

**BOARD OF ZONING APPEALS  
MAY 8, 2006**

**9:30**

**Calendar No. 06-61:                    3249 East 143<sup>rd</sup> Street**

**Ward 4  
Kenneth Johnson  
9+ Notices**

Rashiqa Abukhalil, owner, appeals to change the use of an existing nonconforming dwelling units and store building to the use as a store with elimination of the three dwelling units, situated on a 40' x 133' parcel located in a Two-Family District on the east side of East 143<sup>rd</sup> Street at 3249 East 143<sup>rd</sup> Street; the proposed change being a substitution of a nonconforming use and requires the approval of the Board of Zoning Appeals as stated in Section 359.01 of the Codified Ordinances. (Filed 4-17-06)

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**9:30**

**Calendar No. 06-62:                    2517 Jay Avenue**

**Ward 13  
Joe Cimperman  
23 Notices**

Gormark Developers, Inc., owner, and Matt Solomon, agent, appeal to construct an addition and change the use from a hotel to apartments and townhomes, proposed for an existing three-story masonry building situated on a 74' x 108' lot located in a General Retail Business District on the southwest corner of Jay Avenue and West 26<sup>th</sup> Street at 2517 Jay Avenue; contrary to Section 355.04 of the Area Regulations for residence buildings in all use districts, 10,918 s/f is proposed instead of one-half the lot size area or 5,993 s/f; and contrary to Section 357.04 in the Requirements for Yards and Courts, a front yard depth of 6' is proposed where 16' is required; and there is no rear yard where a 30' depth is required, based upon one-half the height of the main building and as stated in Section 357.08(b)(2) of the Codified Ordinances. (Filed 4-17-06)

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**9:30**

**Calendar No. 06-63:                    801 College Avenue**

**Ward 13  
Joe Cimperman  
4 Notices**

John Krohe, owner, appeals to erect an 8' x 17' frame deck to the front of an existing single family residence situated on a 38' x 78' corner parcel located in a Two-Family District on the southwest corner of College Avenue and Thurman Street at 801 College Avenue; contrary to Section 357.13(b)(4), an 8' projection is proposed and not more than 6' is allowed and may not aggregate a vertical area in any story more than 20% of the area of the façade in that story; and the Board of Zoning Appeals shall have no power to authorize as a variance the location of a structure nearer the street line than a required setback building line, unless the depth or width of the lot on which the structure is to be erected is sufficiently less than the depth or width of other lots in the same block as to create a hardship not shared by other lots, or unless there exists a building extending beyond the required setback on the same side in the same block within 150' from either side lot line of the lot in question, as stated in Section 329.04(c)(1) of the Codified Ordinances. (Filed 4-18-06)

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**9:30**

**Calendar No. 06-64:                    16210 Lorain Avenue**

**Ward 21  
Michael Dolan  
17 Notices**

The West Park Community School, owner, and Constellation Community School c/o Gerald Preseren, agent, appeal to construct a two-story addition adjacent to an existing three-story masonry school building and to place temporary modular classrooms on an irregular shaped acreage parcel located in split zoning between a General Retail Business District and a One-Family District on the north side of Lorain Avenue at 16120 Lorain Avenue; subject to the limitations of Section 337.02(f)(3)(a), the proposed school building and uses require the Board of Zoning Appeals approval if located less than 30' from a residential district and a public or private school building and uses are permitted in a One Family District only if approved by the Board of Zoning Appeals as stated in Section 337.02(f) of the Codified Ordinances. (Filed 4-18-06)

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**BOARD OF ZONING APPEALS  
MAY 8, 2006**

**POSTPONED FROM APRIL 10, 2006**

|                            |                            |                            |
|----------------------------|----------------------------|----------------------------|
| <b>10:30</b>               |                            | <b>Ward 12</b>             |
| <b>Calendar No. 06-46:</b> | <b>6402 Lansing Avenue</b> | <b>Anthony Brancatelli</b> |
|                            |                            | <b>15 Notices</b>          |

Louis Sainato, owner, and Patricia Cole, tenant appeal to expand an existing day care business to include the second floor of an existing one and two story building, situated on a 40' x 140' corner parcel in a Local Retail Business District on the southeast corner of Lansing Avenue and East 64<sup>th</sup> Street at 6402 Lansing Avenue, where the Board of Zoning Appeals granted a variance to allow a day care business on the first floor of the building in Calendar No. 03-35, and the expansion of a nonconforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01(a) of the Codified Ordinances. (Filed 3-16-06; no testimony taken.)

**First postponement granted to appellant for additional review of the proposed project with the Councilman and the Slavic Village Development Corporation.**

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**POSTPONED FROM APRIL 17, 2006**

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|----------------------------|-----------------------------|----------------------|
| <b>10:30</b>               |                             | <b>Ward 21</b>       |
| <b>Calendar No. 06-51:</b> | <b>17610 Milburn Avenue</b> | <b>Michael Dolan</b> |
|                            |                             | <b>4 Notices</b>     |

Romulo Glean, owner, appeals to enclose an existing 6' x 27' front porch of a single family residence, situated on a 40' x 160' parcel in an A1 One-Family District on the north side of Milburn Avenue at 17610 Milburn Avenue; contrary to Section 357.13(b)(4), the proposed porch enclosure projects 6' and not more than a 4' projection is permitted; and the Board of Zoning Appeals shall have no power to authorize as a variance the location of any building nearer the street line than a required setback building line, unless the depth or width of the lot is sufficiently less than that of other lots in the same block, as stated in Section 329.04(c)(1) of the Codified Ordinances. (Filed 3-30-06; no testimony taken.)

**First postponement granted at appellant's request to have a full complement of Board members for the appeal hearing.**

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