corner of East 105th Street and Gooding Avenue; contrary to the requirements of Section 347.16(d)(4), no clear pavement markings or signage are proposed to identify pedestrian routes between entrances to the restaurant and any parking area or sidewalk which require the crossing of drive-through lanes; and no wheel or bumper guards are proposed for off-street parking spaces as are required in Section 349.07(b) and there is no landscaping proposed where an 8' wide landscaping strip, providing a 75% year-round opacity, is required between the Local Retail Business District and the abutting Two-Family District as required in Section 352.11 of the Codified Ordinances. (Filed 10-20-04)

9:30

Calendar No. 04-261:

2059 Hamilton Avenue

Ward 13

**Joe Cimperman
3 Notices**

Stricker Realty Ltd., owner and Bruce Diamond, agent, appeal to install approximately 140' of 6' high chain link with three strands of barbed wire along the front and along the rear of a 70' x 120' lot in a Semi-Industry District on the north side of Hamilton Avenue at 2059 Hamilton Avenue; contrary to the Fence Regulations, the location of the fence is 1' instead of the required 4' from the sidewalk public right-of-way and no landscape barrier is proposed, where it is required that the setback from a sidewalk shall be planted with shrubs spaced no more than 5' apart or trees spaced no more than 20' apart, as stated in Sections 358.05(b)(1)(3) of the Codified Ordinances. (Filed 10-20-04)

9:30

Calendar No. 04-262:

383 East 156th Street

Ward 11

**Michael Polensek
15 Notices**

John Dimmian, owner, appeals to construct a 2 ½-story retail and residential building on an approximate 50' x 101' corner lot in a Local Retail Business District on the southeast corner of East 156th Street and Trafalgar Avenue; contrary to Section 357.04 a front yard depth of 25' is required and none is provided; and Section 352.10, requires a 6' wide landscape strip along East 156th Street between the parking lot and street; and contrary to Section 355.04, a maximum gross floor area of 19,484 s/f is allowed and 23,691 s/f is proposed; and the driveway apron radius must be 15' from a prolongation of the property line according to Section 343.18(c) and a plot plan drawn to scale is required as stated in Section 327.02(e) of the Codified Ordinances. (Filed 10-21-04)

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Calendar No. 04-263:

7524 Spafford Avenue

Ward 12

Edward Rybka

4 Notices

Gwendolyn Gartin, owner, appeals to erect a 5' x 8'-6" landing onto an existing front porch and a 3' x 4' manufactured wheelchair lift, subject to the provisions of Section 357.13(b)(4), open porches shall not project more than 6' for the landing and the wheelchair lift and shall not extend within 10' from the street line. (Filed 10-21-04)

9:30

Calendar No. 04-265:

**3680-3716 East 65th Street
Lot #1**

Ward 12

Edward Rybka

23 Notices

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 30.42' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 2,754 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the interior side and rear yards shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

(Filed 10-25-04)

9:30

Calendar No. 04-266:

**3680-3716 East 65th Street
Lot #2**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 16' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 832 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed.

9:30

Calendar No. 04-267:

**3680-3716 East 65th Street
Lot #3**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 20' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 1,120 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed.

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Calendar No. 04-268:

**3680-3716 East 65th Street
Lot #4**

Ward 12

**Edward Rybka
23 Notices**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 25' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 1,525 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed. (Filed 10-25-04)

9:30

Calendar No. 04-269:

**3680-3716 East 65th Street
Lot #5**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 25' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 1,500 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 10' is proposed and an 8' interior side yard is required where none is proposed.

9:30

Calendar No. 04-270:

**3680-3716 East 65th Street
Lot #6**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 16' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 832 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed.

9:30

Calendar No. 04-271:

**3680-3716 East 65th Street
Lot #7**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 25.5' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 2,180 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5' is proposed and an 8' interior side yard is required where none is proposed.

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Calendar No. 04-272:

**3680-3716 East 65th Street
Lot #8**

Ward 12

**Edward Rybka
23 Notices**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 25.5' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 2,180 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5' is proposed and an 8' interior side yard is required where none is proposed. (Filed 10-25-04)

9:30

Calendar No. 04-273:

**3680-3716 East 65th Street Ward 12
Lot #9**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 16' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 832 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5' is proposed and an 8' interior side yard is required where none is proposed.

