

Agenda  
Town of Hamburg  
Board of Zoning Appeals  
Meeting – October 3, 2023

The Town of Hamburg Board of Zoning Appeals will meet on Tuesday, October 3, 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 nineunit 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 Application #6002 Starbucks – Requesting one (1) area variance for a detached sign at 3670 McKinley Parkway (Zoned C-2)
5. Tabled Application #6003 Bruce Monckton – Requesting two (2) area variances for a residential lot at 3648 Old Lakeview Road (Zoned R-1, R-A)
6. Application #6005 Thomas Kielich – Requesting one (1) area variance for a minimum lot size at a vacant lot on Birchwood and Lakeshore Road (Zoned R-1)

Violates: 280-32 A. (1) Minimum lot size R-1  
Code: 15000 sq ft where the lot is served by public sanitary sewer  
Actual: 12,632 sq ft  
Variance: 2,368 sq ft

7. Application #6006 Tyler Tomasik – Requesting one (1) area variance for a minimum lot width at 2201 Lakeview Road (Zoned R-1)

Violates: 280-18 B. (1) Minimum lot width at building line R-A  
Code: 200 ft  
Actual: 120 ft  
Variance: 80 ft

8. Application #6007 Shawn McGinty – Requesting one (1) area variance for a covered porch at 5832 Apollo Drive (Zoned R-1)

Violates: 280-278 B. (3) Limitations on obstructions in required open space  
Code: 10' from detached garage

Actual: 7' from detached garage  
Variance: 3'

9. Application #6008 MSF McKinley LLC – Requesting one (1) area variance for a monument sign at 4154 McKinley Parkway (Zoned C-2)

Violates: 280-240 F. (3) Signs allowed in commercial districts  
Code: 8' tall monument sign  
Actual: 12' tall monument sign  
Variance: 4'

10. Application #6009 John Sawicz – Requesting four (4) area variances for a residential lot at 263 South Shore Drive (Zoned R-2)

Violates: 280-272 B. (3) Lot size exception for existing small lots  
Code: 7' Side yard setback  
Actual: 5' Side yard setback  
Variance: 2'

Violates: 280-41 A. Required Yards  
Code: 35' Front yard setback  
Actual: 6' Front yard setback  
Variance: 29'

\*\*\*\*\*Adjacent neighbor's house set back 6' from the front property line\*\*\*\*\*

Violates: 280-10 D. (3) (e) [1] Conservation Areas  
Code: 60' from top of bank setback  
Actual: 11' from top of bank setback  
Variance: 49'

Violates: 280-279 A. Minimum habitable floor area for dwellings  
Code: 900 square feet of habitable floor area  
Actual: 516 square feet of habitable floor area  
Variance: 384 square feet

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

Dated: September 15, 2023