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**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, April 11, 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 Jason Gonzales, Owl Homes of Fredonia, 3752 East Main Street, Fredonia, New York 14063 for three variances for the purpose of constructing a single family house located on premises owned by Paul and Laura Connolly at 4841 William Street, Lancaster, New York; to wit:

- A. A variance from the requirements of Chapter 50, Zoning Section 32 of the Code of the Town of Lancaster. The front yard setback from the centerline of William Street is 84.36 feet.

Chapter 50, Zoning Section 32 of the Code of the Town of Lancaster requires a 90 foot front yard setback from the center line of William Street. The petitioner, therefore, requests a 5.64 foot front yard setback variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(b)[1] of the Code of the Town of Lancaster. The location of the proposed dwelling would result in a side yard setback of 6.55 feet.

Chapter 50, Zoning, Section 10C.(3)(b)[1] of the Code of the Town of Lancaster requires a seven [7] foot side yard setback. The petitioner, therefore, requests a side yard setback variance of 0.45 feet.

- C. A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(b)[1] of the Code of the Town of Lancaster. The total of both side yard setbacks is 13.39 feet.

Chapter 50, Zoning, Section 10C.(3)(b)[1] of the Code of the Town of Lancaster requires a fourteen [14] foot total side yard setback as granted through variance on July 12, 2018. The petitioner, therefore, requests a total side yard setback variance of 0.61 feet.

2). The petition of Jason Gonzales, Owl Homes of Fredonia, 3752 East Main Street, Fredonia, New York 14063 for one variance for the purpose of installing a deck on premises owned by Paul and Laura Connolly at 4841 William Street, Lancaster, New York; to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(b)[1] of the Code of the Town of Lancaster. The location of the proposed deck on the east side of the house would result in a side yard lot line setback of 2.75 feet.

Chapter 50, Zoning, Section 10C.(3)(b)[1] of the Code of the Town of Lancaster requires a seven [7] foot side yard lot line setback per the variance granted on July 12, 2018. The petitioner, therefore, requests a side yard lot line setback variance of 4.25 feet.

3). The petition of Derek and Melissa Fogarty, 656 Pleasantview Drive, Lancaster, New York 14086 for one [1] variance for the purpose of erecting a fence in a required front yard on premises owned by the petitioners at 656 Pleasantview Drive, 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 request calls for installing a four [4] 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 or an exterior side yard [considered a front yard equivalent] to three [3] feet in height. The petitioners, therefore, request a one [1] foot fence height variance.

4). The petition of David Szczesny, 28 Quail Hollow, Lancaster, New York 14086 for one [1] variances for the purpose of installing a shed in a public drainage easement on premises owned by the petitioner at 28 Quail Hollow, 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 ten [10] foot by fourteen [14] foot shed 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, six [6] inch public drainage easement variance.

5). The petition of Jake Nicometi and Debbie Over, 132 Belmont Avenue, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a deck on property owned by Debbie Over at 132 Belmont Avenue, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(c) of the Code of the Town of Lancaster. The proposed deck would be twenty-eight [28] feet from the rear property line.

Chapter 50, Zoning, Section 10C.(3)(c) of the Code of the Town of Lancaster requires a thirty-five [35] foot rear yard setback. The petitioners, therefore, request a seven [7] foot rear yard setback variance.

6). The tabled petition of 50 Freeman Road, LLC, represented by Sean Hopkins, Esq, 5500 Main Street, Williamsville, New York, for six [6] variances for the purpose of the demolition of an existing building and construction of a four story hotel at 50 Freeman Road, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 19C.(5) of the Code of the Town of Lancaster. The height of the proposed building is 50.83 feet.

Chapter 50, Zoning, Section 19C.(5) of the Code of the Town of Lancaster limits the building height to thirty-five [35] feet. The petitioner, therefore, requests a 15.83 foot height variance.

- B. A variance from the requirements of Chapter 50, Zoning Section 19C.(3) of the Code of the Town of Lancaster. The west side parking lot setback is 9.2 feet.

Chapter 50, Zoning, Section 19C.(3) of the Code of the Town of Lancaster requires a ten (10) foot parking lot set back. The petitioner, therefore, requests a 0.8 foot west side parking lot setback variance.

- C. A variance from the requirements of Chapter 50, Zoning Section 19C.(3) of the Code of the Town of Lancaster. The north side parking lot setback is 0 feet.

Chapter 50, Zoning, Section 19C.(3) of the Code of the Town of Lancaster requires a ten (10) foot parking lot set back. The petitioner, therefore, requests a ten [10] foot north side parking lot setback variance.

- D. A variance from the requirements of Chapter 50, Zoning Section 19C.(3) of the Code of the Town of Lancaster. The east side parking lot setback is 1.1 feet.

Chapter 50, Zoning, Section 19C.(3) of the Code of the Town of Lancaster requires a ten (10) foot parking lot setback. The petitioner, therefore, requests an 8.9 foot east side parking lot setback variance.

- E. A variance from the requirements of Chapter 50, Zoning Section 19C.(3) of the Code of the Town of Lancaster. The south side parking lot setback is ten [10] feet.

Chapter 50, Zoning, Section 19C.(3) of the Code of the Town of Lancaster requires a twenty five (25) foot parking lot set back from right-of-way of a dedicated street. The petitioner, therefore, requests a fifteen (15) foot south side parking lot setback variance.

- F. A variance from the requirements of Chapter 50, Zoning, Section 28G.(5) of the Code of the Town of Lancaster. The petitioner has no provision for a loading area.

Chapter 50, Zoning, Section 28G.(5) of the Code of the Town of Lancaster requires one [1] loading area. The petitioner, therefore, requests a variance for one [1] loading area.

Signed _____
Diane M. Terranova, TOWN CLERK and
Clerk to Zoning Board of Appeals
Date: April 11, 2019