# 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

June 10, 2024

Megan Brewer

**AGENDA**

Please be advised that there are (4) four items on the agenda for the regularly scheduled Zoning Board of Appeals Meeting, Tuesday, June 25, 2024 at 5:00 P.M.

1. Gretchen Ohar. 28 Le Van Avenue. Request to erect an 8' x 10' outdoor kitchen roof covering situated in an R-1 Zone. (Area-lot coverage 24.1%, use-3rd accessory structure)

2. Amanda Gorko. 329 East Avenue. Request to erect a 3.75' x 3' wall sign on the south side of the house, a 24" diameter sign on the southeast porch and a 2' x 1' ground sign on the east portion of the lawn for Miss Bella Salon situated in an R-2 Zone. (Use-wall sign, use-wall sign, use-ground sign)

3. Ed Sandell. 49 O'Brien Drive. Request to install a 12' x 24' in-ground pool in the rear yard situated in an R-1 Zone. (Area-lot coverage 23.1%)

4. RAS Development I, LLC. Request to extend Variance Case 2306 regarding 116 & 120 Main Street for 18 months.

***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. 2324 June 10, 2024

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 28 Le Van Avenue, Lockport, New York, had been filed by Gretchen Ohar.

The request is for a variance to erect an 8' x 10' outdoor kitchen roof covering 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 24.1% and the property has two existing detached accessory structures.

The City of Lockport Zoning Ordinance allows a maximum 20% lot coverage in an R-1 Zone and Section 190-92 allows for two accessory structures, one of which is a detached garage.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday, June 25, 2024 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

2324

# 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: 28 LeVan Ave

APPLICANT INFORMATION

NAME: Gretchen Ohar ADDRESS: 28 LeVan Ave

PHONE: 716.930.4458 Lockport, NY 14094
CITY STATE ZIP

FAX: _____ E-MAIL: gretchenohar@hotmail.com

OWNER INFORMATION

NAME: Gretchen Ohar ADDRESS: 28 LeVan Ave

PHONE: 716.930.4458 Lockport, NY 14094
CITY STATE ZIP

FAX: _____ E-MAIL: gretchenohar@hotmail.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.)

Residential property maintained by homeowners

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

Erection of an outdoor Kitchen roof covering (8'x10') for the purpose of being able to grill +/or use portable pizza oven during inclement weather.

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)

R-1 allows for a maximum 20% lot coverage. The proposed structure will increase lot coverage to 24.1%.

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

The proposed structure will have no adverse changes to the character of the neighborhood. It will be built in our fenced in back yard thus will not impact our neighbors due to any noise, traffic, aesthitics, noise, or glare.

## 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.

Gretchen Olar
Signature (Applicant)

