

**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, February 14, 2019 at 7:00 P.M., Local Time, in the Town Board Chambers, in the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York. The items for consideration by the Zoning Board of Appeals at this meeting are:

1. The petition of Kasem Morshed, 400 Harris Hill Road, Williamsville, New York 14221 for two [2] variances for the purpose of constructing a pole barn on premises owned by the petitioner at 400 Harris Hill Road, Williamsville, 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 area of the proposed accessory structure is one thousand nine hundred and twenty [1,920] 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 fifty [750] square feet. The petitioner, therefore, requests a one thousand one hundred and seventy [1,170] 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 proposed accessory structure is twenty one [21] 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 five [5] foot height variance.

2. The petition of Brent Garner and Jeffrey Rowe, Great Lakes Coffee Roasters, Inc., 227 Thorn Avenue, Suite V, Orchard Park, New York 14127 for one [1] variance for the purpose of operating a Retail Business on premises owned by Scott Kolassa, 219 Gilman Road, Churchville, New York at 123 Stutzman Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 22, Subsection B of the Code of the Town of Lancaster. The request is to operate a retail business in a Residential Commercial Office (RCO) District.

Chapter 50, Zoning, Section 22, Subsection B of the Code of the Town of Lancaster does not permit a Retail Business in a Residential Commercial Office (RCO) District, therefore, the petitioners request a use variance to use the land in a manner not otherwise permitted by the zoning ordinance.

3. The petition of Michael Schiappa, Schiappa Wings, LLC., 2348 Wehrle Drive, Williamsville, New York for three [3] variances for the purpose of installing signage on two existing poles and on the premises owned by the petitioner at 6635 Transit Road Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(c)[3] of the Code of the Town of Lancaster. There are currently two [2] pole signs situated at the premises, the petitioner proposes to replace a sign face on a second pole sign.

Chapter 50, Zoning, Section 30F.(2)(c)[3] of the Code of the Town of Lancaster permits one [1] pole sign for each individual building in General Business (GB) Zoning. The petitioner, therefore, requests a variance to permit two [2] pole signs.

- B. A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(c)[3][e] of the Code of the Town of Lancaster. The total face area of the pole signs is one hundred and twenty [120] square feet.

Chapter 50, Zoning, Section 30F.(2)(c)[3][e] of the Code of the Town of Lancaster limits the total maximum face area of a pole sign to sixty-four [64] square feet. The petitioner, therefore, requests a fifty-six [56] square foot variance of the total maximum face area permitted for the pole signs.

- C. 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 signs on the premises containing a total maximum face area of two hundred and sixty-nine [269] 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 one hundred and twenty [120] square feet. The petitioner, therefore, requests a one hundred and forty nine [149] square foot variance of the total maximum face area of all signs permitted on the premises.

4. The petition of Robert Ostempowski, 31 Plumb Creek Trail, Lancaster, New York 14086 for one [1] variance for the purpose of installing a natural gas electric generator on the premises owned by the petitioner at 31 Plumb Creek Trail, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 17, Subsection A (4) of the Code of the Town of Lancaster. The generator will be positioned 3.98 feet from the east side property line.

Chapter 50, Zoning, Section 17, Subsection A (4) of the Code of the Town of Lancaster requires exterior heating or air-conditioning structures in a Residential District 1 [R-1] not be located within five feet of any lot line. Therefore, the petitioner requests a 1.02 foot variance.

Signed \_\_\_\_\_  
Diane M. Terranova, TOWN CLERK and  
Clerk to Zoning Board of Appeals  
Date: February 14, 2019