

**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, July 14, 2022, at 7:00 P.M., Local Time, in the Town Board Chambers, in the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York. The meeting will be recorded. The items for consideration by the Zoning Board of Appeals at this meeting are:

- 1). The petition of Sandra Gandy, 705 Pavement Road, Lancaster, New York 14086 for one [1] variance for the purpose of installing a fence on premises owned by the petitioner at 705 Pavement Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 34, Subsection C of the Code of the Town of Lancaster. The request calls for installing a six [6] foot tall fence in a required front yard.

Chapter 400, Zoning, Section 34, Subsection C of the Code of the Town of Lancaster requires within nonindustrial districts, no fence or wall, other than a necessary retaining wall, over three [3] feet in height, shall extend into the front yard of any lot. The petitioner, therefore, requests a three [3] foot height variance.

- 2). The petition of Thomas O'Donnell, 19 Squirrel Run, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a shed on premises owned by the petitioner at 19 Squirrel Run, Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for constructing a shed twenty-four [24] feet from the Right of Way.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum location of an accessory structure of thirty-five [35] feet from the front lot line. The petitioner, therefore, requests an eleven [11] foot variance.

- 3). The petition of Lawrence Klenk, 5 Stream View Lane, Lancaster, New York 14086 for two [2] variances for the purpose of installing a shed on premises owned by the petitioner at 5 Stream View Lane, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for installing a shed ten [10] feet from the front property line.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum location of an accessory structure of thirty-five [35] feet from the front lot line. The petitioner, therefore, requests a twenty-five [25] foot variance.

- B. A variance from the requirements of Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for installing a shed ten [10] feet from the front property line.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires accessory buildings may not protrude into a front yard. The petitioner, therefore, requests a variance to allow an accessory structure within a required front yard.

4). The adjourned petition of Timothy Boyle, NOCO Express properties, LLC, 2101 St. Rita's Lane, Williamsville, New York 14221 for six [6] variances for the purpose of constructing a car wash facility on premises owned by the petitioner at 3620 Walden Avenue and 371 Central Avenue, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for a proposed lot size of .94 acres.

Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum lot area of one [1] acre. The petitioner, therefore, requests a .06-acre (= 2,613.6 square feet) variance.

- B. A variance from the requirements of Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for a ten [10] foot side yard setback abutting a residential district.

Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum side and rear yard for structures abutting a residential district of fifty [50] feet. The petitioner, therefore, requests a forty [40] foot variance.

- C. A variance from the requirements of Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for a ten [10] foot side yard setback abutting a non-residential district.

Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum side and rear yard for structures abutting a non-residential district of twenty-five [25] feet. The petitioner, therefore, requests a fifteen [15] foot variance.

- D. A variance from the requirements of Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for a parking area with a ten [10] foot, six [6] inch setback from the west lot line right of way of a dedicated street.

Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum yard for parking, loading and stacking areas from the right of way of a dedicated street of twenty [20] feet. The petitioner, therefore, requests a nine [9] foot, six [6] inch variance.

- E. A variance from the requirements of Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for a parking area with a ten [10] foot setback from the south lot line right of way of a dedicated street.

Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum yard for parking, loading and stacking areas from the right of way of a dedicated street of twenty [20] feet. The petitioner, therefore, requests a ten [10] foot variance.

- F. A variance from the requirements of Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for a parking area with a thirteen [13] foot, six [6] inch side yard setback abutting a residential district.

Chapter 400, Zoning, Section 18, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum side and rear yard for parking, loading and stacking areas abutting a residential district of twenty-five [25] feet. The petitioner, therefore, requests an eleven [11] foot, six [6] inch variance.

5). The adjourned petition of 4781 Transit Road, Inc., 4781 Transit Road, Depew, New York 14043 for three [3] variances for the purpose of a Site Plan Review application on premises owned by the petitioner at 4781 Transit Road, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 400, Zoning, Section 15, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for a building height of 45.42 feet.

Chapter 400, Zoning, Section 15, Subsection C, Schedule B of the Code of the Town of Lancaster requires a maximum building height for a principal structure of thirty-five [35] feet. The petitioner, therefore, requests a 10.42-foot height variance.

- B. A variance from the requirements of Chapter 400, Zoning, Section 15, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for a parking area setback of 12.42 feet.

Chapter 400, Zoning, Section 15, Subsection C, Schedule B of the Code of the Town of Lancaster requires the minimum side and rear yard for parking, loading and stacking areas abutting a nonresidential district of twenty-five [25] feet. The petitioner, therefore, requests a 12.58-foot setback variance.

- C. A variance from the requirements of Chapter 400, Zoning, Section 15, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for a separation distance between two primary structures of fifteen [15] feet.

Chapter 400, Zoning, Section 15, Subsection C, Schedule B of the Code of the Town of Lancaster requires the minimum distance between buildings for principal structures of thirty [30] feet. The petitioner, therefore, requests a fifteen [15] foot variance.

6). The petition of Mark Dean, Dean Architects, PLLC, 3284 Walden Avenue, Depew, New York 14043 for one [1] variance for the purpose of interior buildout project for a Real Estate Office on premises owned by Design Works, LLC, 3284 Walden Avenue, Depew, New York, at 473 Aurora Street, Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 28, Subsection E (1) (a) [4] [f] of the Code of the Town of Lancaster. The request calls for providing nine [9] parking spaces for a proposed Real Estate Office.

Chapter 400, Zoning, Section 28, Subsection E (1) (a) [4] [f] of the Code of the Town of Lancaster requires Real Estate offices to have the greater of eight [8] spaces or one and one half [1 ½] spaces per employee, which is twenty-three [23] spaces for this project. The petitioner, therefore, requests a fourteen [14] parking spaces variance.

Signed _____
Diane M. Terranova, TOWN CLERK and
Clerk to Zoning Board of Appeals
July 7, 2022