05.20.2024
Date

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

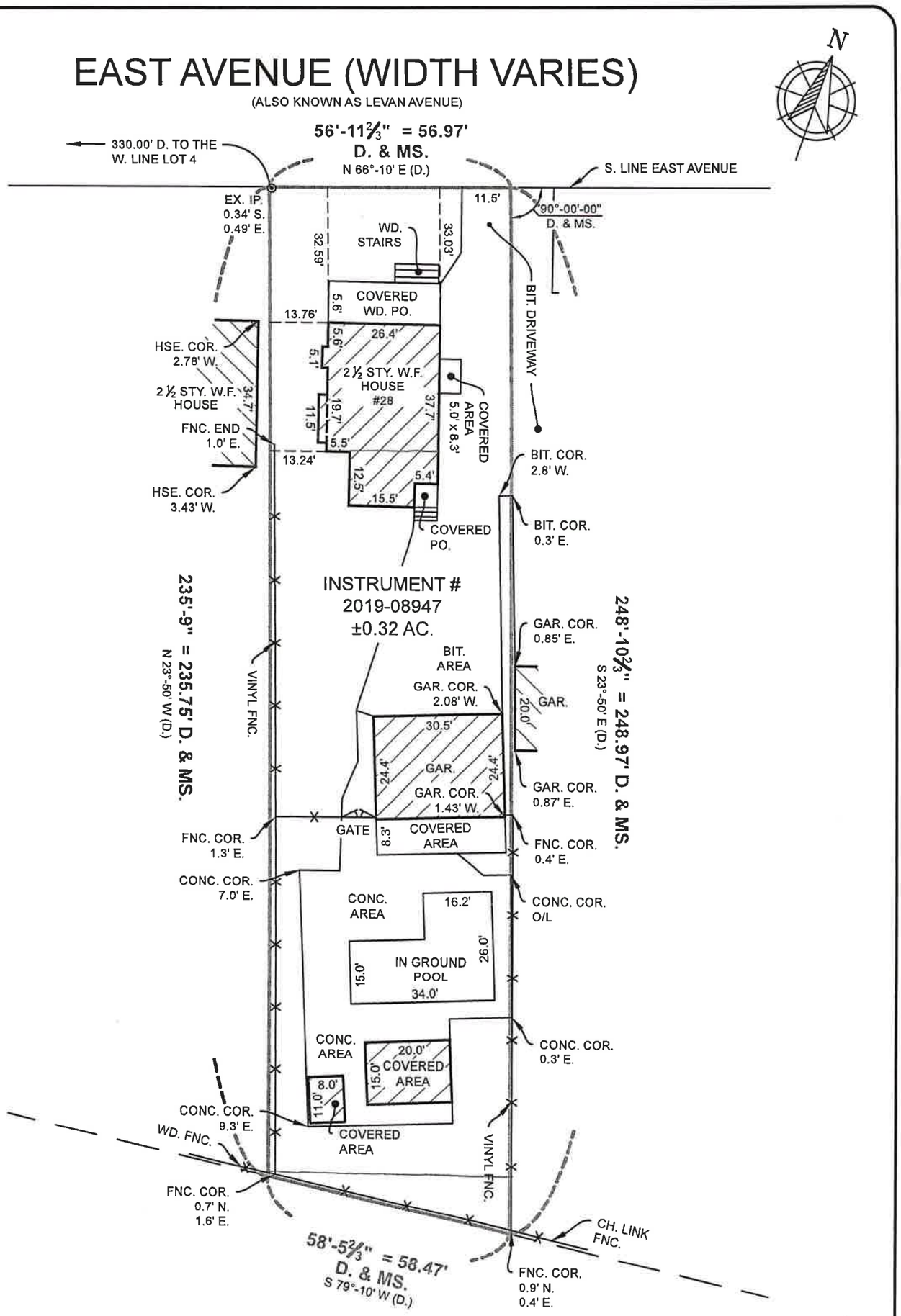
I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

_____
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.




| | | | |
|---|---|---|---|
| PART OF LOT 4 | SEC. 14 | TWP. 14 | RNG. 6 |
| OF THE HOLLAND LAND COMPANY'S SURVEY | | | |
| CITY LOCKPORT | | COUNTY NIAGARA, NY | |
| TAX IDENTIFICATION No.: 109.50-2-7 | | PROJ. NO. 24-207 | SCALE 1"=30' |
| CREW CJS, JJS | DWN. DTH | CHK. CJS | DATE 4/29/2024 |

MAP REFERENCE:
BOOK 11 OF MICROFILMED MAPS AT PAGE 1040

LEGEND:
AC. = ACRES
APPROX. = APPROXIMATE
BIT. = BITUMINOUS
CB = CATCH BASIN
CH. = CHAIN
CONC. = CONCRETE
COR. = CORNER
℄ = CENTERLINE
D. = DEED
DIA. = DIAMETER
DIST. = DISTANCE
E. = EAST
ENC. = ENCROACHMENT
EX. = EXISTING
FNC. = FENCE
GAR. = GARAGE
HSE. = HOUSE
IP. = IRON PIPE
JB = JUNCTION BOX
L = LIBER
MH = MANHOLE
MP. = MAP
MS. = MEASURED
N. = NORTH
O/H = OVERHEAD
O/L = ON LINE
PO. = PORCH
PP = POWER POLE
P = PAGE
S. = SOUTH
STY. = STORY
TYP. = TYPICAL
W. = WEST
W/ = WITH
WD. = WOOD
W.F. = WOODFRAME

