



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

November 14, 2023

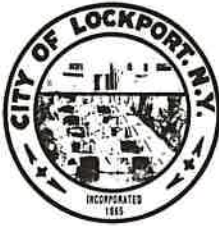
Megan Brewer

AGENDA

Please be advised that there are (3) three items on the agenda for the regularly scheduled Zoning Board of Appeals Meeting, Tuesday, November 28, 2023 at 5 P.M.

1. Samantha Conley. 291 Prospect Street. Request to have a retail stand on the property situated in an R-2 Zone. (Use-retail)
2. Vincent Brege. 81 Minard Street. Request to erect a 15' x 12' roof structure on the west side of the house situated in an R-2 Zone. (area-0' west line)
3. James Sparks. 113 Passaic Avenue. Request to erect two two-unit dwelling situated in an R-2 Zone. (Use-two primary structures)

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



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. 2312

November 14, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 291 Prospect Street, Lockport, New York, had been filed by Samantha Conley.

The request is for a variance to have a retail stand on the property situated in an R-2 Zone.

Approval of the permit application was denied or withheld because retail is not a permitted use in an R-2 Zone.

The City of Lockport Zoning Ordinance allows retail in B-2 and B-3 Zones.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday November 28, 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

Stand

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

 AREA VARIANCE

 X 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: 291 prospect st.

APPLICANT INFORMATION

NAME: Samantha Conley ADDRESS: 291 prospect st.

PHONE: 585 356 5199 Lockport NY 14094
CITY STATE ZIP

FAX: _____ E-MAIL: Samcon014@gmail.com

OWNER INFORMATION

NAME: Samantha Conley ADDRESS: 291 prospect st

PHONE: 585 356 5199 Lockport NY 14094
CITY STATE ZIP

FAX: _____ E-MAIL: _____

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.)

Property was built in 1822 (July 13) interiors on each floor have been ^{updated} ~~modernized~~ / modernized since I've resided. the house has since been split into apartments, mine being on the first floor.

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

I will intend to sell eggs, baked goods (such as bread, pies, muffins, etc.), and produce from my private garden in my backyard. Hours per week will most likely be 415 hours per day. There will be no employees, only myself. Hours per day a week will total to be about 28-30 hours.

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 should be no restrictions of surrounding property.
My stand features pine wood used from pallets, weather treated, primed and painted. It has a tin roof and stained table tops. there are some personable decor (such as flower pots, harvesting baskets, local vintage milk glasses, along with my miniature fridge to hold cold items. the conditions of the stand are like new and will pass rules and regulations.

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

This stand will not alter the character of the larger neighborhood or impact adjacent properties bc it will be built up to code as well as follow city rules and regulations before I start any sales. Im hoping it will make only a positive impact (Ex: helping the neighborhood/families in need if necessary.)

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)

9/15/23

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)

9/15/23

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.



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. 2313

November 14, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 81 Minard Street, Lockport, New York, had been filed by Vincent Brege.

The request is for a variance to erect a 15' x 12' roof structure on the west side of the house situated in an R-2 Zone.

Approval of the permit application was denied or withheld because the roof structure will be located on the west property line.

The City of Lockport Zoning Ordinance requires a minimum 10' side yard setback in an R-2 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday November 28, 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: 81 MINARD St Lockport

APPLICANT INFORMATION

NAME: Vincent Brege ADDRESS: 81 MINARD St
PHONE: (716) 334-2188 Lockport NY 14094
FAX: _____ E-MAIL: Vincebrege @ Gmail .com
CITY STATE ZIP

OWNER INFORMATION

NAME: Ashlee Dodd ADDRESS: 293 Prospect St
PHONE: 585 356-0617 Lockport NY 14094
FAX: _____ E-MAIL: _____
CITY STATE ZIP

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.)

Flip house that I moved into

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

To cover small area with a roof to protect and get some stuff out of the weather. As my yard is not big enough for an actual garage.

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)

The property is not big nor wide and just looking to install a cover over small area of driveway. To have cover for bike and other outdoor stuff

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

Its only a lean too 4 post in ground & actually a clear roofing panels so I don't lose any light.

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)

10-27-23
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)

11-9-23
10-27-23
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.

