

Town of Hamburg
Board of Zoning Appeals
August 8, 2023
Minutes

The Town of Hamburg Board of Zoning Appeals met for a Regular Meeting on Tuesday, August 8, 2023 at 7:00 P.M. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Vice-Chairman Ric Dimpfl, Commissioner Nicole Falkiewicz, Commissioner Laura Hahn, Commissioner Jeff Adrian, Commissioner Mark Yoder and Commissioner Chris Smith.

Also in attendance were Code Enforcement Officer Jeff Skrzypek and Attorney Michelle Parker.

Excused: Chairman Brad Rybczynski

Board members recited the Pledge of Allegiance.

Vice-Chairman Dimpfl asked for a moment of silence in honor of those who have given their lives in service of their country.

Commissioner Falkiewicz read the Notice of Public Hearing.

Tabled Application #5965 DATO Development, LLC – Requesting six (6) area variances for a proposed residential project to be located on vacant land west of Brierrcliff Drive (Zoned PUD)

It was determined that this application would remain on the table.

Tabled Application #5966 Hamburg Retail, LLC – Requesting a use variance to allow a nine-unit townhouse building at 4100 St. Francis Drive (Zoned WC)

It was determined that this application would remain on the table.

Tabled Application #5967 3800 Hoover Road – Requesting a use variance to allow a 7-unit townhouse building at 3800 Hoover Road (Zoned WC)

It was determined that this application would remain on the table.

Tabled Application # 5989 Joseph Levandowski - Requesting an area variance for a rear fence at 4714 Lilydale Street

Ronnie Lee Willett stated that she lives next door to the applicant and was asked to appear on his behalf, as he is traveling. She stated that she received an area variance in May 2023 for the same eight-foot high fence.

Findings:

Ms. Falkiewicz made a MOTION, seconded by Mr. Yoder, to approve Application # 5989.

On the question:

Ms. Falkiewicz reviewed the area variance criteria as follows:

1. Whether the benefit sought can be achieved by other means feasible to the applicant – No.
2. Whether there would be an undesirable change in neighborhood character or a detriment to nearby properties – No.
3. Whether the request is substantial – No.
4. Whether the request will have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district – No.
5. Whether the alleged difficulty is self-created – This could be argued either way, but the balancing test favors the applicant.

All members voted in favor of the motion. **GRANTED**

Application #5998 Patrick Lawler – Requesting one (1) area variance for a rear yard setback at 4997 Daisy Lane (Zoned R-2)

It was determined that the applicant requested that this be tabled to the Board's September 5, 2023 meeting, as he was available for August 1, 2023 but not for this evening.

Ms. Falkiewicz made a MOTION, seconded by Mr. Hahn, to approve the minutes of July 11, 2023. All members voted in favor of the motion.

Ms. Falkiewicz made a MOTION, seconded by Mr. Adrian, to adjourn the meeting. All members voted in favor of the motion.

The meeting was adjourned at 7:06 P.M.

Respectfully submitted,
Nicole Falkiewicz, Secretary