NOTES:
-ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH THE SIGNATURE AND AN ORIGINAL OF THE LAND SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
-UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209. PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

STATE OF NEW YORK
CHRISTOPHER JOHN SCOTT
No. 050708
LICENSED LAND SURVEYOR

BOUNDARY | TOPOGRAPHIC
360°
LAND SURVEY
3-D MODELING | CONSTRUCTION
PO Box 474
Lockport, New York 14095
PHONE: (716) 587-8380
FAX: 716.587.8379
WEBSITE: www.360landsurvey.com

# 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. 2325 June 10, 2024

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 329 East Avenue, Lockport, New York, had been filed by Amanda Gorko.

The request is for a variance to erect a 3.75' x 3' wall sign on the south side of the house, a 24" diameter sign on the southeast porch and a 2' x 1' ground sign on the east portion of the lawn for Miss Bella Salon situated in an R-2 Zone.

Approval of the permit application was denied or withheld because wall signs and ground signs are not a permitted use in an R-2 Zone.

The City of Lockport Sign Ordinance allows wall and ground signs in B-1, B-2, B-3, B-4, and B-5, I-1, I-2 and I-3 Zones.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday, June 25, 2024 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: 329 East Ave Lockport Ny 14094

APPLICANT INFORMATION

NAME: Amanda Lee Gorko ADDRESS: 329 East Ave Lockport Ny 14094

PHONE: (716) 395-6352

FAX: N/A E-MAIL: gorkoamanda@gmail.com

CITY STATE ZIP

OWNER INFORMATION

NAME: Amanda Lee Gorko ADDRESS: 329 East Ave Lockport Ny 14094

PHONE: (716) 395-6352

FAX: N/A E-MAIL: gorkoamanda@gmail.com

CITY STATE ZIP

RELATIONSHIP OF APPLICANT TO PROPERTY:

___ CONTRACT PURCHASER ___ CONTRACTOR ✓ OTHER / owner / Business Owner

___ 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 1883, I purchased 329 cost ave august 2016. I have used it as a home since.

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

Typed up copy included with application.

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)

I am asking for permission to post a sign for my business/home occupation so people know that I am here and available.

Describe how the requested variance will not alter the character of the larger neighborhood or

impact adjacent properties:

parking made available and explained in proposal. Nothing would change on the property besides replacing bird house with sign if so permitted and adding one tobacco on front bay windows (entrance side). The Salon shouldn't really impact the neighborhood besides having an affordable hair salon available to the neighborhood

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.

Amanda Lee Morto — 6/3/24

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.

Amanda Lee Morto — 6/3/24

Signature (Owner)

Date 6/3/24

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

Vine street side existing

East ave side existing

My name is Amanda Gorko and I am the property owner of 329 East Ave., Lockport, NY 14094. I have owned this property for 8 years now.

It has been a lifelong dream and personal goal of mine to own and operate my own salon. I am a single mother of two little girls under five, and I am partially disabled from a fatal car crash 8 years ago. Operating a salon on my own time and at my own convenience would give me opportunity to book clients on my own schedule while maintaining my first priority, my children.

I've maintained a nys license as a cosmetologist for 18 years now, but I have been working in the industry for 22 years. I obtained a Lockport city business license in October of 2023. I then obtained my nys business license March 2024.

I absolutely love what I do, and have a very deep, and passionate drive to give people the look they want, while achieving great confidence in trying times in their lives. I absolutely love making people feel good. That glow they get when they are ecstatic with your services fills my cup spiritually and emotionally. I would love to be given the chance and opportunity to spread that positivity here in the city of Lockport.

The salon will consist of one station and chair, for myself only.

Most of my clientele would be scheduled strictly upon booking. My hours of operation would range from Tuesday, Thursday, Friday, and Saturday 12 to 8, and some Sundays 11 to 6 unless otherwise booked for a special occasions. For example, weddings, proms, bridal showers, baby shower, photo shoots ect. Which in most cases are on site services and not usually at the salon location as this gives a nice convenience and thoughtful touch to the client on their special day.

