

# 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 – 70 Fairfield Ave, Lancaster, NY 14086

Petitioner, James Juda, on behalf of property owner, Brian Juda, of 70 Fairfield Ave., is seeking relief from the following Village Codes with respect to a fence in a 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.*

The petitioner is seeking relief from the Village Code to install a six-foot (6') fence in a side yard. Two feet (2') of relief requested.

The hearing has been scheduled for **THURSDAY, June 6, 2024, at 7:40P.M.** in Council Chambers at 5423 Broadway.

Enc. Petition, public notice, survey

Cc: Arthur A. Herdzik, Village Attorney  
Matt Fischione, Town Building Department  
James Juda, Petitioner  
Brian Juda, 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  
70 Fairfield Ave. 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 7:40 p.m.

The purpose of this hearing is to consider the request from petitioner, James Juda, on behalf of property owner, Brian Juda, of 70 Fairfield Ave. in the Village of Lancaster, NY. The petitioner is seeking relief from the following Village Code with respect to a fence in the 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.*

The petitioner is seeking relief from the Village Code to install a six-foot (6') fence in a side yard. Two feet (2') of relief 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:	70 Fairfield Ave.	SBL#:	115.11-2-4
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Owner's Name:	Brian Juda	Telephone #:	602-616-1749
Address:	70 Fairfield Ave.		
City/State:	Lancaster, NY	Zip:	14086

mail →

Petitioner's Name:	James Juda	Telephone #:	
Address:	28 Liberty Ave		
City/State:	Lancaster NY	Zip:	14086

**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	125	Feet wide and	108.75	Feet deep, area	13,587.5	Square feet
	Lot is on <b>N E S W</b>	South	side of street and is	978	Feet <b>N E S W</b> of	West of Aurora St.	Street

<b>Present Property Zoning:</b>	R-1	<b>Present Use of Premises:</b>	2 Family Residence
<b>Proposed Property Zoning:</b>	R-1	<b>Proposed Use of Premises:</b>	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

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

A 6' tall, privacy fence in a side yard. 2' relief is requested.

Lancaster Bldg. Dept. Authorization M7

Petitioner's Signature: X James Juda Date: 5-17-2024  
 ON BEHALF OF BRIAN JUDA

STATE OF NEW YORK:

COUNTY OF ERIE:

On this 17th day of MAY, 2024, (name) JAMES JUDA  
 Who resides at 28 LIBERTY

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 Maya Ryzles

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

Erie, Co.,  
New York

T.11, R.6

FAIRFIELD AVENUE

(30' Wide)  
(FORMERLY BUND STREET)

FAIRFIELD AVENUE

SOUTHERLY LINE OF  
FAIRFIELD AVENUE

978.00' TO  
CENTERLINE OF  
AURORA STREET  
(50' WIDE)

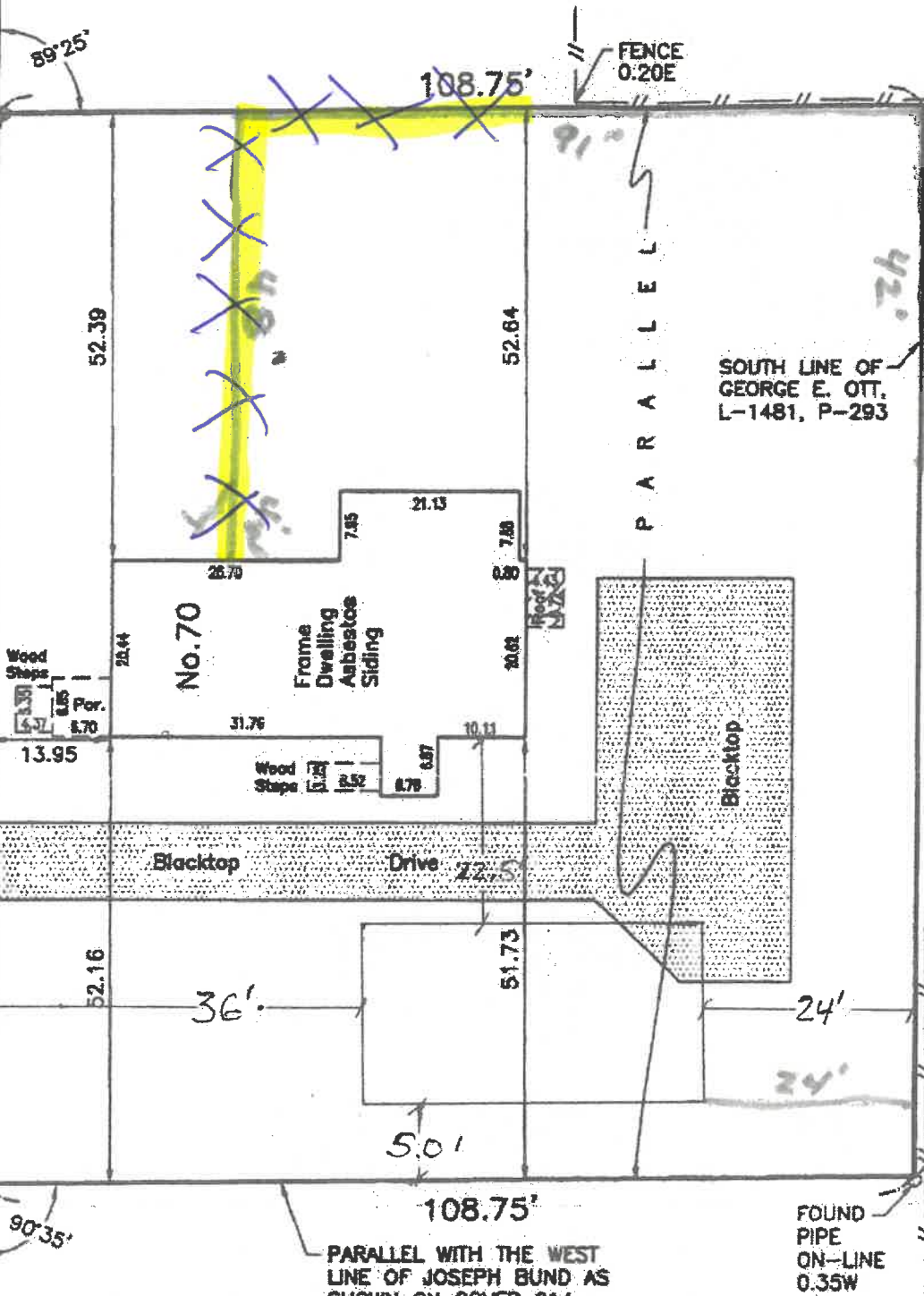
FOUND  
CONC.  
MON.  
ON-LINE  
ON-LINE

FOUND  
PIPE  
ON-LINE  
0.20S

125.00'

SOUTHERLY LINE OF  
FAIRFIELD AVENUE

FOUND  
REBAR  
ON-LINE  
ON-LINE



89°25'

108.75'

FENCE  
0.15E  
3.80S

FENCE  
0.20E

SOUTH LINE OF  
GEORGE E. OTT,  
L-1481, P-293

FENCE  
4.36S

P A R A L L E L

125.00'

FENCE  
3.65S

FENCE  
29.02E  
1.06S

PARALLEL WITH THE WEST  
LINE OF JOSEPH BUND AS  
SHOWN ON COVER 814

FENCE  
1.41S

FOUND  
PIPE  
ON-LINE  
0.35W

90°35'

108.75'

SURVEY  
OF