

**NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN of a Meeting of the Zoning Board of Appeals of the Town of Lancaster to be held Thursday, August 13, 2020 at 7:00 P.M., Local Time, via teleconference. The items for consideration by the Zoning Board of Appeals at this meeting are:

1). The petition of Shaun Dimino, 95 Center Street, Depew, New York 14043 for three [3] variances for the purpose of constructing a pole barn on premises owned by the petitioner at 211 Pavement Road, Lancaster, New York, to wit:

A. A variance from the requirements of Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster. The area of the proposed pole barn is 1,800 square feet.

Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster limits the area of an accessory structure to 750 square feet. The petitioner, therefore, requests a 1,050 square foot accessory use area variance.

B. A variance from the requirements of Chapter 50, Zoning, Section 9D.(2) of the Code of the Town of Lancaster. The height of the proposed pole barn is twenty-one [21] feet.

Chapter 50, Zoning, Section 9D.(2) of the Code of the Town of Lancaster limits the height of accessory structures to sixteen [16] feet. The petitioner, therefore, requests a five [5] foot height variance.

C. A variance from the requirements of Chapter 50, Zoning, Section 9D.(1)(b) of the Code of the Town of Lancaster. The proposed location of the pole barn would result in a ten [10] foot south property line set back.

Chapter 50, Zoning, Section 9D.(1)(b) of the Code of the Town of Lancaster requires a fifteen [15] foot lot line set back. The petitioner, therefore, requests a five [5] foot property line set back variance.

2). The petition of Gregory Wener and Lucinda Kilbury, 15 Red Clover Lane, Lancaster, New York 14086 for one [1] variance for the purpose of installing a storage shed on premises owned by the petitioners at 15 Red Clover Lane, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10D.(1)(a) of the Code of the Town of Lancaster to permit construction of a storage shed eight [8] feet from an existing in-ground pool.

Chapter 50, Zoning, Section 10D.(1)(a) of the Code of the Town of Lancaster requires an accessory structure to be located ten [10] feet from any other structure. The petitioners, therefore, request a two [2] foot variance.

3). The petition of Michael Ferraraccio, 35 Pinegrove Court, Elma, New York 14059, for one [1] variance for the purpose of constructing a garage on premises owned by Caroline Lombardo at 730 Pavement Road, Lancaster, New York; to wit:

A variance from the requirements of Chapter 50, Zoning, Section 9D.(1)(b) of the Code of the Town of Lancaster. The proposed location of the garage will result in a ten [10] foot north yard property line set back.

Chapter 50, Zoning, Section 9D.(1)(b) of the Code of the Town of Lancaster requires a fifteen [15] foot property line set back. The petitioner, therefore, requests a five [5] foot north property line set back variance.

4). The petition of Krista Bojt, 5730 Broadway, Lancaster, New York 14086 for two [2] variances for the purpose of constructing an addition to an existing, nonconforming pole barn on premises owned by the petitioner at 5730 Broadway, Lancaster, New York, to wit:

A. A variance from the requirements of Chapter 50, Zoning, Section 10.D.(4) of the Code of the Town of Lancaster. The request is for a 480 square foot addition to an existing nonconforming, 1200 square foot pole barn, for a total of 1680 square feet.

Chapter 50, Zoning, Section 10.D.(4) of the Code of the Town of Lancaster limits the area of accessory structures to seven hundred and fifty [750] square feet. The petitioner, therefore, requests a 930 square foot variance.

B. A variance from the requirements of Chapter 50, Zoning, Section 10.D.(2) of the Code of the Town of Lancaster. The height of the existing nonconforming structure is nineteen [19] feet.

Chapter 50, Zoning, Section 10.D.(2) of the Code of the Town of Lancaster limits the height of accessory structures to sixteen [16] feet. The petitioner, therefore, requests a three [3] foot height variance.

5). The petition of Lancaster Peach, LLC, 570 Delaware Avenue, Buffalo, New York 14202 for one [1] variance for the purpose of installing pole and wall signs on premises owned by the petitioner at 4817 Transit Road, Depew, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(a) of the Code of the Town of Lancaster for the purpose of erecting pole and wall signs on the premises containing a total maximum face area of 564.74 square feet.

Chapter 50, Zoning, Section 30F.(2)(a) of the Code of the Town of Lancaster limits the total maximum face area of all signs on the premises to 240 square feet. The petitioner, therefore, requests a 324.74 square foot variance of the total maximum face area of all signs permitted on the premises.

6). The petition of Brad Refermat, 2 Squirrel Run, Lancaster, New York 14086 for one variance for the purpose of erecting a fence in a required front yard area on premises owned by the petitioner at 2 Squirrel Run, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50 Zoning, Section 35C. of the Code of the Town of Lancaster. The petitioner proposes to erect a six [6] foot high fence in a required front yard.

Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard area to three [3] feet in height. The petitioner, therefore, requests a three [3] foot fence height variance.

7). The petition of Daniel Frederick, 119 Avian Way, Lancaster, New York 14086 for one variance for the purpose of erecting a privacy fence in a required front yard area on premises owned by the petitioner at 119 Avian Way, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50 Zoning, Section 35C. of the Code of the Town of Lancaster. The petitioner proposes to erect a six [6] foot high fence in a required front yard.

Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard area to three [3] feet in height. The petitioner, therefore, requests a three [3] foot fence height variance.

8). The petition of Cindy Zappo, 44 Hillside Parkway, Lancaster, New York 14086 for one [1] variance for the purpose of installing a retaining wall and paved area in a public drainage easement on premises owned by the petitioner at 44 Hillside Parkway, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 17A.(5) of the Code of the Town of Lancaster. The petitioner requests the approval to install a retaining wall and paved area in a public drainage easement.

Chapter 50, Zoning, Section 17A.(5) of the Code of the Town of Lancaster prohibits all structures other than fencing within any drainage or access easement. The petitioner, therefore, requests a four [4] foot public drainage easement variance.

9). The petition of Eric Percy, 21 Stutzman Road, Lancaster, New York 14086 for two [2] variances for the purpose of constructing a pole barn on premises owned by the petitioner at 21 Stutzman Road, Lancaster, New York, to wit:

A. A variance from the requirements of Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster. The area of the proposed accessory structure is 1,152 square feet.

Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster limits the area of an accessory structure to 750 square feet. The petitioner, therefore, requests a 402 square foot accessory use area variance.

B. A variance from the requirements of Chapter 50, Zoning, Section 9D.(2) of the Code of the Town of Lancaster. The height of the proposed pole barn is nineteen [19] feet.

Chapter 50, Zoning, Section 9D.(2) of the Code of the Town of Lancaster limits the height of accessory structures to sixteen [16] feet. The petitioner, therefore, requests a three [3] foot height variance.

10). The petition of Donald D'Amato, 43 Greenmeadow Drive, Lancaster, New York 14086 for one [1] variance for the purpose of erecting an eight [8] foot high fence in the rear yard on premises owned by the petitioner at 43 Greenmeadow Drive, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 35A. of the Code of the Town of Lancaster. The height of the proposed fence is eight [8] feet.

Chapter 50, Zoning, Section 35A of the Code of the Town of Lancaster limits the maximum height of a fence in a residential district rear or side yard to six [6] feet in height. The petitioner, therefore, requests a two [2] foot fence height variance.

Signed

Diane M. Terranova, TOWN CLERK and
Clerk to Zoning Board of Appeals

Date: August 6, 2020