I have a 5 car driveway that would be available for parking if public parking on east ave and vine st, is not available. As it is only myself that would be working in the salon there should not be any more than 2 to 3 vehicles at one time and really, three would be more than I would ever be expecting at once Working by myself.

There is an existing picket fence that has been on the property since a permit was pulled for its construction back in 2005. I have no plans on changing the style of the fence, as I have always loved and appreciated it's Victorian look and style with the house. The picket fence would remain the same as it always has been besides repairs.

I would like to put a sign for the salon about 45"wide and 35" tall on the front east ave side of my Victorian, hanging under the front bay window with the salons name if so allowed. I have included sketches on what these changes would look like specifically included with my application. I would also like to add a small sign hanging over the east ave/front porch, over the stairs to make it easy for people to identify where the entrance to "Mia Bella's Hair Salon" is, at about 23"-25" in diameter. I would also like to add a sign similar to most of the businesses I've seen down the street from me on east ave. They have beautiful signs matching the esthetic of their Victorian homes/businesses on post in front of their properties. This sign itself would be 48" wide and 23" with post for feet, that would stick 4ft out of the ground. Currently the location I would like to place this sign, there is a bird house that lights up more then 6ft tall on the property as it has been for many years now. I would remove that bird house and replace it with the sign. There is already lighting installed around the whole house at the fence line, the peaks, and this birdhouse. Any recommendations or suggestions are always very appreciated.

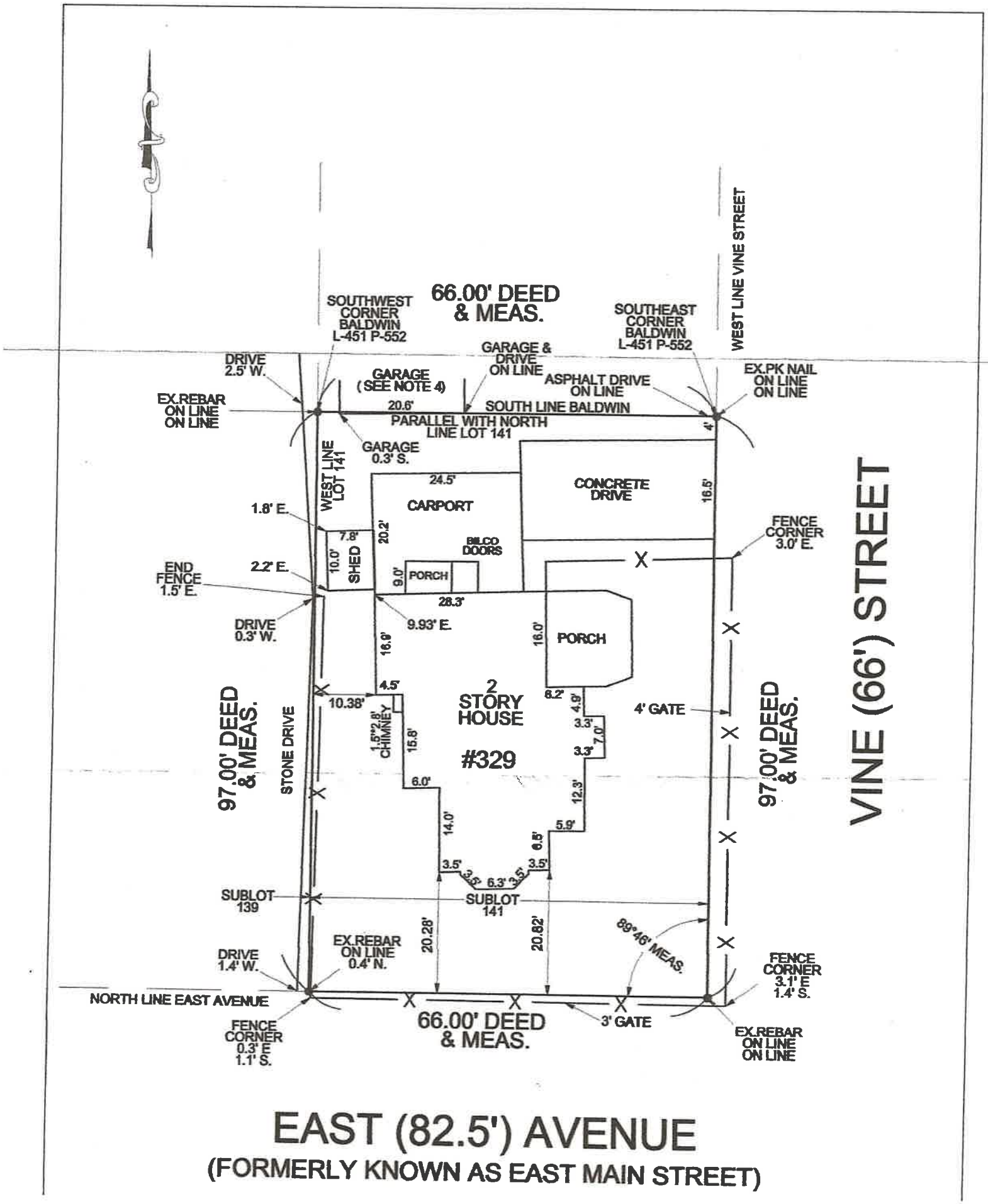
I have received approval from the planning board of the city of Lockport to open for business 5/6/24. I am now humbly asking for your approval of my project so I can post a sign representing my business out in front of my business/property so people know that I am here.

