

Village of Lancaster



MEMORANDUM

Municipal Building
5423 Broadway
Lancaster, NY 14086
Telephone: (716) 683-2105
Facsimile: (716) 684-4830
www.lancastervillage.org

TO: Zoning Board of Appeals
D. Blakeley, N. Kaull, J. Volpe, J. Smith, C. Adolf

FROM: Michael E. Stegmeier, Village Clerk & Treasurer

DATE: November 15, 2022

RE: Variance Application – 3553 Walden Ave, Lancaster, NY 14086

Petitioner and property owner, Paul Faleski, is seeking relief from the following Village codes with respect to the installation of a fence in a front and side yard:

Section 148-4 Fences – Height limitations.

No fence shall be more than six feet in height at the rear of homes or buildings situated in a residentially zoned district, which fence shall not extend forward of the rear building line of any existing or proposed building. No other fence or portions of a fence shall be higher than 36 inches (3 feet) in any front yard or 48 inches (4 feet) in any side yard.

Section 148-6 Fences – Obstructions affecting public safety.

Any fence, wall, or similar structure, as well as shrubbery, which unduly cuts off light or air, which may cause a nuisance, a fire hazard or a dangerous condition or an obstruction to combating fires or an obstruction to men and equipment for combating fires, which may affect public safety, is hereby expressly prohibited. Further, no fence shall be erected in a front yard in a residential district or along a public right-of-way unless the fence is uniformly less than 50% solid.

Petitioner is seeking relief from the Village Code to allow the installation of a six-foot (6') fence in a side yard and a solid fence in a front yard. The six-foot (6') fence exceeds the four feet (4') maximum height allowed in a side yard and the fence in the front yard is more than 50% solid, neither of which are allowed per the Village Code. Petitioner is seeking relief of two feet (2') for the fence in the back yard as well as relief from the 50% solid requirement.

The hearing has been scheduled for **THURSDAY, December 1, at 7:20 P.M.** in Council Chambers at 5423 Broadway.

Enc. Petition, public notice, and survey

cc: Arthur A. Herdzyk, Village Attorney
Jessica Kulpit, Deputy Village Attorney
Matt Fischione, Town of Lancaster Building Department
Shawn Marshall, Village Code Officer
Paul Faleski, Property Owner & Petitioner

PLEASE NOTE: It is strongly recommended that the petitioners/property owners be present at the hearing to answer any questions or concerns of the Zoning Board.

**Village of Lancaster
Zoning Board of Appeals
3553 Walden Ave**

Please take notice that the Zoning Board of Appeals of the Village of Lancaster, New York will hold a public hearing in the Council Chambers of the Municipal Building at 5423 Broadway, Lancaster, New York, on Thursday, December 1, 2022, at 7:20 p.m.

The purpose of this hearing is to consider the request from Paul Faleski, petitioner and property owner of 3553 Walden Ave, Lancaster, NY 14086. The petitioner is seeking relief from the following Village codes with respect to the installation of a fence in a front and side yard:

Section 148-4 Fences – Height limitations.

No fence shall be more than six feet in height at the rear of homes or buildings situated in a residentially zoned district, which fence shall not extend forward of the rear building line of any existing or proposed building. No other fence or portions of a fence shall be higher than 36 inches (3 feet) in any front yard or 48 inches (4 feet) in any side yard.

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At said hearing, all persons so desiring shall have the opportunity to be heard.

Michael E. Stegmeier
Village Clerk

VILLAGE OF LANCASTER

PETITION FOR VARIANCE

Property Location: 3553 WALDEN AVE SBL # 104.11-4-6

Owner's Name: PAUL FAMESKI Tele: 716-512-3502

Address: 3553 WALDEN AVE

City/State: LANCASTER, NY Zip: 14086

Petitioner's Name: SAME Tele:

Address:

City/State: Zip:

Survey: Attach a copy of the most current property survey, showing complete property as it presently exists. On this copy draw to scale the proposed work to be done, indicate dimensions of work and dimensions to property lines.

Lot Description: On lot 70 feet wide and 150 feet deep, area 10,500 square feet. Lot is on N E SW side of street and is 865 feet N E SW of CENTRAL AVE St.

Present Property Zoning: C-1 Present Use of Premises: Single Family Residence

Proposed Property Zoning: C-1 Proposed Use of Premises: Single Family Residence

Pursuant to Article VIII of Chapter 350 "Zoning", of the Code of the Village of Lancaster, the undersigned petitioner hereby makes application for a variance from:

Table with 2 columns: Section(s), Entitled. Row 1: 148-1, HEIGHT LIMITATION. Row 2: 148-6, OBSTRUCTIONS AFFECTING PUBLIC SAFETY.

Petitioner is requesting relief from above mentioned section(s) to allow:

1 A 6' TALL PRIVACY FENCE IN A SIDEYARD 2' Relief is Requested
2 A Solid FENCE IN A FRONT YARD. 50% RELIEF Requested
Building Dept Auth M7

Petitioner's Signature X [Signature] Date 11/14/22

STATE OF NEW YORK: COUNTY OF ERIE:

On this 14th day of November, 2022, (name) PAUL R. FAMESKI who resides at 3553 WALDEN AVE, LANCASTER, NY

personally appeared before me as the petitioner, to me well known to be the same person described in and who signed and executed the foregoing petition and who duly acknowledged to me the execution of the same for the purpose therein mentioned.

