



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

October 10, 2023

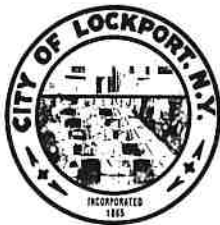
Megan Brewer

AGENDA

Please be advised that there are (3) three items on the agenda for the regularly scheduled Zoning Board of Appeals Meeting, Tuesday, October 24, 2023 at 5 P.M.

1. Hana Snow. 485 Hawley Street. Request to install a driveway on the north side of the house situated in an R-1 Zone. (Area-driveway encroaching the front corner of the house)
2. Clinton Lopez. 420 Walnut Street. Request to erect an 18.5' x 11' storage shed in the rear yad situated in an R-1 Zone. (Area-lot coverage 23.1%)
3. Richard Rockwood. 49 O'Brien Drive. Request to remove the existing canvas awning on the rear of the house and erect a 26' x 22' roof covering over the existing patio situated in an R-1 Zone. (Area-lot coverage 22.5%)

***IF YOU CANNOT ATTEND THIS MEETING, PLEASE CONTACT MEGAN AT 439-6754 or
mbrewer@lockportny.gov ***



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NOTICE OF PUBLIC HEARING

Case No. 2309

October 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 485 Hawley Street, Lockport, New York, had been filed by Hana Snow.

The request is for a variance to install a driveway on the north side of the house situated in an R-2 Zone.

Approval of the permit application was denied or withheld because the driveway will encroach the front corner of the house.

The City of Lockport Zoning Ordinance Section 190-93 (c) states that paving the area which fronts the front line of a building in a residential area or restricted locations is prohibited.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday October 24, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

for

 USE VARIANCE

COUNTY TAX MAP IDENTIFICATION NUMBER:

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

Helin Kwaka (1945-2023) had a driveway, did not use due to no car, stone driveway, grass grown in.

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

dig out original driveway and replace with new one

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

there is no driveway anymore, leaving us to park on the streets

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

the driveway will be in the property lines as the original was

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- ☒ \$150 application fee (cash or checks payable to the City of Lockport)
- ☐ Detailed site plan (10 copies)
- ☐ Photographs of existing conditions
- ☒ Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.



Signature (Applicant)