This project means the world to me. It would not just be a life long goal of mine, but it would also make me the resource for my children that I take care of solely. All I truly want is to to be able to pay my bills without fear, and to be able to make it so that my children can live comfortable lives while being a positive female role model in our community. With a little hard work and perseverance anything is possible.

I appreciate you taking the time to consider my application, thank you very much. Any suggestions, recommendations, questions or concerns please feel free to reach out!!

Sincerely,
Mia Bella's Hair Salon
Amanda Gorko
329 east ave Lockport ny
716-395-6352
6/3/24

Amanda Lee Gorko


66.00' DEED & MEAS.
SOUTHWEST CORNER BALDWIN L-451 P-552
SOUTHEAST CORNER BALDWIN L-451 P-552
WEST LINE VINE STREET
DRIVE 2.5' W.
GARAGE (SEE NOTE 4)
GARAGE & DRIVE ON LINE
ASPHALT DRIVE ON LINE
EX.PK NAIL ON LINE ON LINE
EX.REBAR ON LINE ON LINE
20.6'
SOUTH LINE BALDWIN
PARALLEL WITH NORTH LINE LOT 141
4'
GARAGE 0.3' S.
WEST LINE LOT 141
24.5'
CARPORT
CONCRETE DRIVE
16.5'
1.8' E.
7.8'
20.2'
10.0'
SHED
BILCO DOORS
FENCE CORNER 3.0' E.
END FENCE 1.5' E.
2.2' E.
9.0'
PORCH
28.3'
DRIVE 0.3' W.
9.93' E.
16.9'
16.0'
PORCH
4.5'
10.38'
2 STORY HOUSE
#329
6.2'
4.9'
4' GATE
1.5"x2.8' CHIMNEY
15.8'
3.3'
7.0'
3.3'
97.00' DEED & MEAS.
STONE DRIVE
6.0'
12.3'
14.0'
5.9'
6.5'
3.5'
3.5'
6.3'
3.5'
3.5'
SUBLOT 139
SUBLOT 141
20.28'
20.82'
89°46' MEAS.
DRIVE 1.4' W.
EX.REBAR ON LINE 0.4' N.
FENCE CORNER 3.1' E 1.4' S.
NORTH LINE EAST AVENUE
FENCE CORNER 0.3' E 1.1' S.
66.00' DEED & MEAS.
3' GATE
EX.REBAR ON LINE ON LINE
97.00' DEED & MEAS.
VINE (66') STREET
EAST (82.5') AVENUE
(FORMERLY KNOWN AS EAST MAIN STREET)


Mia Bellas Hair Salon
(716) 395-6352
329 east
329
45" sign
35" sign


48" sign
23" sign
4' Sign post 2x2
H. a Bellos Allen
716 345-6352
329 Elm


329
Mx Bellas
Salon
23-24" Diameter

# 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. 2326 June 10, 2024

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 Ed Sandell.