TAX #109.17-2-25
N/F PATRICK J. WRIGHT, Jr
#83 MINARD ST

TAX #109.17-2-24
#81 MINARD ST
L 2017 D.P.G. 16173

AREA:
4,047.84± SQ. FT.
=0.0929± ACRES

TAX #109.17-
N/F MARY JO N.
#79 MINARD

44.00' TO
WEST LINE OF
AMELIA ST

MINARD STREET
(66.00' WIDE R.O.W.)

(66.00' WIDE R.O.W.)

REFERENCES:

1. LIBER 2017 OF DEEDS, PAGE 16173.
2. MICRO BOOK/PLAT 11, PAGE 1006.
3. MAP 10, PAGE 960.

WE, ARROWPOINT LAND SURVEYORS CERTIFY TO THE PARTIES LISTED BELOW THAT THIS MAP WAS PREPARED USING THE REFERENCE MATERIALS LISTED HEREON AND THE NOTES OF AN INSTRUMENT SURVEY, PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, COMPLETED OCTOBER 24, 2018.

CERTIFICATIONS ON THIS BOUNDARY SURVEY S^c WAS PREPARED IN ACCORDANCE WITH THE CU OF PRACTICE FOR LAND SURVEYS ADOPTED BY ASSOCIATION OF PROFESSIONAL LAND SURVEY. CERTIFICATION IS LIMITED TO PERSONS FOR W SURVEY MAP IS PREPARED, TO THE TITLE COM GOVERNMENTAL AGENCY, AND TO THE LENDING THIS BOUNDARY SURVEY MAP. THE CERTIFICAT TRANSFERABLE.

