



TOWN OF AMHERST

BUILDING DEPARTMENT

ERIE COUNTY, NEW YORK

5583 MAIN STREET

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BRIAN P. ANDRZEJEWSKI, P.E.
Commissioner of Building

May 2, 2018

TO: The Honorable Zoning Board of Appeals
FROM: Brian P. Andrzejewski, P.E., Commissioner of Building
RE: Applications for Variances and Special Permits -
Meeting of May 15, 2018

The following is a summary of specific information for each application, showing minimum requirements appealed from and requested variances to be considered by your Honorable Body:

1 Northtown Property Owner 3045 Sheridan Drive Area Variance
c/o Sean Hopkins Esq

This application is for an Area Variance for building setback in the GB District. Building "F", setback from Eggert Road, the loading dock screen wall.

Per Section 4-7-2 B, The required setback from a property line is 20.00'

NOTES:

Required setback: 20.00'

Proposed Setback: 10.00'

Short of Required: 10.00' 50%

On December 19, 2017 an Area Variance was granted allowing a setback of 18.00' for this building. The wall will be used to screen the loading dock area of the building.

2 Mark Witul 400 Hendricks Blvd Temporary Use Permit
2nd Renewal

This application is a request to renew a temporary use permit for the use of an existing 660 sf storage garage on premises zoned General Business that was constructed in 1955 as a garage for a home and business located at 1574 Eggert Rd.

The proposed use of the building, that being storage and metal crafts workshop, is not a permitted use in the General Business District.

A Temporary Use Permit was issued on 5/20/2014 and renewed on 5/17/2016.

The Board imposed the condition that "no sales allowed on site"

3 Bielmeier Builders

2 Hidden View Court

Area Variance

This application is a request for an Area Variance for a side yard setback on a corner lot for an attached garage addition to a single family house in the R-2 District.

Per Section 3-5-2 B, the side yard setback on a corner lot shall be 30.00'.

Per Section 2-5-2 A (5) The exterior side yard for any building or structure on a corner lot shall meet the front yard requirement for the district within which it is located; provided, however, that for buildings on lots within subdivisions given preliminary plat approval prior to October 24, 1960, the minimum width of the exterior side yard shall be 20 feet. For other uses and structures, the exterior side yard shall comply with the minimum regulations for the district.

This subdivision was approved after 10/24/1960.

NOTES:

Required setback:	30.00'	
Proposed setback:	24.16'	(24' 2")
Short of required:	5.84'	19%

4 Stacy Reger

1645 Dodge Road

Area Variance

This application is a request for an Area Variance for a yard setback for a dog kennel "dog run" in the SA District.

Per Section 6-8-7 A, Kennels or any outdoor runs shall have a minimum front yard of 200 feet and a minimum side and rear yard of 100 feet.

NOTES:

Minimum front setback:	200.00'	
Proposed setback:	90.00'	
Short of required:	110.00'	55%

West:

Required side setback:	100.00'	
Proposed side setback:	70.00'	
Short of required:	30.00'	30%

East:

Required side setback:	100.00'	
Proposed side setback:	20.00'	
Short of required:	80.00'	80%

Required rear setback: 100.00'
 Proposed rear setback: 30.00'
 Short of required: 70.00' 70%

A kennel is an allowable accessory use SA District.

The property owner owns four dogs which by definition is a kennel.

5 Michael Rizzo 2280 Millersport Highway Area Variance

This application is a request for an Area Variance for a ground sign setback from the "street line" or property line in the NCD-B3 District.

Per the 1976 Zoning Ordinance, a ground sign shall be a minimum of 50 feet from the street line.

NOTES:

Minimum front setback: 50.00'
 Proposed setback: 5.00'
 Short of required: 45.00' 90%

6 Bosch Woodworking Inc. 175 Burroughs Drive Area Variance

This application is a request for an Area Variance for side yard setback for an addition to a single family house in the R-3 district.

The existing house setback is 2.68'. That portion of the house will be demolished and the new addition will be placed 3.25' from the property line.

This portion of the house will lose its existing non-conforming status when it is demolished.

NOTES:

Minimum side yard setback: 5.00'
 Proposed setback: 3.25'
 Short of required: 1.75' 35%

7 Tom Darlek 382 McKinley Ave Area Variance
c/o Gerald Shaffer Architect

This application is a request for an Area Variance for accessory building square footage in the R-3 district

Per Section 6-8-1 B

The total floor area of all accessory structures and the floor area of attached or built-in garages shall not exceed 75 percent of the floor area of the principal structure, except as permitted by the ZBA in accordance with the provisions of § 8-13 of this Ordinance.

NOTES:

Existing house square footage: 1,443 sf
 Addition to house: 352 sf
 Proposed total: 1,795 sf

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Allowable accessory square footage: 1,346.25 sf (1,795 x 75%)

Existing accessory use: 676 sf Garage

Proposed accessory use: 1,600 sf

Proposed total accessory use: 2,276 sf

Allowable square footage: 1,346.25 sf

Proposed square footage: 2,276.00 sf

Exceeded allowable: 929.75 sf 70%

The building will be used to store personal property.

8 Lauer-Manguso & Associates 5395-5495 Sheridan Drive Area Variance
Arch. c/o Michael Delisanti

This application is a request for an Area Variance for Pole Sign face area in the SC District.

Per Section 7-8-8 B, The property with a street frontage of 750' or more is permitted up to 192 square feet of pole sign face area.

NOTES:

Permitted pole sign face area: 192.00 sf

Proposed pole sign face area: 294.00 sf

Exceeds allowable: 102.00 sf 53%

This sign will replace the existing sign.

9 Dockside Village III LLC 4735 Millersport Highway Area Variance
c/o Barclay Damon LLP

This application is a request for an Area Variance for Subdivision Identification Sign face area in the SA District.

Per Section 7-8-4 d, the maximum sign face area for a Subdivision Identification Sign is 32 square feet.

NOTES:

Permitted sign face area: 32.00 sf

Proposed sign face area: 52.00 sf

Exceeds allowable: 30.00 sf 93%



Brian P. Andrzejewski, P.E.

DG

cc: Brian Kulpa, Supervisor
Councilmembers
Stanley Sliwa, Town Attorney
Marjory Jaeger, Town Clerk
Dan Howard, Planning Director
Ellen Kost, Planning Department
Patrick Lucey, Highway Superintendent