The request is for a variance to install a 12' x 24' in-ground pool in the rear yard situation in an R-1 Zone.

Approval of the permit application was denied or withheld because the pool 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, June 25, 2024 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: 49 O'BRIEN DRIVE

APPLICANT INFORMATION

NAME: ED SANDELL ADDRESS: 49 O'BRIEN DRIVE

PHONE: (716) 417-3803 LOCKPORT NY 14094

CITY STATE ZIP

FAX: _____ E-MAIL: erapsandell@aol.com

OWNER INFORMATION

NAME: ED SANDELL ADDRESS: 49 O'BRIEN DRIVE

PHONE: (716) 417-3803 LOCKPORT NY 14094

CITY STATE ZIP

FAX: _____ E-MAIL: erapsandell@aol.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.)

BUILT IN 2'1991. ALWAYS USED FOR Single family home.

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

INSTALL 12'x24' INGROUND pool

**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)

LOT SIZE 120' x 125'. House was built with maximum lot coverage.

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

Several houses in the neighborhood have in ground pools.

NOTE: SHED WILL BE REMOVED

## 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) 6-5-24 Date

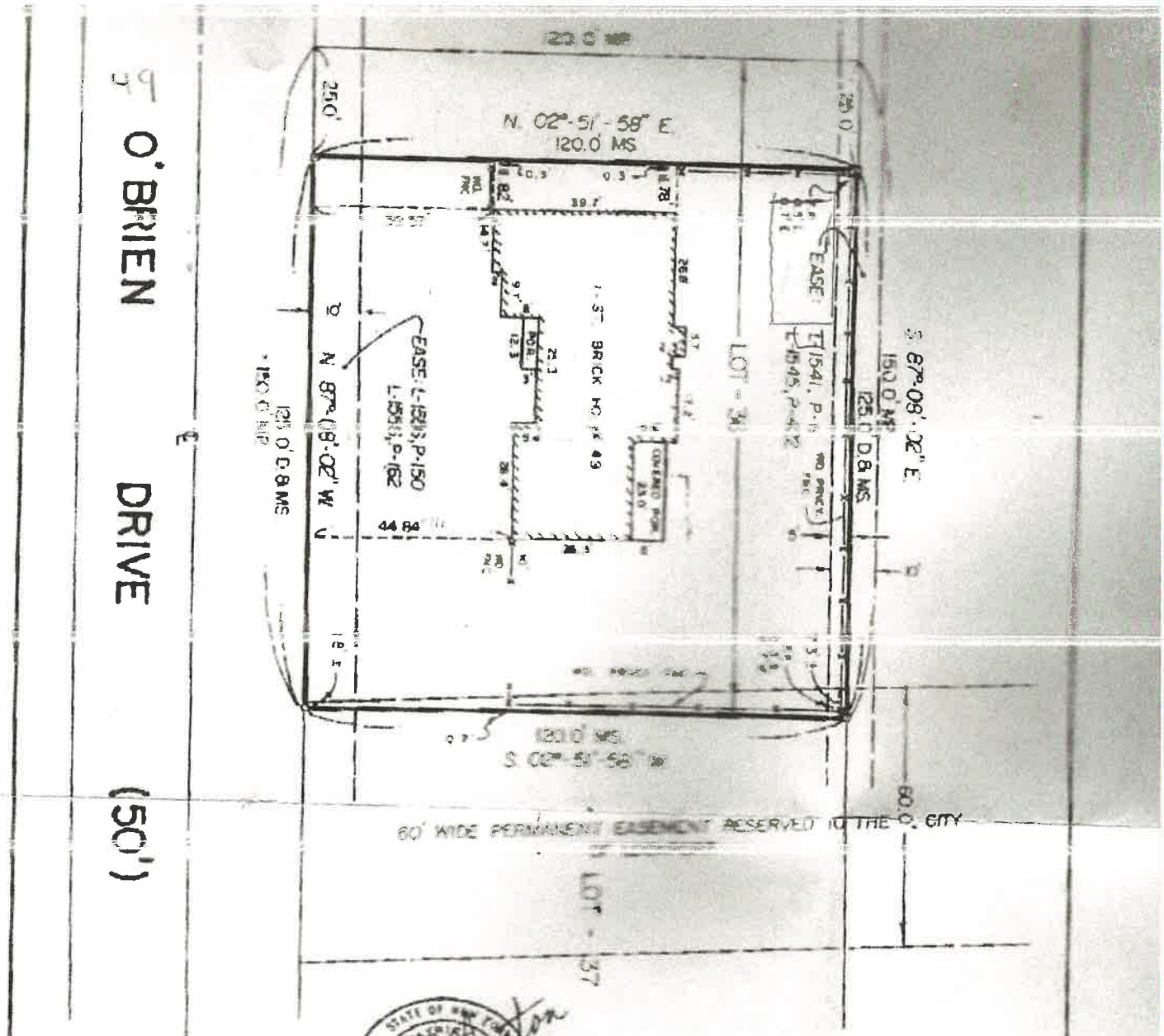
**IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:**

