

Agenda  
Town of Hamburg  
Board of Zoning Appeals  
Meeting – July 11, 2023

The Town of Hamburg Board of Zoning Appeals will meet on Tuesday, July 11, 2023 at 7:00 P.M. in Room 7B of Hamburg Town Hall. The Board will consider the following applications:

1. Tabled Application #5965 DATO Development, LLC – Requesting six (6) area variances for a proposed residential project to be located on vacant land west of Briercliff Drive SBL 169.20-1-39 (Zoned PUD)
2. Tabled Application #5966 Hamburg Retail, LLC – Requesting a use variance to allow a nine-unit townhouse building at 4100 St. Francis Drive (Zoned WC)
3. Tabled Application #5967 3800 Hoover Road – Requesting a use variance to allow a seven (7) unit townhouse building at 3800 Hoover Road (Zoned WC)
4. Tabled #5982 ADMI Corp – Requesting four (4) area variances for a commercial building at 3497 McKinley Parkway (Zoned C-1)
5. Application #5987 Jarett and Rachel Cappara – Requesting one (1) area variance for a front yard setback at 4012 Staley Drive (Zoned R-1)
  - Violates: 280-34 A. Required Yards in R-1
  - Code: 35' Front yard setback
  - Actual: 31' Front yard setback
  - Variance: 4'
6. Application #5993 Quick Service Realco, LLC – Requesting one (1) area variance for an attached wall sign located at 4923 Southwestern Blvd (Taco Bell) (Zoned C-2)
  - Violates: 280-240 A.
  - Code: A wall sign is permitted for each establishment on each side of a building fronting a public street or containing a public entrance, except on a side facing onto a contiguous R District.
  - Actual: A wall sign for an establishment on a side of building not fronting a public street or containing a public entrance and facing onto a contiguous R District.
  - Variance: Allowing a wall sign for an establishment on a side of building not fronting a public street or containing a public entrance and facing onto a contiguous R District.
7. Application #5994 Hamburg Tap Room– Requesting one (1) area variance for an attached sign located at 4169 McKinley Parkway (Zoned C-1)

Violates: 280-240 A.

Code: A wall sign is permitted for each establishment on each side of a building fronting a public street or containing a public entrance, except on a side facing onto a contiguous R District.

Actual: A sign for an establishment on a side of a building not fronting a public street or containing a public entrance.

Variance: Allow a wall sign for an establishment on a side of a building not fronting a public street or containing a public entrance.

8. Application #5995 Donald and Ann Minnick – Requesting one (1) area variance for a detached garage located at 2653 South Place (Zoned R-1)

Violates: 280-278 B. (2) Limitations on obstructions in required open space.

Code: 5' Side yard setback

Actual: 3' Side yard setback

Variance: 2'

9. Application #5996 Revive Wesleyan Church – Requesting two (2) area variances for a detached sign at 4999 McKinley Parkway (Zoned R-1)

Violates: 280-240 F. Signs allowed in commercial districts

Code: 40 Square foot maximum sign area

Actual: 92 Square foot sign

Variance: 52 Square feet

Violates: 280-240 F. (3) Signs allowed in commercial districts

Code: 8' tall sign

Actual: 10' 8" tall sign

Variance: 2'8"

10. Application #5997 Robert Clifford – Requesting one (1) area variance for a detached garage at 6459 Southwestern Blvd (Zoned C-2)

Violates 280-278 B. (4) (c) Limitation on obstruction in required open space

Code: 1,500 Square feet of accessory structures

Actual: 2,700 Square feet of accessory structures

Variance: 1,200 Square feet

Violates 280-19 D. Maximum height of buildings

Code: Accessory buildings one story

Actual: Accessory building with two stories

Variance: Allow an accessory building with two stories

Violates: 280-19D. Maximum height of buildings

Code: 18' tall

Actual: 27' tall  
Variance: 9'

Brad Rybczynski, Chairman  
Nicole Falkiewicz, Secretary  
Board of Zoning Appeals

Dated: June 23, 2023