

# 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 23, 2024

RE: Variance Application – 312 Aurora St., Lancaster, NY 14086

Petitioner and property owner, Daniel Schwab, of 312 Aurora St., is seeking relief from the following Village Codes with respect to a six-foot solid fence in a front yard equivalent:

### **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 front yard equivalent. Three feet (3') of relief in height and an additional 50% solid relief is requested.

The hearing has been scheduled for **THURSDAY, June 6, 2024, at 7:45P.M.** in Council Chambers at 5423 Broadway.

Enc. Petition, public notice, survey

Cc: Arthur A. Herdzik, Village Attorney  
Matt Fischione, Town Building Department  
Daniel Schwab, 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  
312 Aurora St. 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 7:45 p.m.

The purpose of this hearing is to consider the request from petitioner, Daniel Schwab, of 312 Aurora St. in the Village of Lancaster, NY. The petitioner is seeking relief from the following Village Codes with respect to a six-foot solid fence in a front yard equivalent:

**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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The petitioner is seeking relief from the Village Code to install a solid, six-foot (6') fence in a front yard equivalent. Three feet (3') 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:	312 Aurora St.	SBL#:	115.11-16-14.1
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Owner's Name:	Daniel Schwab	Telephone #:	716-698-4521
Address:	312 Aurora St.		
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	78.42	Feet wide and	217.43	Feet deep, area	16,061	Square feet
	Lot is on <b>N E S W</b>	East	side of street and is	654	Feet <b>N E S W</b> of	Richmond Ave	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
§ 148-6	Obstructions affecting public safety

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

A 6' tall, solid privacy fence in a required front yard equivalent.  
 3' Relief in hieght & relief from 50% solid is requested.

Lancaster Bldg. Dept. Authorization 197

Petitioner's Signature: X  Date: 5/17/24

STATE OF NEW YORK:

COUNTY OF ERIE:

On this 17<sup>th</sup> day of May, 2024, (name) DANIEL SCHWAB  
 Who resides at 312 AURORA ST LANCASTER

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.

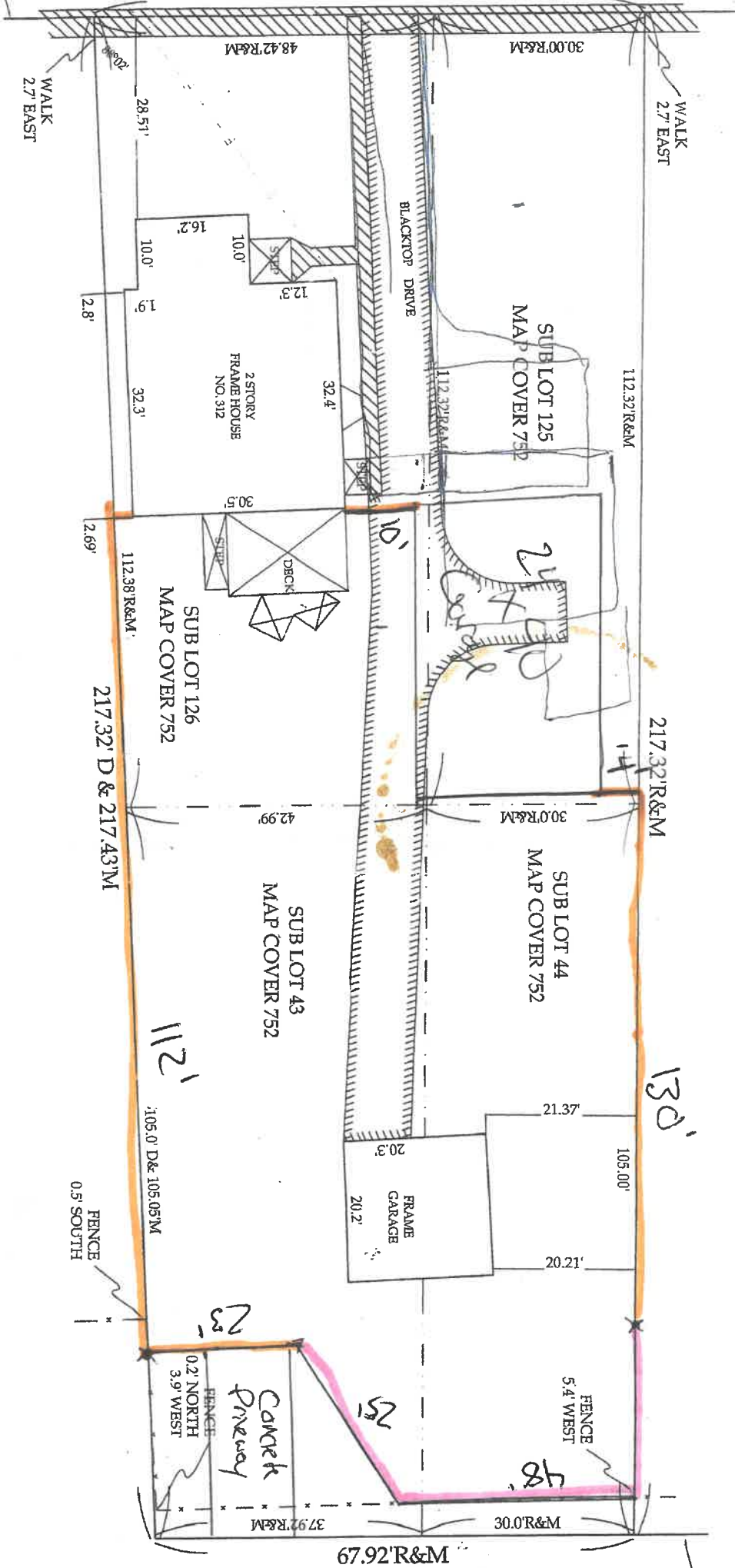
Notary Public X 

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

**MARY G. ROZLER** Reg. #01RO5054294  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires January 8, 2026

*paid  
 ck# 329  
 5/17*

78.42 R&M



(Change) (PMT)  
 355' Setback Fence  
 25' Setback Fence  
 48' Setback Fence  
 Concrete Driveway  
 Blacktop Drive  
 2-Story Frame House No. 312  
 Frame Garage  
 Deck  
 Stairs  
 105.0' D & 105.05' M  
 0.5' SOUTH FENCE  
 0.2' NORTH FENCE  
 3.9' WEST FENCE  
 112'  
 130'  
 105.00'  
 21.37'  
 20.21'  
 20.2'  
 20.2'  
 42.99'  
 217.32' R&M  
 217.43' M  
 217.32' D & 217.43' M  
 112.38' R&M  
 112.32' R&M  
 30.00' R&M  
 48.42' R&M  
 30.00' R&M  
 28.51'  
 2.8'  
 2.69'  
 37.92' R&M  
 67.92' R&M