©2018 AVERY COX LAND SURVEYING, D.P.C. /



INSTRUMENT

LANDS OF

← 15 →

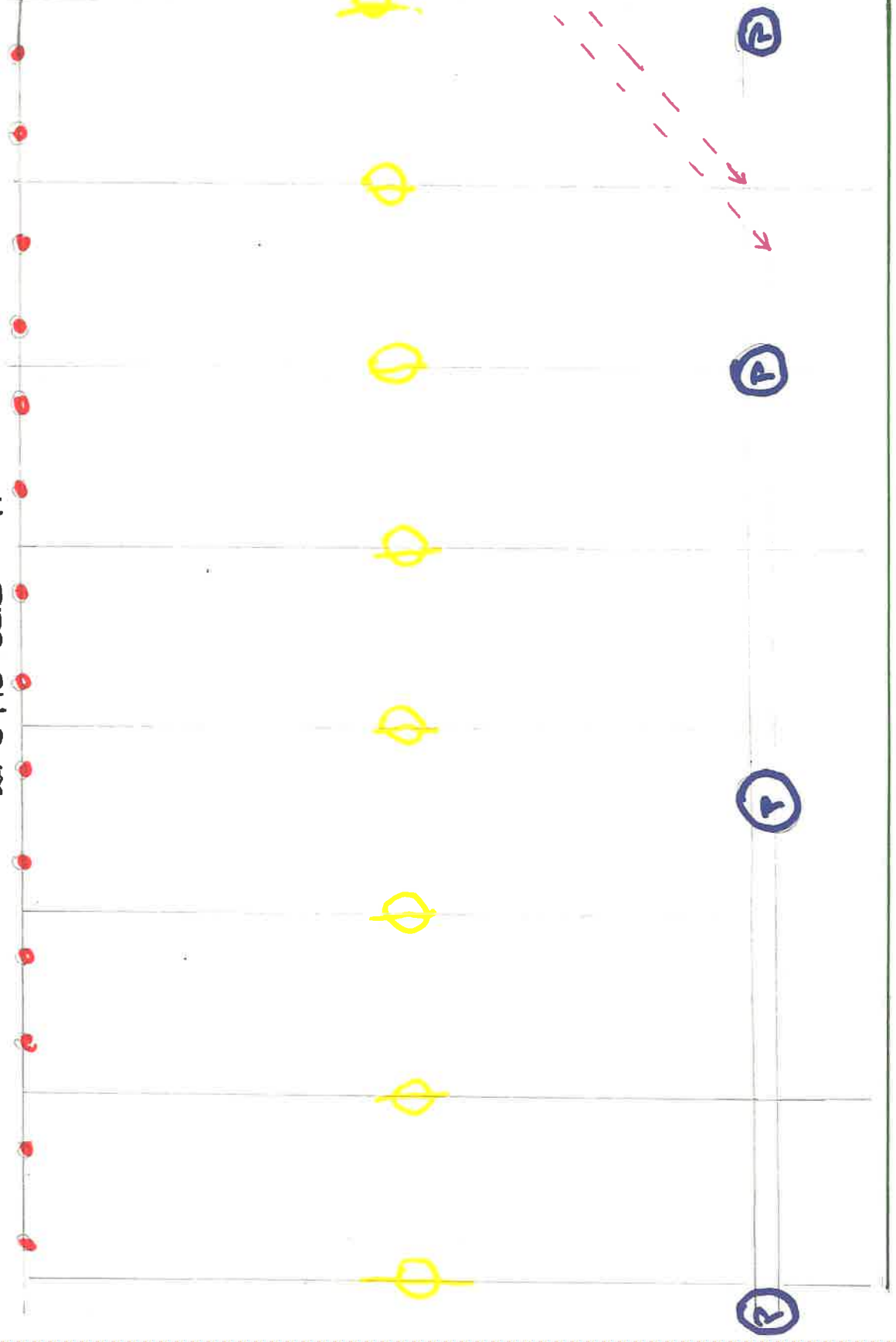
4x4 Post
Wrap White
Vinyl sleeved

6 in Spaced
Structure screws

— gutters

2x6x12
Rafters

2x8 Header wrapped white with coil stock





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. 2314

November 14, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 113 Passaic Avenue, Lockport, New York, had been filed by James Sparks.

The request is for a variance to erect two two-unit dwellings situated in an R-2 Zone.

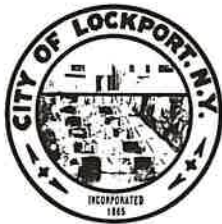
Approval of the permit application was denied or withheld because there will be two principal dwelling structures located on the property.

The City of Lockport Zoning Ordinance Section 190-92(b) states that there shall be not more than one principal dwelling structure nor more than two accessory structures, of which no more than one shall be a private garage, on each lot intended or used for residential purposes.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday November 28, 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



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 TO APPLICANT

James Sparks
125 Passaic Ave
Lockport, NY 14094

To whom it may concern,

An Appeal under the Zoning Ordinance, relative to the premises 113 Passaic Avenue, Lockport, New York is scheduled to be heard by the Zoning Board of Appeals on **Tuesday, November 28, 2023 at 5:00 P.M.** at the Lockport Municipal Building, One Locks Plaza, Lockport, New York.

You are hereby notified to be present, either in person or by agent or attorney to present your case. Failure to appear or to be represented may result in dismissal of your appeal.

Please note that if you are not the owner of the property and will be making the presentation, you **must** present a letter from the owner giving you authority to make such a presentation.

