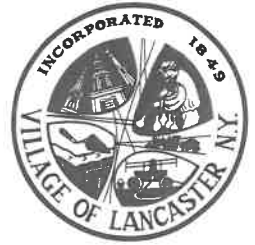


# Village of Lancaster



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

## **MEMORANDUM**

TO: Zoning Board of Appeals  
D. Blakeley, J. Volpe, J. Smith, C. Adolf, A. Debbins

FROM: Michael E. Stegmeier, Village Clerk & Treasurer

DATE: May 17, 2024

RE: Variance Application – 113 Irwinwood Rd., Lancaster, NY 14086

Petitioner and property owner, Carol Boberg, of 113 Irwinwood Rd., is seeking relief from the following Village Codes with respect to a solid six-foot 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 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.*

The petitioner is seeking relief from the Village Code to install a solid six-foot (6') stockade fence in the side and front yard. Two feet (2') of relief in height for the side yard, three feet (3') of relief in height for the front yard, and an additional 50% solid relief is requested.

The hearing has been scheduled for **THURSDAY, June 6, 2024, at 7:35P.M.** in Council Chambers at 5423 Broadway.

Enc. Petition, public notice, survey

Cc: Arthur A. Herdzik, Village Attorney  
Matt Fischione, Town Building Department  
Carol Boberg, Petitioner and Property Owner

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

**Village of Lancaster  
Zoning Board of Appeals  
113 Irwinwood Rd. Lancaster, NY**

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, June 6, 2024, at 7:35 p.m.

The purpose of this hearing is to consider the request from petitioner, Carol Boberg, of 113 Irwinwood Rd. in the Village of Lancaster, NY. The petitioner is seeking relief from the following Village Codes with respect to a solid six-foot (6') 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 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.*

The petitioner is seeking relief from the Village Code to install a solid, six-foot (6') fence in a side yard along a public right-of-way. Two feet (2') of relief in height and an additional 50% solid relief is requested.

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:	113 Irwinwood Rd.	SBL#:	115.07-1-19
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Owner's Name:	Carol Boberg	Telephone #:	716-491-8179
Address:	113 Irwinwood Rd.		
City/State:	Lancaster, NY	Zip:	14086

Petitioner's Name:	Same	Telephone #:	
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 of property lines.

Lot Description:	On Lot	100	Feet wide and	112	Feet deep, area	11,200	Square feet
	Lot is on <b>N E S W</b>	West	side of street and is	100	Feet <b>N E S W</b> of	Spohn Drive	Street

<b>Present Property Zoning:</b>	R-1	<b>Present Use of Premises:</b>	Single Family Residence
<b>Proposed Property Zoning:</b>	R-1	<b>Proposed Use of Premises:</b>	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 variance from:

Section(s)	Entitled
§ 148-4	Height limitations- side yard
§ 148-4	Height limitations- front yard
§ 148-6	Obstructions affecting public safety

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

A 6' tall stocakde fence in a side and front yard.  
 2' relief for side yard, 3' relief for front yard, & relief from 50% solid requirement.

Lancaster Bldg. Dept. Authorization M7

Petitioner's Signature: X Carol S. Boberg Date: 5/15/24

**STATE OF NEW YORK:**  
**COUNTY OF ERIE:**

On this 15<sup>th</sup> day of May, 2024, (name) Carol S. Boberg  
 Who resides at 113 Irwinwood Rd, Lancaster, NY 14086

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 Michael E. Stegmeier

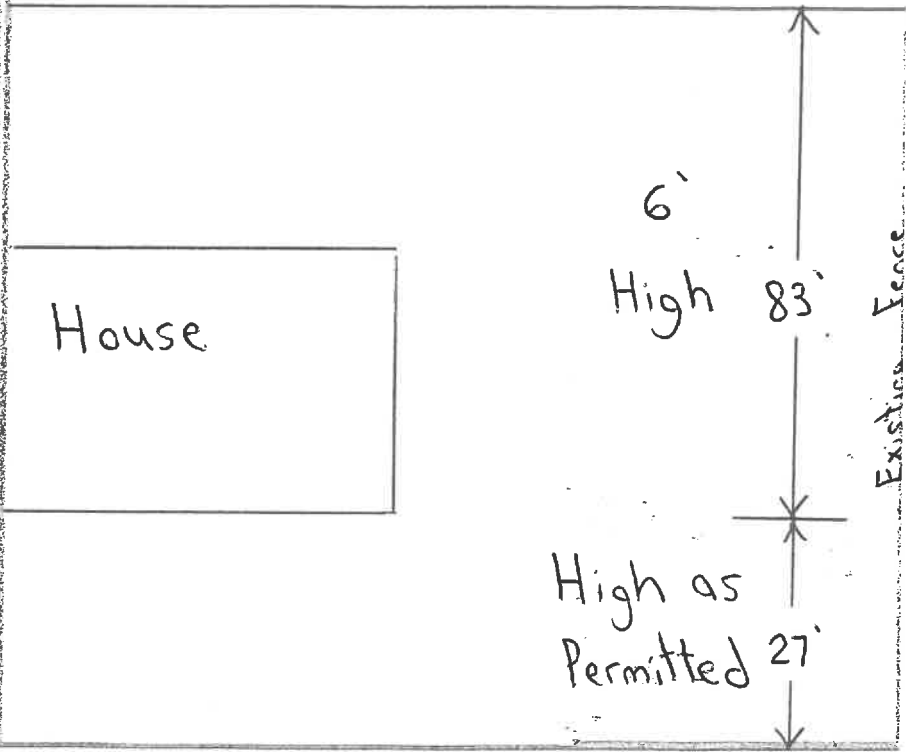
**MICHAEL E. STEGMEIER**  
 NOTARY PUBLIC, STATE OF NEW YORK  
 REGISTRATION No. 01ST6155616  
 QUALIFIED IN ERIE COUNTY  
 My Commission Expires November 13, 2026

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

MAY 1 2024  
 Village of Lancaster  
 Clerk-Treasurers Office  
 (red)  
 5/15/24  
 Receipt # 34752

716 491-8179

Name Carol Boberg Address 113 Irwinwood City Lancaster, N.Y  
Date 3/30/2024 Cross Street \_\_\_\_\_ Zip 14086

Fence Installation	Job Description
Footage: <u>110'</u>	<p data-bbox="925 409 1510 483">New Fence Installation</p>  <p data-bbox="1282 735 1510 913">6' High 83'</p> <p data-bbox="1218 1113 1510 1270">High as Permitted 27'</p> <p data-bbox="1542 798 1591 1071">Existing Fence</p>
Height: <u>6'</u>	
Material type: <u>WOOD</u>	
Post Cap Style	
Rider Style: <u>DOG EAR</u>	
Panel Style	
Color	
Grade Level	
Average Height of Adjacent	
Obstructions	
Tear Down	
Haul Away	
Survey	
Fence Staining	
Gate Style	
Gate Color	
Horse Rating Installation	
Type	
Color	
Height	
Rider Material	
Cap	
Rider Style	

