



Division of Development Administration and Review

ZONING BOARD OF ADJUSTMENT

HEARING AGENDA

March 20, 2014

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 9:00  
**Zone Case 68 of 2014**

1251 Denniston St

**Zoning District:** R2-L  
**Ward:** 14  
**Council District:** 8, Councilperson  
**Neighborhood:** Point Breeze  
**Applicant:** Silversmith Neil  
**Owner:** Silversmith Neil

New 20.66ft x 25ft two story detached garage at the rear of two story residential structure.

**Variance:** 903.03.B.2      minimum 5ft interior side setback required and 0ft requested(both sides)

**Variance:** 912.04.B      minimum 2ft rear setback required and 0ft requested

**Variance:** 912.04.E      maximum height 15ft/one story permitted and 20ft/2 stories requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**  
N/A

**Notes:**

N/A

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 9:10  
**Zone Case 69 of 2014**

725 Bell Ave

**Zoning District:** GI

**Ward:** 28

**Council District:** 2, Councilperson Theresa Kail-Smith

**Neighborhood:** East Carnegie

**Applicant:** Union Electric Steel Corp

**Owner:** Union Electric Steel Corp

45ft x 75ft new unloading canopy accessory to existing one story industrial structure.

**Variance :** 912.04.E            maximum height 20ft permitted and 28ft requested

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

ZC # 88 of 2013, applicant's request for a new 1,376 sq. ft. sign mounted on the roof of one story structure was approved.

**Notes:**

N/A

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 9:20  
**Zone Case 70 of 2014**

3891 Bigelow Blvd

**Zoning District:** RM-VH  
**Ward:** 5  
**Council District:** 6, Councilperson R. Daniel Lavelle  
**Neighborhood:** North Oakland  
**Owner:** BRGS LLC  
**Applicant:** BRGS LLC

Continued use of existing multi-family dwelling with four residential units.

**Variance:** 914.02.A                      existing one integral parking stall;  
no parking on-site spaces requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases & Decisions:**

N/A

**Notes:**

Certificate of Occupancy, dated 3/22/1978, permitted occupancy "Multiple family dwelling with four units and one integral parking stall".

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 9:30  
**Zone Case 71 of 2014**

1599 Fallowfield Ave

**Zoning District:** R1D-H  
**Ward:** 19  
**Council District:** 4, Councilperson Natalia Rudiak  
**Neighborhood:** Beechview  
**Owner:** Makay Maurice Garland  
**Applicant:** Makay Maurice Garland

6ft high privacy fence at front and on southerly side (Hampshire Ave side) of single family dwelling.

**Variance:** 925.06.A.2      4ft high open fence permitted and 6ft high privacy fence requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**  
N/A

**Notes:**  
N/A

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 9:40  
**Zone Case 72 of 2014**

1404 Grovemount Rd

**Zoning District:** R1D-L  
**Ward:** 20  
**Council District:** 2, Councilperson Theresa Kail-Smith  
**Neighborhood:** Banksville  
**Applicant:** Rauterkus Brandley V  
**Owner:** Rauterkus Brandley V

24ft diameter outdoor swimming pool at rear of single family dwelling.

**Variance:** 903.03..B.2      minimum 30ft exterior side setback required and 15ft requested

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**  
ZC # 160 of 2012, applicant's request for 6ft privacy fence for a single family dwelling was approved.

**Notes:**  
Certificate of Occupancy 13-OCC-00157, permitted occupancy "6ft privacy fence for single family dwelling".

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 9:50  
**Zone Case 76 of 2014**

2400 Sidney St/ S 24<sup>th</sup> St

**Zoning District:** R1A-VH  
**Ward:** 16  
**Council District:** 3, Councilperson Bruce Kraus  
**Neighborhood:** South Side Flats  
**Applicant:** Club Cycle  
**Owner:** C & L Properties LP

Use of 2,200 sq. ft. of the first floor of the existing structure as indoor recreation and entertainment (limited); fitness club; and one new business ID wall mounted sign.

**Special Exception:** 921.02.A.4 change from a one nonconforming use to another is a Special Exception

**Variance:** 914.02.A                      10 on-site parking spaces required; 0 requested (alternatively review of parking requirement for use below 2,400 sq. ft.)

**Variance:** 919.01.F                      a sign identifying a nonconforming use needs review by the Zoning Board of Adjustment

Appearances  
For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

ZBA 129 of 2004, applicant's request to change the occupancy of an existing one-story structure from storage of medical equipment and offices to offices for a software development company was granted.

**Notes:**

Certificate of Occupancy 74929, dated 6/8/1998, permitted occupancy "One story structure for storage of contractors equipment medical equipment and offices for medical supply company and advertising agency".

Certificate of Occupancy 87491, dated 10/19/2004, permitted occupancy "Use of 2604 sq. ft. of 1<sup>st</sup> floor as offices for software development company".

**Date of Hearing:** March 20, 2014  
(continued from January 23,2014)

**Time of Hearing:** 10:00

**Zone Case 291 of 2013**

12 Bedford Sq./1209 E Carson St

**Zoning District:** LNC

**Ward:** 17

**Council District:** 3, Councilperson Bruce Kraus

**Neighborhood:** South Side Flats

**Applicant:** MJT Real Estate LLC/John Demauro

**Owner:** MJT Real Estate LLC/John Demauro

2,478 sq. ft. one story addition at rear of existing restaurant with outdoor seating area and 6 proposed bicycle parking spaces; existing restaurant expansion.

**Special Exception :** 911.04.A.57 use as restaurant (general) in LNC is a Special Exception

**Variance:** 914.02. A additional 14 parking spaces required and 0 requested

**Variance:** 904.02.A.2 minimum 20ft rear setback required and 0ft proposed

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**

N/A

**Notes:**

Certificate of Occupancy 77830, dated 7/26/1995, permitted occupancy "First floor Eastern European Restaurant with two outdoor parking stalls- 100 persons (no holidays, 11:30 a. m. to midnight, trash inside)".

Certificate of Occupancy 200603255, dated 3/21/2007, permitted occupancy "Use of 1<sup>st</sup> floor for restaurant (general)".

**Date of Hearing:** March 20, 2014  
**Time of Hearing:** 10:10  
**Zone Case 74 of 2014**

444 Liberty Ave

**Zoning District:** GT-D

**Ward:** 1

**Council District:** 6, Councilperson r. Daniel Lavelle

**Neighborhood:** Central Business District

**Applicant:** Shamrock Building Services INC

**Owner:** HERTZ Gateway Center LP

Two new 54 sq. ft. projecting business ID signs and one 62.8 sq. ft. canopy sign for the existing restaurant.

**Variance:** 919.03.M.8(d) a maximum of one projecting sign for each façade permitted; two requested

**Variance:** 919.03.M.8 (d) (ii) a maximum of 9 sq. ft. per side permitted and 54 sq. ft. requested

**Variance:** 919.03.M.7.(e) the face of sign shall not exceed 8" above the canopy; 3' requested

Appearances

For Appellant:

Objectors:

Observers:

**Past Cases and Decisions:**  
N/A

**Notes:**

Certificate of Occupancy 80012 , dated 2/21/2000, permitted occupancy "Use of portion of ground level floor as a restaurant (412 people) (Palamino Restaurant).

Commercial Building permit 13-B-02226, permitted use: 11,183 sq. ft. restaurant on 1<sup>st</sup> floor, including 1,950 sq. ft. extension, with 1,384 sq. ft. prep kitchen at basement.