Notary Public X [Signature]

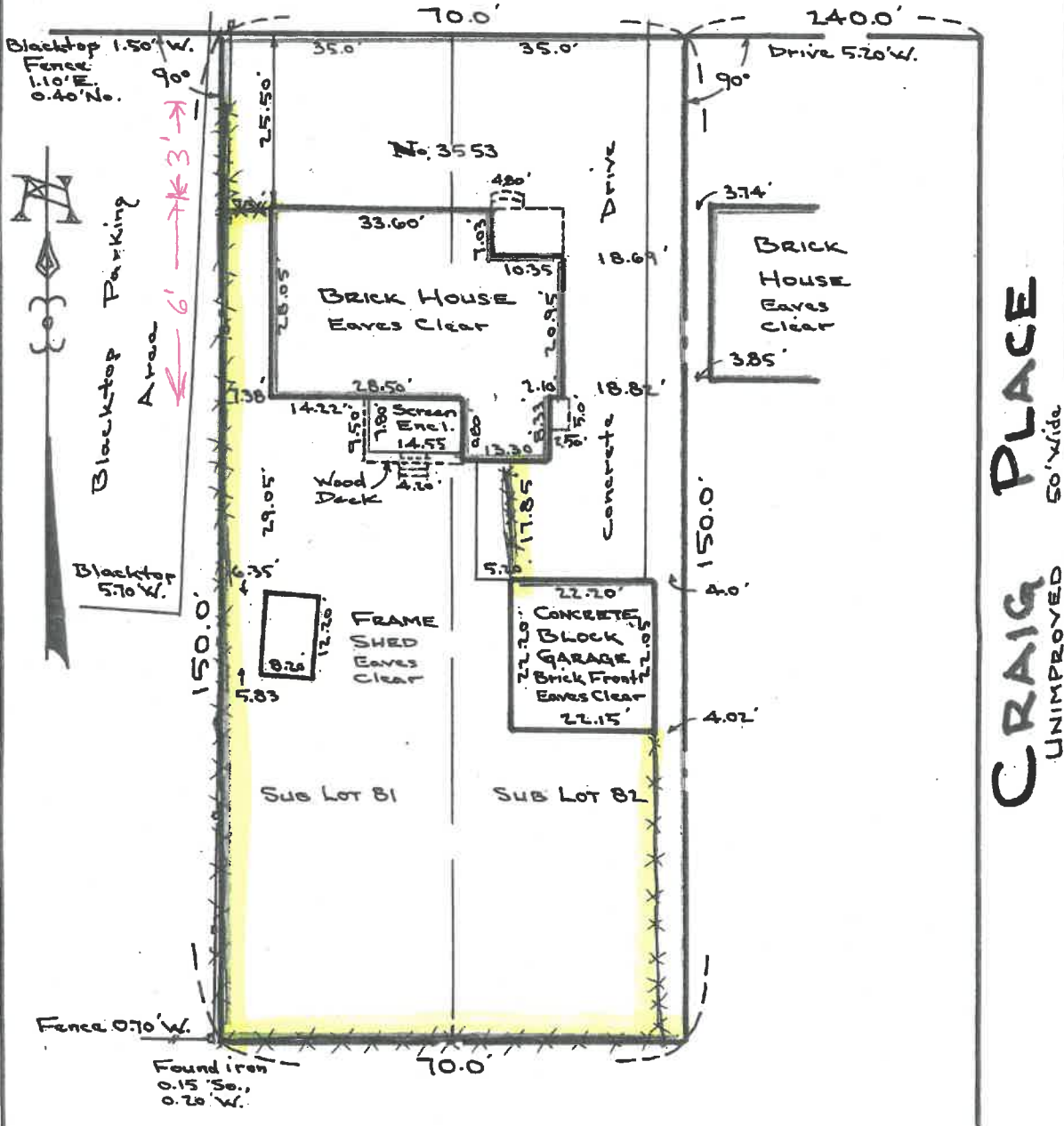
MICHAEL E. STEBMEIER NOTARY PUBLIC, STATE OF NEW YORK REGISTRATION No. 01ST6156616 QUALIFIED IN ERIE COUNTY My Commission Expires November 13, 2026

\$175.00 filing fee due at the Village Clerk's Office

/ paid cash 11-14-22 AD

WALDEN AVE.

(Formerly ELLICOTT ROAD)
99' Wide 67.00' Pavement



Sub. Lots 81 & 82
Cover 567

LOCATION: PART OF LOT 3, SECT. 11, T-11, R-6, VILLAGE OF LANCASTER, TOWN OF LANCASTER, ERIS Co. N.Y.			Without Benefit of ABSTRACT of TITLE
Richard W. Siepel Professional Land Surveyor 610 Englewood Ave. Buffalo, N.Y., 14223 Phone/Fax (716) 838-3344 License No., 49191 Successor to William C. Siepel	Kind Survey (Not Staked)	Date 9-10-12	Requested by STANLEY JAY KEYSA, ATTORNEY
			Richard W. Siepel
			© Copyright 2012 Richard W. Siepel
			SBL No.
			Scale: 1" = 20'
			Job No. 12269

This map is void unless EMBOSSED with the New York State Licensed Land Surveyor's Seal No. 49191

Altering any item on this map is in violation of the law, excepting as provided in section 7209 of the New York State Education Law.