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.




MAP REFERENCE:
BRIARWOOD ESTATES PART III
FILED IN N.C.C.O. IN
M.F.M.B. 46, P-4448

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

| | | | |
|---|---|---|---|
| LOT 3 | SEC 14 | TWP 14 | RNG 6 |
| LOCATION: | O'BRIEN DRIVE | | |
| CITY: | LOCKPORT | | |
| COUNTY: | NIAGARA, NEW YORK | | |
| JOB NO.: | LC-90-163 | | |
| DATE: 10-24-1990 | SCALE: 1" = 30' | | |

HINTON LAND SURVEYORS
347 EAST AVE. LOCKPORT, NY 14094
(716) 433-8033
JOHN P. HINTON
N.Y.S. LIC. NO. 048155

LEGEND
● - FOUND ⊕ - I.P. SET
D. - DEED MS. - MEASURED MP. - MAP
ENC. - ENCROACHMENT COMP. - COMPUTED

ALTERING ANY ITEM ON THIS MAP IS IN VIOLATION OF THE LAW, EXCEPT AS PROVIDED IN SECTION 7209, PART 2 OF THE NEW YORK EDUCATION LAW.

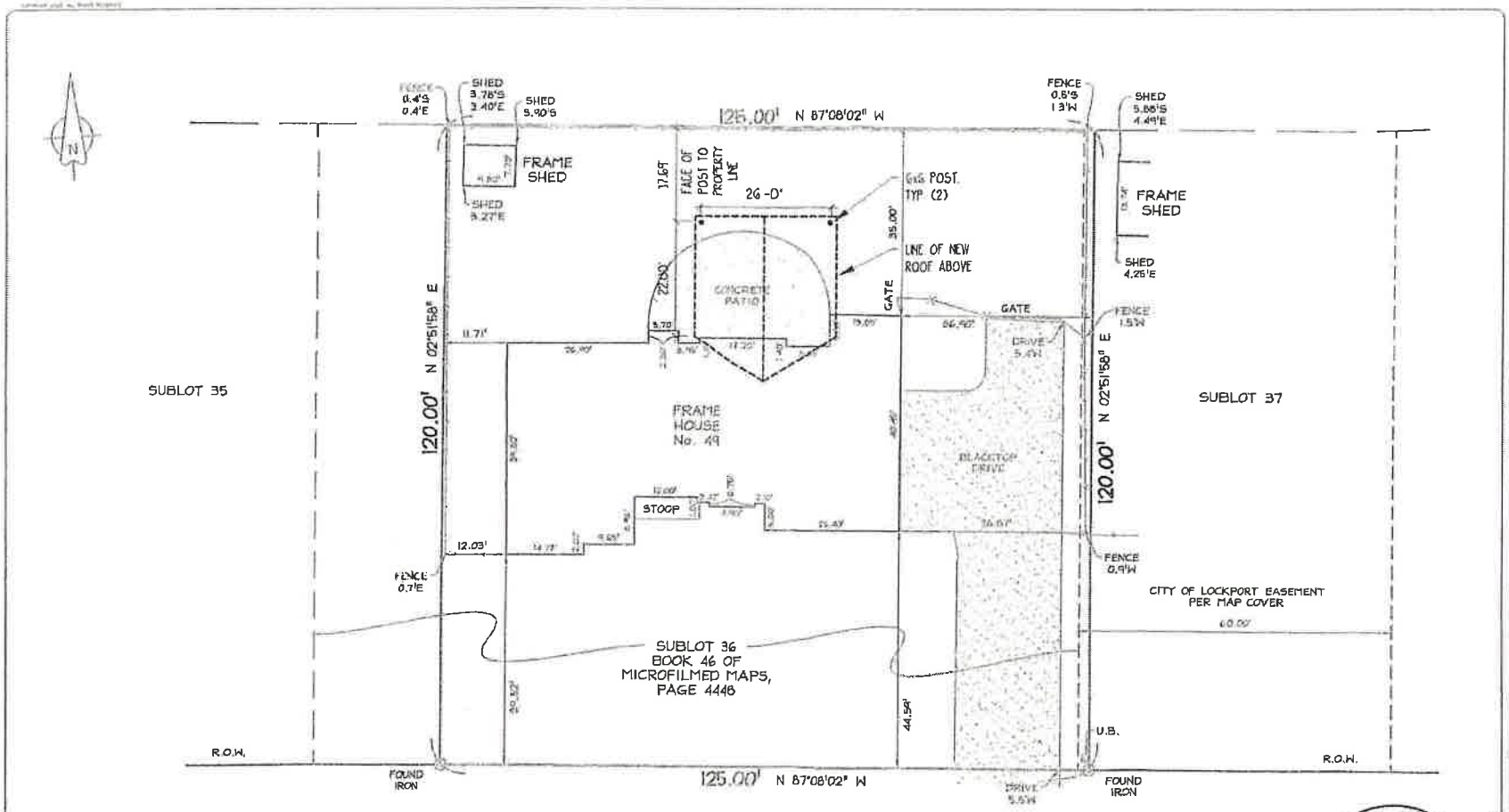
RE-SURVEYED: 2-12-2002
TO: [illegible]

~~1265~~ w/waste installed

~~40~~ FT

Fence

Guy




## SITE PLAN

SCALE: 1" = 30'-0"

1

STATE OF NEW YORK
TIMOTHY W. ARLINGHAUS
No. 063863
LICENSED PROFESSIONAL ENGINEER

| REVISIONS | | |
|---|---|---|
| DATE | DESCRIPTION | BY |

PROJECT TITLE: ENGINEERING DESIGN FOR 26'x22' PATIO ROOF COVER
