

**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 11, 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 Thomas Wierzbowski, 538 Lake Avenue, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a pole barn on premises owned by the petitioner at 538 Lake Avenue, 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 nine hundred sixty [960] square foot pole barn.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a maximum structure size of seven hundred fifty [750] square feet. The petitioner, therefore, requests a two hundred ten [210] square foot variance.

- 2). The petition of Lucas James, 43 Conrad Street, Depew, New York 14043, for one [1] variance for the purpose of creating a parcel within the AR District on premises owned by the petitioner at 0 William Street (S.B.L.#116.00-2-70), Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for creating a parcel within the AR District two hundred fifty [250] feet wide.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a minimum lot width of three hundred [300] feet if abutting a dedicated street. The petitioner, therefore, requests a fifty [50] foot variance.

- 3). The petition of Patricia Melancon, 729 Pleasant View Drive, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a wood deck on premises owned by the petitioner at 729 Pleasant View Drive, 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 real wood deck 2.41 feet from a side property line.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum side yard width for dwellings up to thirty-five [35] feet in height: each side yard the lesser of 10% of the lot width or ten [10] feet OR total side yard: the lesser of 25% of the lot width or twenty-five [25] feet. The petitioner, therefore, requests a 5.81-foot variance.

- 4). The petition of Michael Pokorski, 398 Stony Road, Lancaster, New York 14086, for one [1] variance for the purpose of constructing a pole barn on premises owned by the petitioner at 398 Stony Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for constructing a 1,848 square foot pole barn.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a maximum accessory structure of 1,250 square feet. The petitioner, therefore, requests a 598 square foot variance.

5). The petition of Kevin Sanford, 45 Pear Tree Lane, Lancaster, New York 14086 for three [3] variances for the purpose of installing an inground pool, a shed and a privacy fence on premises owned by the petitioner at 45 Pear Tree 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 an inground pool six [6] feet from a patio roof structure.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires an accessory structure to be a minimum of ten [10] feet from another structure. The petitioner, therefore, requests a four [4] 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 three [3] feet from a side property line.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires an accessory structure to be a minimum of five [5] feet from the side lot line. The petitioner, therefore, requests a two [2] foot variance.

- C. 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 privacy fence.

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 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 variance.

6). The petition of Paul Kuznik, 47 Heritage Drive, Lancaster, New York 14086 for one [1] variance for the purpose of adding a garage addition on premises owned by the petitioner at 47 Heritage Drive, 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 adding a garage addition five [5] feet from a side property line.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum side yard width for dwellings up to thirty-five [35] feet in height: each side yard the lesser of 10% of the lot width or ten [10] feet which equals seven and a half [7.5] feet. The petitioner, therefore, requests a two and a half-foot variance.

7). The petition of David Watson, 747 Erie Street, Lancaster, New York 14086, for three [3] variances for the purpose of constructing a pool house on premises owned by the petitioner at 747 Erie Street, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for constructing a 14' x 16' pool house, eight [8] feet from an inground pool.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a minimum location of an accessory structure from another structure of ten [10] feet. The petitioner, therefore, requests a two [2] foot variance.

- B. A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for constructing a 14' x 16' pool house, eight [8] feet from an existing shed.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a minimum location of an accessory structure from another structure of ten [10] feet. The petitioner, therefore, requests a two [2] foot variance.

- C. A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for constructing a 14' x 16' pool house, five [5] feet from a side lot line.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a minimum location of an accessory structure of fifteen [15] feet from the side lot line. The petitioner, therefore, requests a ten [10] foot variance.

- 8). The petition of Matthew Sydor, 318 Broezel Avenue, Lancaster, New York 14086, for one [1] variance for the purpose of installing a privacy fence on premises under contract to purchase by the petitioner at 45 Deerpath Drive, 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 privacy 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 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 variance.

- 9). The petition of Martin Szczublewski, 18 Sagebrush Lane, Lancaster, New York 14086 for one [1] variance for the purpose of installing a shed pad within a Public Drainage Easement on premises owned by the petitioner at 18 Sagebrush Lane, Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 14, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls installing a shed pad within a Public Drainage Easement.

Chapter 400, Zoning, Section 14, Subsection C, Schedule B of the Code of the Town of Lancaster requires no structures, other than fencing, be allowed within any drainage access easement. The petitioner, therefore, requests a two [2] foot Public Drainage Easement variance.

- 10). 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.

11). 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.

Signed _____
Diane M. Terranova, TOWN CLERK and
Clerk to Zoning Board of Appeals
August 4, 2022