Respectfully,

Megan Brewer
Zoning Board of Appeals

CentroidDistance,SBL,FirstName,MiddleName,LastName,Address1,Address2,City,State,PostalCode,RPSParcelID,Parcel_Number,Parcel_Address,Parcel_Name
0,108.12-1-27.1,Mary Ann,,Taylor (Estate),3745 Deerfield
Dr,,Burlington,NC,27215,8672,113,Passaic Ave,
155,108.12-1-28,James,A,Sparks,453 Willow St,,Lockport,NY,14094,336,107,Passaic Ave,
159,108.12-1-29,Rocco,,Surace,6384 O'Connor Dr,,Lockport,NY,14094,337,99,Passaic
Ave,
172,108.12-1-33,Anthony,,Ventura,96 Trowbridge St,,Lockport,NY,14094,341,361,Green
St,
172,108.12-1-34,Anthony,,Ventura,96 Trowbridge St,,Lockport,NY,14094,342,359,Green
St,
173,108.44-1-26,,,City Of Lockport,One Locks Plz,,Lockport,NY,14094,710,115,Passaic
Ave,
176,108.12-1-21,Peta-Gail,,Murphy,110 Trowbridge
St,,Lockport,NY,14094,330,110,Trowbridge St,
191,108.44-1-25,,,City Of Lockport,One Locks Plz,,Lockport,NY,14094,709,119,Passaic
Ave,
200,108.12-1-31,Peter,A,Pilski,87 Passaic Ave,,Lockport,NY,14094,339,95,Passaic Ave,
220,108.12-1-35,Anthony,,Ventura,96 Trowbridge
St,,Lockport,NY,14094,343,96,Trowbridge St,
227,108.44-1-27,Donald,J,Bartholomew,2 S Shore Dr,,Elma,NY,14059,711,61,Phelps St,
233,108.44-1-29,Donald,J,Bartholomew,2 S Shore Dr,,Elma,NY,14059,712,65,Phelps St,
234,108.44-1-24,James,A,Sparks,453 Willow St,,Lockport,NY,14094,708,125,Passaic Ave,
241,108.44-1-31.1,Donald,J,Bartholomew,2 S Shore
Dr,,Elma,NY,14059,713,128,Trowbridge St,
258,108.12-1-32,Peter,A,Pilski,87 Passaic Ave,,Lockport,NY,14094,340,87,Passaic Ave,
301,108.44-1-23,Jason,P,Lyons,133 Passaic Ave,,Lockport,NY,14094,707,133,Passaic
Ave,
308,108.60-1-4,,,City Of Lockport,One Locks Plz,,Lockport,NY,14094,799,79,Passaic
Ave,
315,108.44-1-31.2,Donald,J,Bartholomew,2 S Shore
Dr,,Elma,NY,14059,714,138,Trowbridge St,
334,108.60-1-5,,,City Of Lockport,One Locks Plz,,Lockport,NY,14094,800,75,Passaic
Ave,
366,108.60-1-1,John,W,Taylor,70 Trowbridge St,,Lockport,NY,14094,798,70,Trowbridge
St,
373,108.44-1-22,,,Arcane Properties LLC,PO BOX 100,,Buffalo,NY,14205,706,141,Passaic
Ave,
384,108.60-1-6,Anthony Jesse,,Palumbo,6722 MacIntosh Ln,,No
Tonawanda,NY,14120,801,71,Passaic Ave,
386,108.12-1-19,Craig,S,Leyh,113 Trowbridge St,,Lockport,NY,14094,328,113,Trowbridge
St,
393,108.12-1-20,Nicholas,,Vetter,107 Trowbridge
St,,Lockport,NY,14094,329,107,Trowbridge St,
396,108.44-1-38,Donald,J,Bartholomew,2 S Shore Dr,,Elma,NY,14059,716,26,Court St,
"","","Megan","","Brewer","","""","""","""","""","""","""","""","""
"","","Jason","","Dool","","""","""","""","""","""","""","""","""
"","","Corporation Counsel","","""","""","""","""","""","""","""","""","""",""
"","","Sheila","","Tracy","","""","""","""","""","""","""","""",""
"","","Nancy","","Babis","","""","""","""","""","""","""","""",""

"" , "" , "Meghan" , "" , "Lutz" , "" , "" , "" , "" , "" , "" , "" , "" , ""
"" , "" , "Roxanne" , "" , "Devine" , "" , "" , "" , "" , "" , "" , "" , "" , ""
"" , "" , "Sam" , "" , "Marotta" , "" , "" , "" , "" , "" , "" , "" , "" , ""
"" , "" , "Andy" , "" , "Rosenberg" , "" , "" , "" , "" , "" , "" , "" , "" , ""
"" , "" , "Kevin" , "" , "Foltz" , "" , "" , "" , "" , "" , "" , "" , "" , ""

**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: 113 PASSIAC AVE

APPLICANT INFORMATION

NAME: James Sparks ADDRESS: 125 Passaic Avenue
PHONE: (716) 622-3566 Lockport NY 14094
CITY STATE ZIP
FAX: _____ E-MAIL: Jimmysparks12345@gmail.com

OWNER INFORMATION

NAME: Estate MARY TAYLOR ADDRESS: 3745 Deer Field Dr.
Robert TAYLOR Admin.
PHONE: 585-993-7538 Burkhead NC 27215
CITY STATE ZIP
FAX: _____ E-MAIL: Bthunter55@gmail.com

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.)

Property was bought approximately 40 yrs ago as 5 separate lots. The property sat vacant until owner M. Taylor passed away 2.5 yrs ago. The property transfer to the estate and was listed with that for sale.