9/26/23

Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

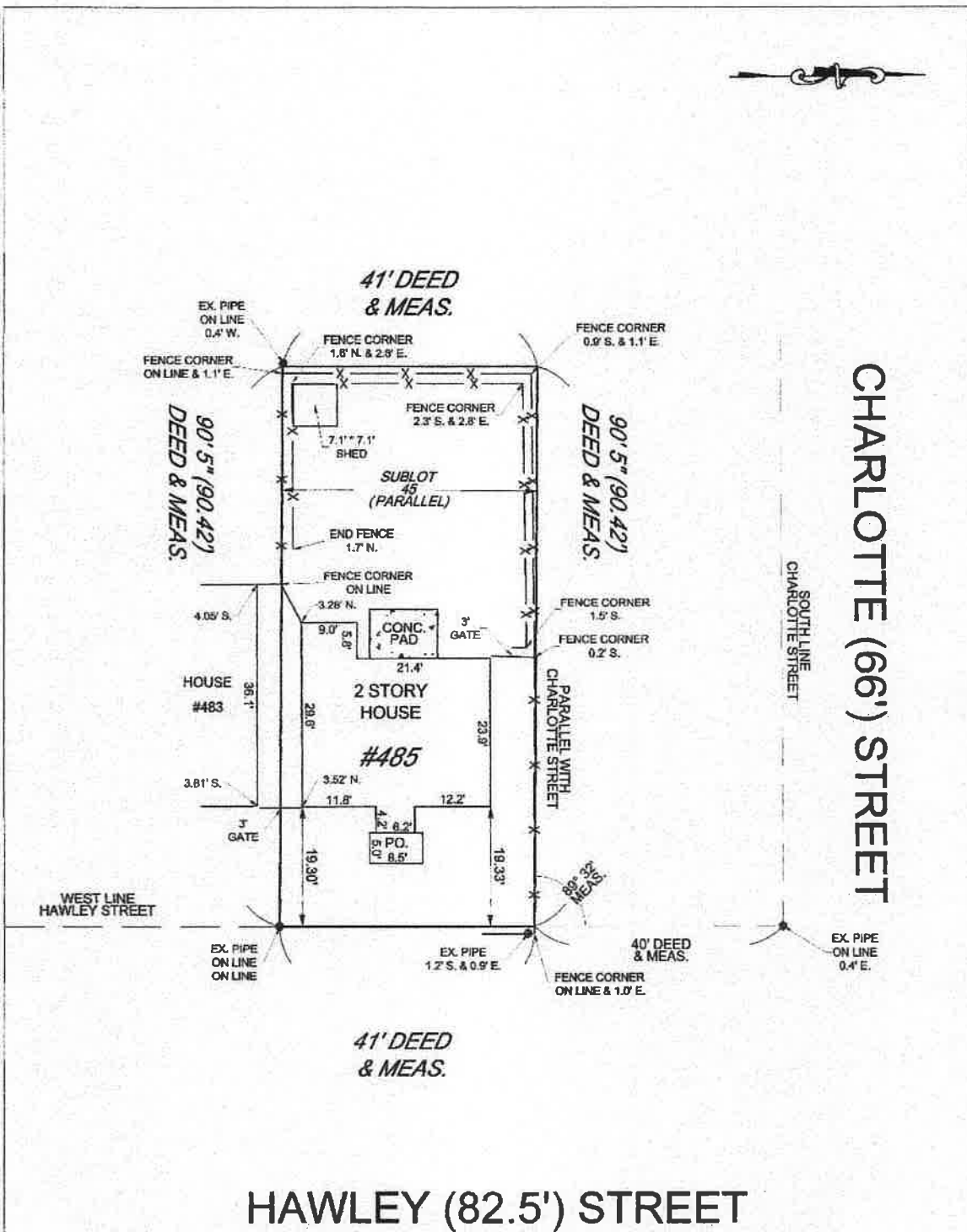
Signature (Owner)

Date

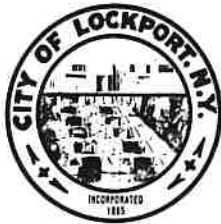
Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 5:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.





<p>SURVEY REQUESTED BY GEORGE & KOENIG, PLLC</p> <p>LANDS DESCRIBED IN INSTRUMENT No. 2014-00207</p>		<p>NOTES:</p> <p>1) This survey is subject to easements and right of way of record.</p> <p>2) Measurements made to the siding of the building.</p> <p>3) This survey was completed without the benefit of an updated title report and is subject to the facts contained therein.</p>
<p><small>*Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.*</small></p> <p><small>*Only copies from the original survey map marked with an original of the land surveyor's embossed seal and signature shall be considered to be valid true copies.*</small></p>		<p>NORTHEAST TOWER SURVEYING, INC. 140 WEST MAPLEMERE ROAD WILLIAMSVILLE, NEW YORK 14221 PHONE: 716-444-6108 EMAIL: mrozeski@gmail.com SCALE 1" = 20' AREA = 0.09 ACRES +/- FIELD SURVEY DATE: JULY 24, 2023 OFFICE SURVEY DATE: JULY 31, 2023 JOB NO.: 23S-02-024 REVISION:</p>
<p>PART OF THE HOLLAND LAND COMPANY'S SURVEY: LOT 60 SEC. — TWP. 14 RANGE 7 CITY OF LOCKPORT NIAGARA COUNTY, NEW YORK TAX MAP NO.: 109.09-1-11</p>		
<p>MAP BOOK: 10 MAP PAGE: 988 SUBLOT: PORTION OF 45 DRAWN: mdr</p>		



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NOTICE OF PUBLIC HEARING

Case No. 2310

October 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 420 Walnut Street, Lockport, New York, had been filed by Clint Lopez.

