

**AGENDA TOWN OF ORCHARD PARK – ZONING BOARD OF APPEALS**  
**AGENDA FOR July 20, 2021**

**MEMBERS:** Work Session starts at 6:30 P.M. (Members please be prompt.)

**NOTICE IS HEREBY GIVEN** that the Zoning Board of Appeals of the Town of Orchard Park, New York will hold a Public Hearing on **Tuesday, the 20th of July, 2021 at 7:00 P.M.** in the **Orchard Park Community Activity Center, 4520 California Road**, in said Town, in the matter of the following appeals:

**OLD BUSINESS**

1. ZBA File #12-21, InSite Real Estate Development Services, L.L.C. V/L Orchard Park Road Zoned B-2/A.O.D. (Part of Farm Lot 18, Township 10, Range 7; SBL #152.16-6-2.11). Tabled by the Board at their 5/18/21 meeting. Board to review a revised request for an Area Variance for a proposed grocery store building.

**NEW BUSINESS**

1. ZBA File #13-21, Spencer R. Davis, V/L at 6752 Scherff Road, Zoned A-1 (Part of Farm Lot 1, Township 9, Range 7; SBL#198.00-6-47). Requests (3) Area Variances for Site Plan Approval of a proposed single-family dwelling and pole barn. First, to permit a 2-story accessory building. An accessory building shall not exceed one story, §144-24A (1) (a). Second, to permit an accessory building which will create a dominating accessory use. Accessory use area shall not dominate principal use area, §144-5 terms defined. Third, to permit an accessory building within the front yard. No accessory structure shall be located within the front yard, §144-24A (1) (b).
2. ZBA File #15-21, Raymond Miranda, 4956/4968 Chestnut Ridge Road, Zoned B-2 (Part of Farm Lot 13, Township 9, Range 7; SBL#’s 172.20-1-17 & 172.20-1-16). Applicant is appealing the Zoning Officer’s determination that the site is in the Architectural Overlay District (AOD). If the ZBA determines that the site is in the AOD, the Applicant requests a variance to allow a drive-through window at the proposed restaurant. Drive-through windows are prohibited in the AOD, §144-75Q.
3. ZBA File #16-21, Larry Broad, V/L Westview Place, Zoned R-3, Part of Farm Lot 23, Township 9, Range 7; SBL #172.08-4-38). Requests an Area Variance to construct a single-family dwelling on a lot which does not have minimum access along a dedicated street length. The stub end of a street shall not be considered a portion of the street length, §144-22B.
4. ZBA File #17-21, Norm Marshall, 6095 Newton Road, Zoned A-1 (Part of Farm Lot 19, Township 9, Range 7; SBL#184.00-4-15). Requests an Area Variance to construct a detached garage with an 11-ft. side & rear setback. Minimum side & rear setback for this A-1 Lot is 20-ft., §144-9B, Schedule of Height, Lot, Yard & Bulk Regulations.
5. ZBA File #18-21, Orchard Park Veterinary Medical Center, V/L Windward Road, Zoned I-1, (Part of Farm Lot 27, Township 10, Range 9; SBL#152.19-1-29.111). Requests (2) Area Variances for a proposed medical office project. First, to allow vehicle parking in the front yard. Vehicle parking is prohibited in the front yard in this I-1 Zone, §144-29A (4). Second, to construct a 1,250-sq.ft. maintenance building at this site. Maximum size of an accessory structure building in this I-1 Zone is 240-Sq.ft., §144-24B.
6. ZBA File #19-21, Jim Di Martino, 2905 Angle Road, Zoned R-3. Requests an Area Variance to construct an addition to a detached garage with a 5-ft. side setback. (SBL#153.07-2-10.2) Minimum side setback for this R-3 lot is 6-ft., §144-20A (2).

THE PETITIONER OR AN AUTHORIZED REPRESENTATIVE MUST ACCOMPANY EVERY PRESENTATION. ALL PERSONS CONCERNED WITH OR INTERESTED IN THE ABOVE APPEALS WILL BE GIVEN THE OPPORTUNITY TO BE HEARD AT THIS PUBLIC HEARING.

Dated: June 23, 2021  
Orchard Park, New York

Lauren Kaczor, Chairwoman  
Zoning Board of Appeals