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

Build Two, Two family duplexes

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)

The property has been for sale for 2.5 years. First it was listed as 5 separate lots that were too small to build on. Recently the 5 lots were combined into one lot. The size still requires a variance because it only has 40 feet of frontage. It's considered a flag shape lot. The adjoining properties are mostly duplex's which is the type of structure being proposed.

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

Most of the properties in the area of the lot are duplex's or rental 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)

N/A Detailed site plan (10 copies)

N/A Photographs of existing conditions

Attached 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.

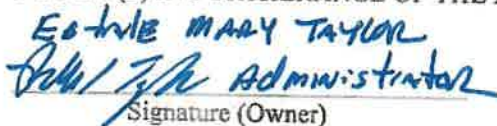
FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.


Signature (Applicant)

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)

11/05/2023

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.

**Surrogate's Court of the State of New York
Niagara County
Certificate of Appointment of Administrator**

Certificate# 29564

File #: 2020-96046

IT IS HEREBY CERTIFIED that Letters in the estate of the Decedent named below have been granted by this court, as follows:

Name of Decedent: **Mary Ann Taylor**
Domicile: **Niagara County**
Fiduciary Appointed: **Robert F Taylor Jr**
Mailing Address: **3495 Hurd Rd
Holley NY 14470**

Date of Death: **April 27, 2020**

Type of Letters Issued: **LETTERS OF ADMINISTRATION**

Letters Issued On: **August 17, 2020**

Limitations: **SAID LETTERS ARE HEREBY RESTRICTED IN THAT THE ADMINISTRATOR/RIX SHALL NOT BE ENTITLED TO SETTLE OR COMPROMISE ANY WRONGFUL DEATH CLAIM ON BEHALF OF THE DECEDENT'S ESTATE WITHOUT A FURTHER ORDER OF THIS COURT.**

THE FIDUCIARY AND THE ATTORNEY COMMENCING THE ESTATE PROCEEDING SHALL TAKE ANY AND ALL STEPS NECESSARY TO PROPERLY CLOSE THE ESTATE UPON THE CONCLUSION OF LITIGATION, IF ANY, REGARDLESS OF THE OUTCOME THEREOF, OR, IF THERE IS NO LITIGATION, WITHIN TWO (2) YEARS OF THE DATE OF FIRST APPOINTMENT.

and such Letters are unrevoked and in full force as of this date.

Dated: **August 17, 2020**

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Niagara County Surrogate's Court at Lockport, New York.

WITNESS, Hon. Sara Sheldon, Judge of the Niagara County Surrogate's Court.



Angela Stamm-Philipps, Chief Clerk
Niagara County Surrogate's Court

This Certificate is Not Valid Without the Raised Seal of the Niagara County Surrogate's Court