The request is for a variance to erect a 18.5' x 11' storage shed in the rear yard situated in an R-1 Zone.

Approval of the permit application was denied or withheld because the shed installation will increase the lot coverage to 23.1%

The City of Lockport Zoning Ordinance allows a maximum 20% lot coverage in an R-1 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday October 24, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

CITY OF LOCKPORT, NEW YORK ZONING BOARD OF APPEALS APPLICATION

X AREA VARIANCE

_____ USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 420 Walnut St

APPLICANT INFORMATION

NAME: Clinton Lopez ADDRESS: 420 Walnut St
 PHONE: 716-523-2302 Lockport New York 14094
CITY STATE ZIP
 FAX: N/A E-MAIL: clopez12985@gmail.com

OWNER INFORMATION

NAME: Clinton Lopez ADDRESS: 420 Walnut St
 PHONE: 716-523-2302 Lockport NY 14094
CITY STATE ZIP
 FAX: N/A E-MAIL: clopez12985@gmail.com

RELATIONSHIP OF APPLICANT TO PROPERTY:

____ CONTRACT PURCHASER ____ CONTRACTOR X OTHER
 ____ ARCHITECT/ ENGINEER ____ LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____
 FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____
 ZONING: _____ FEE TRANSMITTAL DATE: _____
 AGENDA DATE: _____ DEADLINE DATE: _____
 COUNTY TAX MAP IDENTIFICATION NUMBER: _____

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

Built in 1860. Prior to purchase in 12/2017, Stone Water Enterprise owned and rented property to myself

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

Installation of a Storage shed to use as a lockable building to store private property from being stolen

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

Property currently does not have a viable place for extra storage that is secure from theft.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

Adding shed to property will not negatively alter the character of the neighborhood because I will be able to store objects out of site which would otherwise be stored outside visible to anyone. It will also not impact adjacent properties on Walnut due to an 8ft vinyl fence dividing the properties

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

___ \$150 application fee (cash or checks payable to the City of Lockport)

___ Detailed site plan (10 copies)

___ Photographs of existing conditions

___ Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.


Signature (Applicant)

10/4/23
Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

Signature (Owner)

