

**BOARD OF ZONING APPEALS**  
**JULY 24, 2006**

**9:30**

**Calendar No. 06-123:**

**2925 Jay Avenue**

**Ward 13**

**Joe Cimperman**

**12 Notices**

Jay & 30<sup>th</sup> Project LLC, owner, and Douglas Wahl, agent, appeal to erect a 34' x 20' two-story frame dwelling, proposed to be erected on a 40' x 51.66' parcel located in a Two-Family District on the southeast corner of Jay Avenue and West 30<sup>th</sup> Street at 2925 Jay Avenue; subject to the limitations of Section 349.05(a), there may be no parking space located within 10' of a residential building or structure if the wall facing the space contains a ground floor opening designed to provide light or ventilation; and contrary to Section 355.04(b), a minimum lot area of 2,246 s/f is provided and 4,800 s/f is required and a maximum gross floor area of 2,040 s/f is proposed, exceeding one-half of the lot size; and contrary to Section 357.08(2)(b)(1), there is a 3' rear yard depth where 20' is required; with a distance of 5'-11" provided contrary to 10' from a main building, and the proposed aggregate width of the total side yards equals 3' and the aggregate width of side yards on the same premises may not be less than 10' as stated in Section 357.09(2)B of the Codified Ordinances.

(Filed 6-19-06)

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**9:30**

**Calendar No. 06-124:**

**1817 West 30<sup>th</sup> Street**

**Ward 13**

**Joe Cimperman**

**12 Notices**

Jay & 30<sup>th</sup> Project LLC, owner, and Douglas Wahl, agent, appeal go erect a 34' x 20' two-story frame dwelling, proposed to be erected on a 40' x 56.15' parcel located in a Two-Family District on the south side of West 30<sup>th</sup> Street near Waco Court at 1817 West 30<sup>th</sup> Street; subject to the limitations of Section 349.05(a), there may be no parking space located within 10' of a residential building or structure, if the wall facing the space contains a ground floor opening designed to provide light or ventilation; and contrary to Section 355.04(b), a minimum lot area of 2,246 s/f is provided and 4,800 s/f is required and a maximum gross floor area of 2,040 s/f is proposed, exceeding one-half of the lot size; and contrary to Section 357.08(2)(b)(1), there is a 3' rear yard depth where 20' is required; with a distance of 5'-11" provided contrary to 10' from a main building, and the proposed aggregate width of the total side yards equals 3' and the aggregate width of side yards on the same premises may not be less than 10' as stated in Section 357.09(2)B of the Codified Ordinances.

(Filed 6-19-06)

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**9:30**

**Calendar No. 06-125:**

**3905 Clinton Avenue**

**Ward 13**

**Joe Cimperman**

**13 Notices**

KD-Clinton Development LLC, owner, and Mike Caito, agent, appeal to erect five townhouses in two buildings proposed to be situated on a 66' x 185' lot, located in a B1 Two-Family District on the south side of Clinton Avenue at 3905 Clinton Avenue; the townhouses being contrary to Section 337.03 and first permitted under Section 337.031; with a maximum gross floor area of 26,133 s/f proposed contrary to Section 355.04 and the 6,105 s/f that is allowed; and a front yard depth of 20' is required, where 15.5' is proposed for Units 1 and 2 in Building #1 and zero front yards are proposed for Units 3, 4 and 5 in Building #2, where, instead, there is guest parking proposed and vehicles back out to an alley; and residential buildings in the same lot are required to be 40' apart, as stated in Section 357.15(a) of the Codified Ordinances. (Filed 6-20-06)

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**BOARD OF ZONING APPEALS  
JULY 24, 2006**

**POSTPONED FROM JUNE 12, 2006**

**10:30**

**Calendar No. 06-84:**

**4726 Superior Avenue**

**Ward 13**

**Joe Cimperman**

**7 Notices**

Carmelo Cario, owner, appeals to construct a 6' high chain link fence with barbwire in the actual front yard of an existing warehouse building situated on a 50' x 200' irregular shaped lot, located in a Semi-Industry District on the south side of Superior Avenue at 4726 Superior Avenue; contrary to the Fence Regulations for a non-residential district, a 6' fence height is proposed where not more than 4' is allowed and a fence with barbwire shall be located at least 4' from the sidewalk in a public-right-of-way, as stated in Section 358.05(2) of the Codified Ordinances. (Filed 5-16-06; testimony taken.)

**First postponement granted for the appellant to consult with the Councilman and the St. Clair Superior Development Corporation about a more suitable solution for the type of fence that will help to secure the property.**

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**POSTPONED FROM JUNE 26, 2006**

**10:30**

**Calendar No. 06-101:**

**2704 Clark Avenue**

**Ward 14**

**Joseph Santiago**

**20 +Notices**

Gerald Zahler, owner, and Gennie Rodriguez, tenant, appeal to change use from a bar/tavern to a night club with live entertainment the approximate 52' x 136' space of an existing 152' x 144' one-story masonry retail building, situated on an acreage parcel located in a General Retail Business District on the north side of Clark Avenue at 2704 Clark Avenue; the proposed use being subject to the limitations of Section 347.12(a)(1), where a night club/bar with live entertainment/dance floor cannot be established within 500' of a residential district and the property abuts a residential district to the north; and Section 352.07(b)(2)A requires compliance with the landscaping requirements for a change of use; a 6' wide frontage landscaped strip of 50% year round opacity is required where the parking lot abuts the street, with installation of landscaping and screening according to the requirements under Sections 352.08 through 352.11, and a landscape plan is to be provided as stated in Section 352.12 of the Codified Ordinances. (Filed 5-24-06; testimony taken.)

**First postponement granted to allow for community discussion about the proposed plan; for appellants to provide a detail specific plan showing landscaping, security lighting and an 18' setback along Walton Avenue; a business plan describing all of the business activity, and the days and hours that are proposed for the use of the premises.**

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