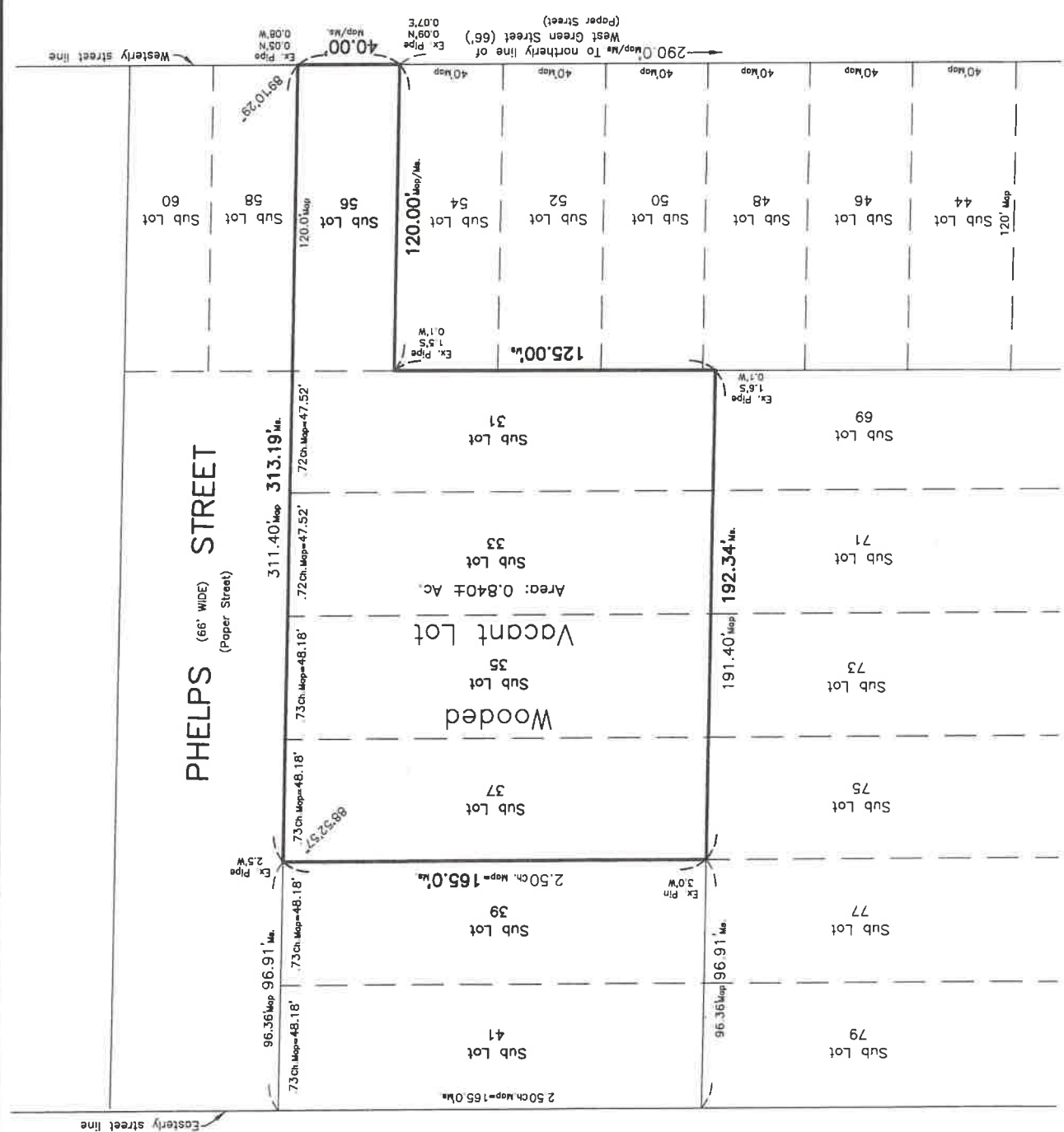


THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH
COPYRIGHT 2023, ADVANCE SURVEY GROUP, LLC. ALL RIGHTS RESERVED.
THIS DOCUMENT IS VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL NO. 50328
ALTERATION OR ADDITION TO THIS DOCUMENT IS IN VIOLATION OF SECTION 7209, PROVISION 2 OF NEW YORK STATE EDUCATION LAW

TROWBRIDGE STREET (49.5' WIDE)

PHELPS STREET (66' WIDE) (Paper Street)

PASSIAC AVENUE (58.33' WIDE) (Formerly West Avenue)



MAP OF: 113 PASSIAC AVENUE
Tax Id.: 108.12-1-27.1
ADVANCE SURVEY GROUP LLC
JAY SAUVAGEAU
LICENSED LAND SURVEYOR
Lic. No. 50328
800 MAIN STREET
NIAGARA FALLS, N.Y. 14301
PHONE: (716) 265-4858

DATE: June 22, 2023
SCALE: 1" = 40'
JOB NO.: 05060

Port of Lot 59: Township 14; Range 7 City of Lockport, Niagara County, New York State
Sub Lot 56 MfBK. 10 Pg. 949 Part 1; Sub Lots 31, 33, 35, 37 MfBK 11 Pg. 1075
Map Ref.: Map showing building sites for sale on West Avenue in the City of Lockport, NY made October 10, 1887 by
Julius Friesee, Surveyor, filed in Niagara County Clerk's Office January 11, 1890 in Book 10 of Microfilm Maps
Map of part of the City of Lockport made for E. Chubbuck by Julius Friesee, Surveyor in 1889 and filed in the
Niagara County Clerk's Office November 14, 1870 in Book 11 of Microfilm Maps at page 1075