Date

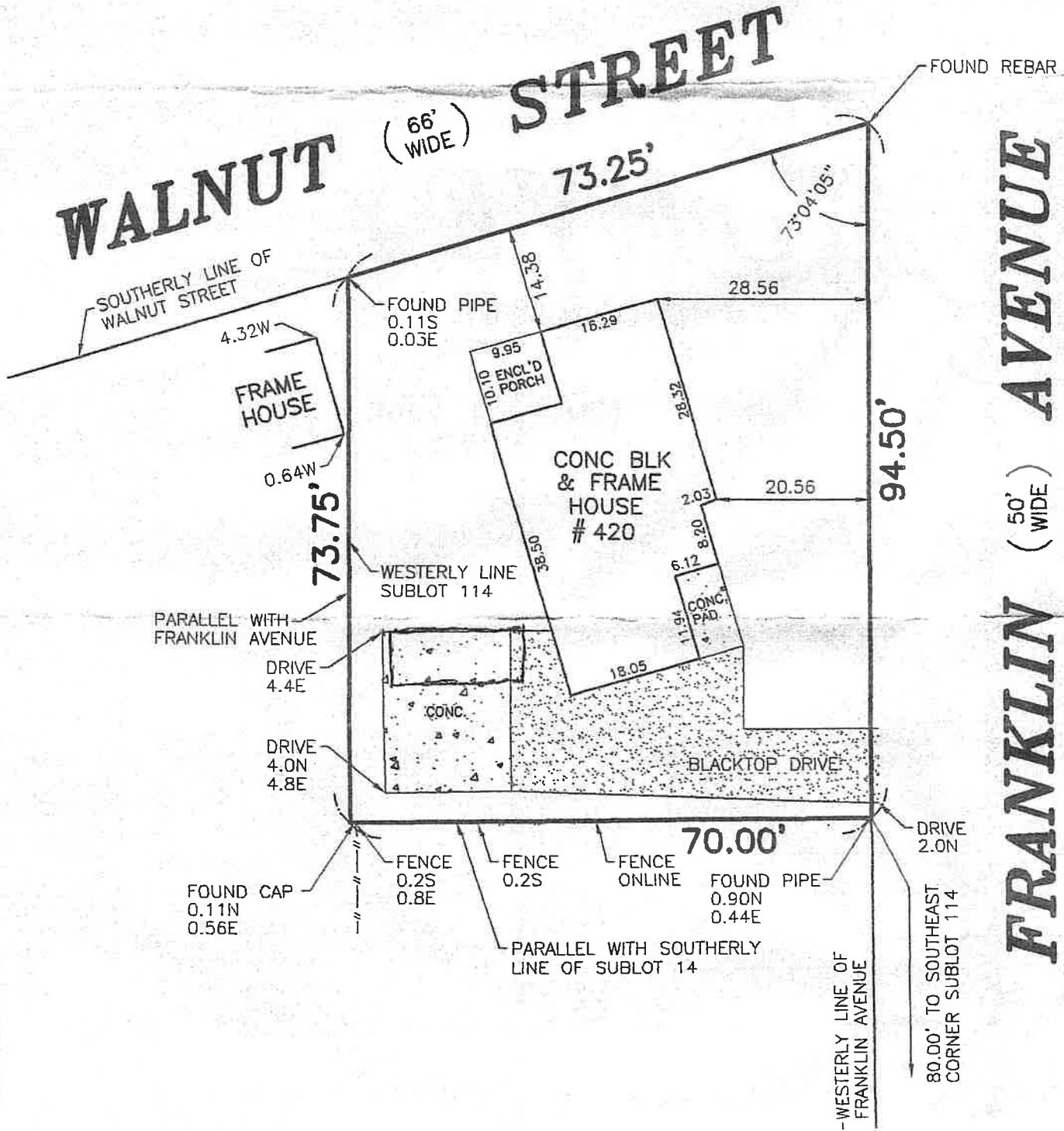
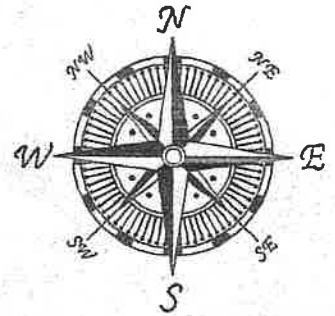
Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 6:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.



Feet	Inches
0.08	1 inch
0.17	2"
0.25	3"
0.33	4"
0.42	5"
0.50	6"
0.58	7"
0.67	8"
0.75	9"
0.83	10"
0.92	11"
1.00	12"

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



SURVEY

IMPORTANT DOCUMENT SAVE

STEVE A. CARVER PLS.

