

**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, January 14, 2021 at 7:00 P.M., Local Time, via teleconference by calling 1-716-800-4267 and entering Pin #1232. The meeting will be recorded. The items for consideration by the Zoning Board of Appeals at this meeting are:

1). The petition of N.A.S. Sign Company, 1628 Elmwood Avenue, Buffalo, New York 14207 for two [2] variances for the purpose of constructing a ground sign on premises owned by WNY Plumbing, Inc. at 4425 Walden Avenue, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning Section 30F.(2)(c)[2][a] of the Code of the Town of Lancaster to permit a sign height of eight [8] feet, two [2] inches over finished grade.

Chapter 50, Zoning, Section 30F.(2)(c)[2][a] of the Code of the Town of Lancaster limits the height of a ground sign to four [4] feet above finished grade. The petitioner, therefore, requests a four [4] foot, two [2] inch ground sign height variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(c)[2][c] of the Code of the Town of Lancaster to permit the location of one ground sign six [6] inches from the front property line.

Chapter 50, Zoning, Section 30F.(2)(c)[2][c] of the Code of the Town of Lancaster requires that a ground sign be located at least fifteen [15] feet from a street right of way. The petitioner, therefore, requests a fourteen [14] foot, six [6] inch setback variance from the right of way.

2). The petition of Benderson Development Company, LLC, 570 Delaware Avenue, Buffalo, New York 14202 for three [3] variances for the purpose of installing an outside dining area with a twelve seat capacity on property owned by the petitioner located at 4931 Transit Road, Lancaster, New York; to wit:

- A. A variance from the requirements of Chapter 50, Zoning Section 19C.(3) of the Code of the Town of Lancaster to allow for an outside dining area one [1] foot, ten [10] inches from a side property line.

Chapter 50, Zoning, Section 19C.(3) of the Code of the Town of Lancaster requires a ten (10) foot side property line setback in a nonresidential district. The petitioner, therefore, requests an eight (8) foot, two [2] inch side property line setback variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 19C.(7) of the Code of the Town of Lancaster. The petitioner proposes an outside dining area.

Chapter 50, Zoning, Section 19C.(7) of the Code of the Town of Lancaster requires all principal and accessory uses be conducted within completely enclosed structures. The petitioner requests a variance to allow outside dining as an accessory use.

- C. A variance from the requirements of Chapter 50, Zoning, Section 28E.(1)(a)[3][f][i] of the Code of the Town of Lancaster to allow for no additional parking spaces.

Chapter 50, Zoning, Section 28E.(1)(a)[3][f][i] of the Code of the Town Of Lancaster requires four [4] additional parking spaces for an additional twelve [12] seat dining area. Variance relief granted on August 8, 2019 was for 158 total parking spaces. The petitioner, therefore, requests a variance to reduce the required parking spaces by four [4] spaces.

- 3). The petition of Richard Gaenzler, 4 Country Place, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a patio roof cover on premises owned by the petitioner at 4 Country Place, 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 patio roof cover eight [8] feet from an inground 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 petitioner, therefore, requests a two [2] foot variance.

- 4). The petition of Superior Pallets, Inc., 3981 Walden Avenue, Lancaster, New York 14086, for one variance for the purpose of processing pallet waste into mulch on premises owned by the petitioner at 3981 Walden Avenue, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 24C.(4) of the Code of the Town of Lancaster. The location of the proposed processing of pallet waste into mulch would be outside of an enclosed building.

Chapter 50, Zoning, Section 24C.(4) of the Code of the Town of Lancaster requires all manufacturing or processing activities be completely enclosed in buildings. The petitioner, therefore, requests a variance to allow processing of pallet waste outdoors.

Signed _____
Diane M. Terranova, TOWN CLERK and
Clerk to Zoning Board of Appeals
Date: January 7, 2021