SANDELL RESIDENCE, 49 O'BRIEN DRIVE, CITY OF LOCKPORT
CLIENT: RJR IMPROVEMENTS, INC.
DRAWING TITLE: SITE PLAN

APEX CONSULTING
SURVEY & ENGINEERING SERVICES, P.C.
SURVEYING • EXPERTS • LANDSCAPE ARCHITECTURE
102 EAST MAIN ST., LOCKPORT, NEW YORK 14094
Phone: (716) 438-0188 FAX: (716) 438-0189

SP-1

**Fortress Hill, LLC**

**500 Seneca Street**

**Suite 630**

**Buffalo, New York 14204**

May 31, 2024

Mr. Jason Dool

Chief Building Inspector

City of Lockport

1 Locks Plaza

Lockport, New York 14094

**Re: 116 and 120 Main Street Lockport**

Dear Mr. Dool:

We are under contract for the sale of the referenced property. We wish to formally request that any zoning and planning approvals for this property be extended for an additional eighteen (18) months and that you provide confirmation of same.

If this requires any additional information please do not hesitate to contact me via mobile phone (716-491-8991) or by email: sams@savarinocompanies.com

Thank you for your consideration.

Sincerely,

DocuSigned by:

Samuel J. Savarino

E53382017F50478...

Samuel J. Savarino, Managing Member