LAND SURVEY SERVICES

6879 WARD ROAD, NIAGARA FALLS NY 14304

TEL. 716-525-1250 FAX 716-525-1275

CELL 716-361-2939 EMAIL CARVERSURVEY@GMAIL.COM

LOCATION: CITY OF LOCKPORT		MAP COVER: 225		JOB NO.: 17-3088	
COUNTY OF NIAGARA, STATE OF NEW YORK		SUBLOT(S): PART OF 114		DRAWN BY: J. HARTWELL	
PART OF LOT 6, SECTION 14, TOWNSHIP 14, RANGE 6		DATE: AUGUST 28, 2017		CHECKED BY: S. CARVER	
OF THE HOLLAND LAND COMPANY'S SURVEY		REVISIONS:			
REVISED 11/2/17					
STEVE A. CARVER PLS.					
LAND SURVEY SERVICES					
6879 WARD ROAD, NIAGARA FALLS NY 14304					
TEL. 716-525-1250 FAX 716-525-1275					
CELL 716-361-2939 EMAIL CARVERSURVEY@GMAIL.COM					
<small>Unauthorized alteration or addition to any survey, drawing, design, specification, plan or report is a violation of Section 7209, Provision 2 of the New York State Education Law. Only copies from the original of this survey map marked with an original of the land surveyor's embossed seal and signature shall be considered to be valid true copies.</small>					
<small>Copyright: Steve A. Carver PLS., all rights reserved. No portion of this drawing may be reproduced, stored or transmitted by any means without prior written permission of the surveyor. This survey is a report of the findings in the field and is not a guarantee of title. This survey is null and void with an affidavit of no change.</small>					

FILED IN N.C.O. IN BOOK 13 PAGE 34
NOW FILED IN N.C.O. IN BOOK 11 OF MICROFILMED
MAPS PAGE 1025



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2311

October 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 49 O'Brien Drive, Lockport, New York, had been filed by Richard Rockwood.

The request is for a variance to remove the existing canvas awning on the rear of the house and erect a 26' x 22' roof covering over the existing patio situated in an R-1 Zone.

Approval of the permit application was denied or withheld because the roof covering will increase the lot coverage to 22.5%

The City of Lockport Zoning Ordinance allows a maximum 20% lot coverage in an R-1 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday October 24, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

**CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION**

_____ **AREA VARIANCE**

_____ **USE VARIANCE**

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 49 O'Brien Drive

APPLICANT INFORMATION

NAME: Richard Rockwood ADDRESS: 5509 Forest Hill Rd.

PHONE: 716-622-1888 Lockport NY 14094

FAX: _____ E-MAIL: rick@rjr improvements inc. com

OWNER INFORMATION

NAME: Edward Sandell ADDRESS: 49 O'Brien Drive

PHONE: 716-807-8161 Lockport NY 14094

FAX: _____ E-MAIL: rsandell@lockportschools.net

RELATIONSHIP OF APPLICANT TO PROPERTY:

_____ CONTRACT PURCHASER ☒ CONTRACTOR _____ OTHER

_____ ARCHITECT/ ENGINEER _____ LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____

FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____

ZONING: _____ FEE TRANSMITTAL DATE: _____

AGENDA DATE: _____ DEADLINE DATE: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

Residential home built in 1991. Recently purchased by the Sandells.

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

- Enlarge existing Kitchen with an 18x3 addition.

- Build 26x22 roof over existing patio (currently has an awning)

~ Hours: 150-250 total, 2 employees

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a use variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

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DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

They would like a solid structure over their patio to prevent weather and sun to protect the existing brick patio and make the outdoor space more useable.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

This roof structure will not impact any sightlines.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

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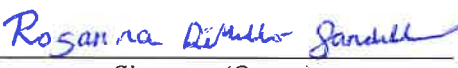
Signature (Applicant)

10/6/2023

Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.



Signature (Owner)

