



CITY OF LACKAWANNA

**Zoning Board of Appeals**

COUNCIL CHAMBERS

MINUTES

Wednesday May28, 2025

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**Opening:**

The regular meeting of the City of Lackawanna Zoning Board of Appeals was called to order at 5:00PM.

**Present: Geercken, Kogut, Sobaszek, Stampone, Turner**

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Pledge of Allegiance called

Motion to elect Nicholas Sobaszek as Zoning Board of Appeals Vice Chair:

Geercken: Second: Kogut

All yeas carried 5-0

Motion to approve minutes for the meeting on 4/30/25: Sobaszek Second: Kogut

All yeas carried 5-0



## Item #1

### Zoning Law Appeals

Abdul Khalique

19 Gibbons St

Request additional variance which was granted last month

Install a fence past the front of the foundation on Electric Ave and Gibbons St  
in Mixed Residential

Code Enforcement Officer Scott Hayes stated for the record that they have City Attorney Arianna Kwiatkowski and New Assistant City Attorney Christy Cooper present.

Chairman Geercken called upon the applicant to address the Board.

Abdul Khalique - 19 Gibbons St representing.

Chairman Geercken asked the applicant if this was their second time in front of the Zoning Board.

Ms. Khalique replied yes.

Chairman Geercken asked if the first variance was for the 6-foot fence along Electric Ave.

Ms. Khalique replied yes.

Chairman Geercken asked if this second variance is for the fence along Gibbons St.

Code Enforcement Officer Steve Balon replied yes, stating that the applicant realized there was wasted space.

Code Enforcement Officer Steve Balon clarified that the applicant decided to go 6-feet out from the front corner of the house then go down Gibbons St and finally stop 12-feet from the sidewalk on Electric Ave.

Code Enforcement Officer Steve Balon further explained the 2-feet was added from Electric Ave because there is a guy wire present.

Chairman Geercken asked if the fence was going back further toward the property.

Code Enforcement Officer Steve Balon replied yes and that the modified measurements do not impact vehicle visibility as they tested it with the Code Enforcement vehicle.

Motion to open public hearing: Kogut Second: Sobaszek

All yeas carried 5-0

Motion to close public hearing: Sobaszek Second: Kogut



All yeas carried 5-0

Motion to approve area variance for 6-foot tall fence: Sobaszek Second: Stampone

All yeas carried 5-0

Ms. Khalique asked about the approval letter.

Code Enforcement Officer Steve Balon stated the applicant can come to room 311 for a building permit and that the approval letter will arrive in the mail.

## **Item #2**

### **Zoning Law Appeals**

Nabeel Albakri

2 Meadowbrook Dr

Replacing old fence from the back of the house  
side to vinyl fence including the front of the yard  
in Single Family Residential.

Chairman Geercken called upon the applicant to address the Board.

Nabeel Albakri - 2 Meadowbrook Dr representing.

Mr. Albakri stated he wants to replace the old fence with a new fence.

Code Enforcement Officer Steve Balon directed the Board to photographs showing where Mr. Albakri wishes to place the new fence.

Chairman Geercken asked the following: if the new fence will go along the back of the house and turn to the side heading toward Meadowbrook Dr if it will be 6-feet tall all around and if the applicant will keep the existing bushes on the corner of Meadowbrook Dr and South Shore Blvd as there is no fence there.

Mr. Albakri replied yes.

Code Enforcement Officer Steve Balon explained that the applicant needs a variance for the front side yard and the new fence codes state a fence must be 3-feet from the sidewalk.

Chairman Geercken asked if the fence will need to be 3-feet back from the sidewalk on Meadowbrook Dr.

Code Enforcement Officer Steve Balon replied yes.



Chairman Geercken asked the audience if anyone wished to speak on this project and no response.

Motion to approve area variance for a 6-foot tall fence in the front side yard:

Sobaszek: Second: Kogut

All yeas carried 5-0

### **Item #3**

#### **Land Use Variance**

Ezzaldean Mubarlat

3292 South Park Ave

Requesting to open an ice cream parlor, sweet shop with indoor seating  
in Neighborhood Commercial.

Chairman Geercken asked the Board if they will move forward with this agenda item.

Code Enforcement Officer Steve Balon replied that the applicant is running late and should arrive shortly.

Code Enforcement Officer Steve Balon stated that based on parking codes the applicant would need approximately eight parking spots as it's based on the number of indoor seats and is requesting a variance for four spots. The applicant is also building a 42-inch wide ramp in front of the building that will go onto the sidewalk and will also have a step up opposite of the ramp to the side of the top of the platform.

Member Stampone asked what the ramp will be used for.

Code Enforcement Officer Steve Balon replied it is a handicap ramp and the current step up into the building is approximately a foot and a half tall therefore the applicant wants to make it easier for clientele to enter and exit the premises.

Member Kogut asked if the ramp will be correct for handicap accessibility.

Code Enforcement Officer Steve Balon stated the ramp will be 42-inches wide and that the top platform will be 42-inches as well.

Member Kogut asked if it will be 42-inches long.

Code Enforcement Officer Steve Balon stated the platform is extending off the front of the building toward South Park 42-inches wide and the ramp leading to the top of the platform will be 42-inches wide.



Code Enforcement Officer Steve Balon referred the Board to the supplied diagram dictating the measurements and dimensions.

Member Stampone asked if there will be indoor seating.

Code Enforcement Officer Steve Balon replied there is enough interior space for indoor seating.

Member Stampone asked about the bathroom situation.

Code Enforcement Officer Steve Balon stated that the number of bathrooms is based on occupancy code and that would have to be referenced for any interior building the applicant does.

Member Kogut asked about the height of the ramp.

Code Enforcement Officer Steve Balon replied that the ramp will be approximately a foot and a half tall at the highest point.

Member Kogut asked about the step-up width.

Code Enforcement Officer Steve Balon stated the step-up width is 42-inches and will be approximately 12-inches high.

Chairman Geercken called upon the applicant to address the Board.

Ezzaldean Mubarlat of 3292 South Park Ave representing.

Mr. Mubarlat stated he is opening an ice cream parlor.

Chairman Geercken asked the applicant if he is requesting a variance for the 42-inch wide ramp in front of the building and the parking spots.

Mr. Mubarlat replied yes.

Chairman Geercken asked how much space is between the ramp and the curb.

Code Enforcement Officer Steve Balon stated there is approximately 13 and a half feet to 14 feet.

Chairman Geercken asked about the parking agreement with Wolf Fitness if it will be renewed or if the applicant is the new owner.

Mr. Mubarlat replied that Wolf Fitness is still the building owner but is being leased to him.

Chairman Geercken asked the audience if anyone wished to speak on this project and no response.

Motion to approve land use variance for parking spaces and ramp in front of the store: Sobaszek  
Second: Geercken

All yeas carried 5-0

Member Kogut asked if the applicant's business will be successful with competing shops nearby.



Mr. Mubarlat stated yes because he plans to be open all year long as well as provide indoor seating with air conditioning.

Member Stampone asked if the shop will be open even during inclement weather events.

Mr. Mubarlat replied that he resides nearby and would be at his store.

Motion to adjourn: Sobaszek Second: Kogut

All yeas carried 5-0