

TOWN OF ORCHARD PARK – ZONING BOARD OF APPEALS

AGENDA FOR NOVEMBER 15, 2022

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 15th of November, 2022 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:

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

OLD BUSINESS

1. ZBA File #26-22, Dollar General, 6017 Big Tree Rd., Zoned B-2, SBL#s 172.08-4-5 and 172.08-4-4, (Part of Farm Lot 23, Township 9, Range 7). Requests an Area Variance for 16 fewer car spaces than the 53.2 spaces required. *Retail or mercantile establishments, stores or service shops: one off-street parking space for each 200 square feet of floor area, exclusive of parking areas provided for employees on the same premises. Additional off-street parking may be required by the Town Board in the case of shopping centers on sites of two acres or more, §144-29A(3)(c).* This item was tabled at the October 18, 2022 ZBA meeting.

NEW BUSINESS

1. ZBA File #27-22, Daniel Patti, V/L Webster Rd., Zoned B-2, SBL# 161.09-3-8.11, (Part of Farm Lot 40, Township 9, Range 7). Requests a Use Variance to park vehicles during stadium events. *On any Erie County Football Stadium activity date, the property owners in any B-2 or I-1 Zone within the one-mile radius described above may permit parking for compensation, providing they have obtained a commercial parking permit from the Town of Orchard Park, §144-12(B). Only parking lots in existence on May 3, 2017, are allowed hereunder, and all others are specifically prohibited, §144-12(C)*
2. ZBA File #28-22, Elizabeth Callahan, 10 Braunview Way, Zoned R-1, SBL# 162.15-4-8, (Sub Lot 26, Map Cover 2496). Requests an Area Variance to construct a 1 car addition with mudroom 8.75 feet from the side lot line. *Minimum side setback for structures in R-1 Zone is 15 feet, §144 Attachment 14:1 Height, Lot, Yard, and Bulk Regulations.*
3. ZBA File #29-22, Benderson Development Co.,LLC, 3507-3519 North Buffalo Rd., Zoned B-3, SBL#'s 161.08-2-1 & 161.08-2-21.1, (Farm Lot 14, Township 10, Range 7). Requests 2 Area Variances to construct a medical office building on a corner lot with a 25 foot setback at each street right of way line. *Minimum front setback in a B-3 Zone is 50 feet, §144 Attachment 14:1 & 15:1. Minimum side yard setback facing a street, Side yard of corner lot. The side yard of any corner lot of record at the time of adoption of this chapter shall have a width equal to the required minimum front yard setback of any adjoining lot fronting on the side street; provided, however, that the side yard of any corner lot in a B-1 or B-2 Commercial District shall have a minimum width of 10 feet where the front of the building on said lot is set back at least 300 feet from the intersecting or intercepting streets, §144-22(H).*

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: 10/21/2022
Orchard Park, New York

Lauren Kaczor, Chairwoman
Zoning Board of Appeals