

**BOARD OF ZONING APPEALS  
MARCH 27, 2006**

**9:30**

**Calendar No. 06-36:**

**6308 Fleet Avenue**

**Ward 12**

**Anthony Brancatelli**

**10 Notices**

Kazimierz Chruscik, owner, appeals to convert the first floor of an existing one and two-story 32' x 140' mixed use building to a grocery store with accessory food processing and a 30 seat restaurant, situated on a 40' x 140' lot in a Local Retail Business District on the south side of Fleet Avenue at 6308 Fleet Avenue; subject to the limitations of Section 343.01, the proposed food processing, a smokehouse, is not permitted in a Local Retail District, and the proposed restaurant will require parking at the rate of one space for each four seats, with one space credited and seven additional parking spaces required, according to the provisions for accessory off-street parking in Section 349.04 of the Codified Ordinances. (Filed 3-8-06)

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**9:30**

**Calendar No. 06-37:**

**2207 West 11th Street**

**Ward 13**

**Joe Cimperman**

**15 Notices**

Jeff Eisenberg, owner, appeals to add a cover over an existing patio, the use for which was established with an existing restaurant and granted a parking variance in Calendar No. 03-172; the restaurant and patio being situated on a 41' x 66' corner parcel in a Local Retail Business District on the southeast corner of West 11th Street and Fairfield Avenue; and as proposed, the covered patio requires the Board of Zoning Appeals approval for an expansion/enlargement of an existing nonconforming use, as stated in Section 359.01 of the Codified Ordinances. (Filed 3-8-06)

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**9:30**

**Calendar No. 06-38**

**5712 Harvard Avenue**

**Ward 12**

**Anthony Brancatelli**

**8 Notices**

Kimberly McDermott, owner, and Barbara Bradford, tenant, appeal to expand the use of an existing two family dwelling to include a Type A Day Care, situated on a 45' x 146' parcel in a General Retail Business District on the south side of Harvard Avenue at 5712 Harvard Avenue; the Type A Day Care, by reference, is regulated according to Section 337.02(f)(3) that requires it to be 30' from the least restricted residential district of an adjoining lot not used for a similar purpose and the proposed use abuts a Two-Family District and is subject to the Board of Zoning Appeals approval to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely affecting the neighborhood. (Filed 3-9-06)

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**BOARD OF ZONING APPEALS  
MARCH 27, 2006**

**9:30**

**Calendar No. 06-39:**

**3535 West 128<sup>th</sup> Street**

**Ward 19**

**Dona Brady**

**5 Notices**

Colleen Rock, owner, appeals to install 82 linear feet of 6' tall privacy fence and 36 linear feet of 4' tall privacy fence along the eastern perimeter of a 40' x 105' corner parcel located in an A1 One-Family District on the northeast corner of West 128th Street and Linnet Avenue at 3535 West 128th Street; contrary to the Fence Regulations, a 6' tall privacy fence is proposed where fences in actual side yards shall not exceed a 4' height and shall be at least 50% open, as stated in Section 358.04(a) of the Codified Ordinances. (Filed 3-10-06)

**POSTPONED FROM MARCH 6, 2006**

**10:30**

**Calendar No. 06-19:**

**403-05 East 152<sup>nd</sup> Street**

**Ward 11**

**Michael Polensek**

**8 Notices**

Eastern Monica LLC, owner, and Charles Brown, agent, appeal to erect a 5' x 38'-6" wooden wheelchair ramp at the front of an existing two-story, four dwelling units residence, situated on a 45' x 150' parcel located in a Two-Family District on the east side of East 152nd Street at 403-405 East 152nd Street; as proposed, the ramp is within 2' of the street line and open porches may not extend within 10' of the street line as stated in Section 357.13(b)(4) of the Codified Ordinances. (Filed 2-1-06; testimony taken.)

**First postponement granted for additional review of the appellants' plan and for the property owner(s) to be present at the hearing.**

**POSTPONED FROM FEBRUARY 27, 2006**

**10:30**

**Calendar No. 06-20:**

**1795 Crawford Road**

**Ward 7**

**Fannie Lewis**

**9 Notices**

Benita Martinez, owner, appeals to establish use as a Type A Day Care in an existing two-story building, situated on a 50' x 124' parcel in a Multi-Family District on the east side of Crawford Road at 1795 Crawford Road; subject to the limitations of a Multi-Family District, the proposed day care and uses may not be less than 15' from an adjoining premises in a residential district not used for a similar purpose as stated in Section 337.08(e)(3) of the Codified Ordinances; and the Board of Zoning Appeals approval is required to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided and that the use is appropriately located and designed to meet a community need without adversely effecting the neighborhood. (Filed 2-2-06; no testimony taken.)

**First postponement requested by the appellant to allow time for her to consult with the Councilwoman about the project.**