9:30

Calendar No. 04-274:

**3680-3716 East 65th Street Ward 12
Lot #10**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 25' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 1,500 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 8' is proposed and an 8' interior side yard is required where none is proposed.

9:30

Calendar No. 04-275:

**3680-3716 East 65th Street Ward 12
Lot #11**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 25' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 1,525 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed; and subject to the limitations of Section 357.13(b)(4), where an open front yard porch shall not project more than 6' there is 8' proposed.

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**Calendar No. 04-276: 3680-3716 East 65th Street
 Lot #12**

**Ward 12
Edward Rybka
23 Notices**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 20' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 1,120 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed. (Filed 10-25-04)

9:30

**Calendar No. 04-277: 3680-3716 East 65th Street Ward 12
 Lot #13**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 16' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 832 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 6' is proposed and an 8' interior side yard is required where none is proposed.

9:30

**Calendar No. 04-278: 3680-3716 East 65th Street Ward 12
 Lot #14**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; contrary to Section 355.04, a 30.52' lot width is proposed and 40' is required and instead of the required 4,800 s/f minimum lot area, 2,756 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the interior side and rear yards shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

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Calendar No. 04-279:

**3680-3716 East 65th Street
Lot #15**

Ward 12

**Edward Rybka
23 Notices**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 2,865 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 8.61' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the interior side and rear yards shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 10-25-04)

9:30

Calendar No. 04-280:

**3680-3716 East 65th Street
Lot #16**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 1,529 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5.82' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the interior side and rear yards shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

9:30

Calendar No. 04-281:

**3680-3716 East 65th Street
Lot #17**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 1,526 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5.76' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the rear yard shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

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Calendar No. 04-282:

**3680-3716 East 65th Street
Lot #18**

Ward 12

**Edward Rybka
23 Notices**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 2,724 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 12.4' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the rear yard shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 10-25-04)

9:30

Calendar No. 04-283:

**3680-3716 East 65th Street
Lot #19**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 2,721f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 12.37' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the rear yard shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

9:30

Calendar No. 04-284:

**3680-3716 East 65th Street
Lot #20**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 1,518 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5.6' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the rear yard shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

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Calendar No. 04-285:

**3680-3716 East 65th Street
Lot #21**

Ward 12

**Edward Rybka
23 Notices**

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 1,516 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 5.54' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the rear yard shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances. (Filed 10-25-04)

9:30

Calendar No. 04-286:

**3680-3716 East 65th Street
Lot #22**

Ward 12

The Pulaski Franciscan Community Development Corporation, owner, and Peter DeCrane, agent, appeal to erect a one family townhouse unit on a 56,000 s/f lot in a Local Retail Business District at 3680-3716 East 65th Street; subject to Section 352.11, an 8' wide transition landscape strip is required to provide 75% year round opacity at the rear of the lot to separate the retail district from the residential district; and contrary to Section 355.04 where a 4,800 s/f minimum lot area is required, 2,845 s/f is proposed; and Sections 357.08(b)(2) and 357.09(b)(2)(C) require a 20' rear yard depth where 8.25' is proposed and an 8' interior side yard is required where none is proposed; and contrary to the Fence Regulations, an 8' fence height is proposed where the fence in the interior side and rear yards shall not exceed a 6' height as stated in Section 358.05(a)(2) of the Codified Ordinances.

9:30

Calendar No. 04-204:

2927 Bridge Avenue

Ward 13

**Joe Cimperman
10 Notices**

The 2927 Bridge Ltd, owner, and Argile Jani, tenant, appeal to use the second floor to expand the occupancy and use of an existing, nonconforming restaurant in a 22' x 47'6" two-story masonry building, situated on a 29' x 72'6" corner lot in a B1 Two-Family District on the southeast corner of West 30th Street and Bridge Avenue at 2927 Bridge Avenue; the proposed use being subject to the residential limitations of Section 337.03, where a restaurant is not a permitted use; and contrary to Section 349.04(f) of the Off-Street Parking and Loading Requirements, no accessory off-street parking is provided; and the new use expansion requires 1 parking space per 4 seats or an additional 11 off-street parking spaces to accommodate 43 seats; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances. (Filed 8-24-04; reinstated 11-1-04.)