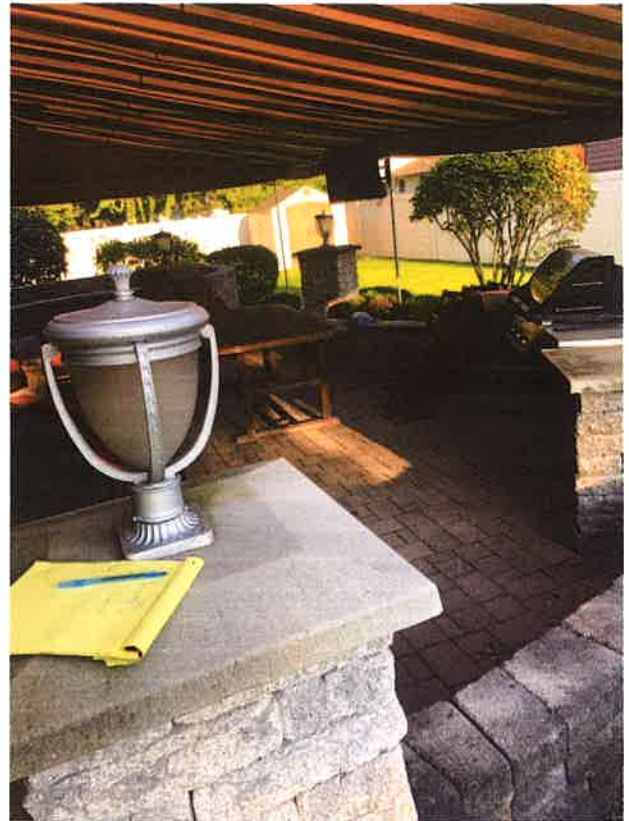
OCT 6, 2023

Date

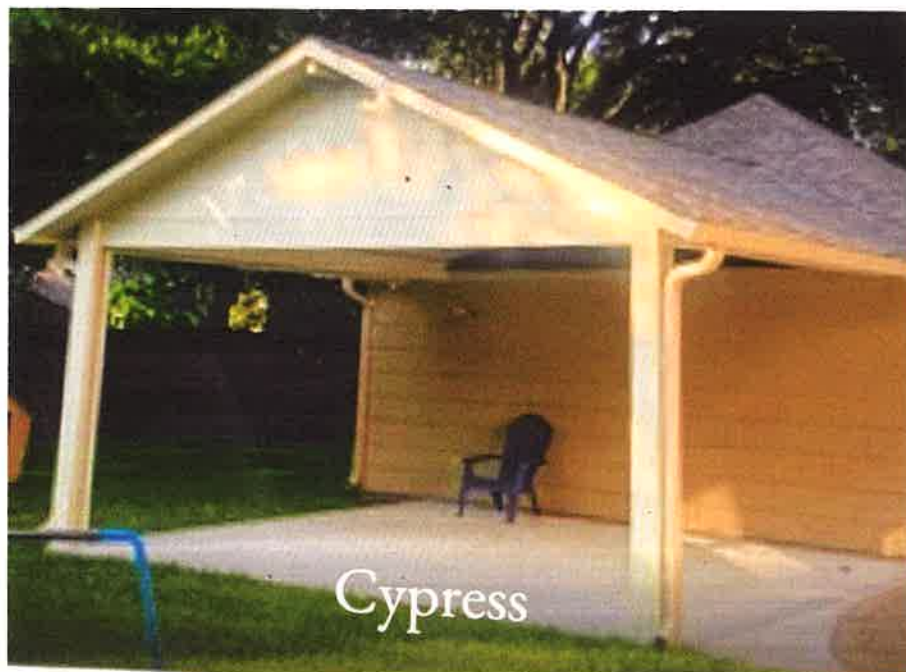
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Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.

Current Conditions:



Proposed Elevation:





SCALE: 1" = 30'-0"

[illegible]

PROJECT TITLE:	ENGINEERING DESIGN FOR 26'x22' PATIO ROOF COVER SANDWELL RESIDENCE, 49 O'BRIEN DRIVE, CITY OF LOCKPORT
CLIENT:	RJR IMPROVEMENTS, INC. 5509 FOREST HILL ROAD LOCKPORT, NY 14094
DRAWING TITLE:	SITE PLAN

APEX CONSULTING
SURVEY & ENGINEERING SERVICES, P.C.
 SURVEYING • ENGINEERING • LANDSCAPE ARCHITECTURE
 102 EAST AVENUE, LOCKPORT, NEW YORK 14094
 Phone: (716) 439-0188 FAX: (716) 439-0189

ANY UNAUTHORIZED ALTERATION OR ADDITION OF THIS DRAWING / DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW	DATE:	10/05/23
	SCALE:	AS NOTED
	PROJECT NO.:	23-131
	DRAWN BY:	SUF