

**BOARD OF ZONING APPEALS
NOVEMBER 24, 2008**

9:30

Calendar No. 08-195:

14312 Miles Avenue

Ward 1

Terrell Pruitt

13 Notices

Michael Sudman, owner, and Joe Rocco, prospective tenant, appeal to establish use of an entire parcel, including newly consolidated lots, as auto wrecking and dismantling, located in a Semi-Industry District on the south side of Miles Avenue; subject to the limitations of Section 345.03, the proposed use is first permitted in a General Industry District and must be surrounded by a minimum 7 foot high, non-transparent, well maintained wall or fence, and the provided site plan shows unspecified chain link fence and block wall with no height nor method of opacity given, contrary to Section 345.04(a)(4); and an asphalt parking lot of less than 5 percent of the lot is provided, contrary to 15 percent of the lot as required under Section 349.04(j); and all vehicle maneuvering areas and parking spaces must be hard surfaced with asphalt or concrete, or a system approved by the Chief Building Official, and graded and drained within the lot; no paving is shown in maneuvering areas within more than 95 percent of the lot and no striping is shown on the small asphalt lot, contrary to Section 349.07(a); no landscaping is provided to separate the existing parking lot from Miles Avenue and a 6 foot wide frontage landscape strip is required, according to the provisions of Sections 352.08 through 12 of the Codified Ordinances. (Filed 10-24-08)

9:30

Calendar No. 08-202:

2209 Professor Avenue

Ward 13

Joe Cimperman

6 Notices

Matt Berges, owner appeals to erect a 3-story two family dwelling and detached garage on a 42' x 126.18' parcel in a General Retail Business District; contrary to Section 355.04(a) a lot size of 5,299.56 square feet is provided and 6,000 square feet is required; and no building shall be erected less than 10 feet from a main building on an adjoining lot as stated in Section 357.09(b)(2)(A) of the Codified Ordinances. (Filed 11-5-08)

9:30

Calendar No. 08-203:

603 Herschel Court

Ward 13

Joe Cimperman

5 Notices

Brian Devine, owner, appeals to erect a 22' x 24' masonry garage on a 39.92' x 66' corner parcel in a Two-Family District; and a distance of 21 feet is provided contrary to 33 feet and the provision that all accessory buildings shall be located on the rear half of the lot according to Section 337.23(a); and the distance of the building line back from the side street line along a corner lot in residential or retail districts shall be not less than 10 percent of the average width of such lot or 5 feet, whichever is less, except that accessory buildings or uses shall be not less than 10 feet from such side street line as stated in Section 357.05(a) of the Codified Ordinances. (Filed 11-5-08)

POSTPONED FROM NOVEMBER 3, 2008

10:30

Calendar No. 08-167:

5110 Clark Avenue

Ward 17

Matthew Zone

11 Notices

Prime Properties, LLC, owner, appeal to add a drive-through at an existing gas station located on a 117.33' x 132' corner parcel in a General Retail Business District; contrary to Sections 347.16(d)(4), pedestrian routes between the entrances to principal structures and any parking area or sidewalk that require the crossing of drive-through lanes to be either avoided or clearly identified by pavement markings or signage and none is proposed; no measurement is shown for drive-through and by-pass lanes that must be a minimum of 10 feet wide and the number for off-street stacking spaces is not indicated for customer vehicles in a drive-through lane, contrary to Sections 347.16(d)(3) and Sections 347.16(d)(1). No landscaping is proposed where a 10 foot wide landscaping strip with 75 percent year-round opacity is required at the rear of the property between the General Retail District and the abutting Two-Family District, and a 4 foot wide landscaping frontage strip with 50 percent year-round opacity is required along Clark Avenue contrary to Section 352.11. (Filed 8-19-08; testimony taken.)

Second postponement granted for applicants to consult with the Stockyard Redevelopment Organization regarding the proposed project.

10:30

Calendar No. 08-180:

9523-25 Detroit Avenue

Ward 18

Jay Westbrook

4 Notices

Ali Lotfi-Fard, owner, appeals to change use from light manufacturing to tire repair shop in an existing one-story masonry building on 60.36' x 162.52' corner parcel in a Semi-Industry District; and the proposed use is within 100 feet of a Multi-Family District contrary to Section 345.03(c)(2) of the Codified Ordinances. (Filed 10-2-08; o testimony taken.)

First postponement granted for additional review of the proposed plan.