

# TOWN OF ORCHARD PARK – ZONING BOARD OF APPEALS

## AGENDA FOR JULY 18, 2023

**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 18th of July, 2023 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 6:00 P.M. (Members please be prompt.)*

### NEW BUISINESS

1. ZBA File# 19-23, Edward Hinman, 6162 Abbott Road, Zoned A-1, SBL# 196.02-3-5, (Part of Lot 35, Township 9, Range 7). Requests an Area Variance to construct a 64 foot by 40 foot garage type barn that exceeds the footprint of the house by 887 square feet. *A use customarily incidental and subordinate to the main use or building and located on the same lot therewith. In no case shall such "accessory use" dominate, in area, extent or purpose, the principal lawful use or building, except that vehicle parking areas may be larger than building area, §144-5 Accessory use terms defined.*
2. ZBA File# 20-23, Mark Williams, 39 Golden Crescent Way, Zoned R-3, SBL# 161.15-1-30, (Sub lot 13, Map Cover 3472). Requests an Area Variance to have a 16 foot x 12 foot storage building 5 feet from the side lot line. *Minimum side yard setback in an R-3 Zone is 15 feet, §144 Attachment 15 Schedule of Height, Lot, Yard, and Bulk Regulations.*
3. ZBA File# 21-23, Ellicott Development, 4297 Abbott Road, Zoned B-2, SBL# 172.05-1-1.1 (Part of Farm Lot 39, Township 9, Range 7). Requests 2 Area Variances. The first Variance is for the entranceway of the automotive service station to be 87.75 feet to the nearest residential zone. *Location of exits and entrances. No automotive service station shall have an entrance or exit for vehicles within 300 feet, as measured along the right-of-way, of an existing school, public playground, church, chapel, convent, hospital, public library or any residential district. Such access shall be not closer to any intersection than 30 feet, §144-29C(2).* The second Variance is for front yard parking. *Vehicle parking shall be prohibited in the front yard of B Commercial or in any area set forward of a building when the majority of the building front is at a greater setback than the front line of the building, §144-29A(4).*
4. ZBA File# 23-23, Thomas Mahoney, 25 Grandview Trail, Zoned A-1, SBL# 185.17-1-9, (Sub lot 9, Map Cover 2723). Requests an Area Variance to construct a two (2) story 24 foot by 40 foot addition to the back of the house with an 85 foot rear setback. *Minimum rear setback in an A-1 Zone is 100 feet, §144 Attachment 15 Schedule of Height, Lot, Yard, and Bulk Regulations.*
5. ZBA File# 24-23, Kaytlyn & Tanner Gentry, 3950 North Freeman Road, Zoned R-2, SBL# 162.13-3-3, (Part of Farm Lot 8, Township 9, Range 7). Requests an Area Variance for their shed to be 4 feet off the side lot line. *Minimum side setback in an R-2 Zone is 10 feet, § 144 Attachment 14 Schedule of Height, Lot, Yard, and Bulk Regulations, Applicant has a legal non-conforming lot that allows a 9 foot side setback, §144-20A(2).*
6. ZBA File# 25-23, Robert Wenyewicz, 26 Hilltowne Drive, Zoned R-2, SBL# 172.19-1-7, (Sub lot 6, Map Cover 2940). Requests an Area Variance to construct a patio roof 6 feet horizontal distance from the roof vertical drop line to the edge of the pool. *No swimming pool shall be located closer than 10 feet to any building, §144-30-C(6)(c).*
7. ZBA File# 26-23, Joseph Tasker, 60 Stoughton Lane, Zone R-1, SBL# 162.15-5-42, (Sub lot 43, Map Cover 2870). Requests an Area Variance to construct a patio roof 8 feet horizontal distance from the roof vertical drop line to the edge of the pool. *No swimming pool shall be located closer than 10 feet to any building, §144-30-C(6)(c).*
8. ZBA File# 27-23, Phillip Kaczmarek, 101 Autumn Lane, Zoned R-2, SBL# 184.06-1-34, (Sub lot 34, Map Cover 3907). Requests an Area Variance to install a shed 10 feet from the side lot line. *Minimum side yard setback in an R-2 zone is 15 feet, §144 Attachment 15 Schedule of Height, Lot, Yard and Bulk Regulations.*

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: 6/23/2023  
Orchard Park, New York

Lauren Kaczor Rodo, Chairwoman  
Zoning Board of Appeals