

REVISED

TOWN OF ORCHARD PARK – ZONING BOARD OF APPEALS AGENDA FOR May 20, 2025

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Orchard Park, New York will hold a Public Hearing on **Tuesday, the 20th of May, 2025 at 7:00 P.M.** in the **Orchard Park Community Activity Center, 4520 California Road**, in said Town, in the matter of the following appeals:

MEMBERS: Work session starts at 6:30 P.M. (Members please be prompt.)

OLD BUSINESS

1. ZBA File #13-25, Andrew Devine, 10 Edgewater Drive, Zoned R-1, SBL# 185.05-1-27, (Sub lot 35, Map Cover 2528). Requests an Area Variance for a 13 foot side setback to construct a 13.75 foot wide 2 story addition to the side of the garage. *Side setback in an R-1 Zone is 15 feet, §144 Attachment 15, Height, Lot, Yard, and Bulk Regulations.*

NEW BUSINESS

- 1 ZBA File# 18-25, Michelle Negley, 3405 N. Benzing Road, Zoned I-1, SBL# 152.18-1-4, (part of Farm Lot 27 Township 10, Range 7). Requests two (2) Variances. The first is an Area Variance to install a freestanding sign with a 32 square foot display surface. *Display surfaces shall not exceed 20-square feet, §144-38B(2).* The second is a Use Variance to operate a mercantile type business. This use is not permitted in an I-1 zone, *Attachment 144-11 and Section 144-9A Schedule of Use Controls.*
- 2 ZBA File# 19-25, Carmela Davidson, 15 Lakewood Drive, Zoned R-3, SBL# 152.15-1-4, (Sub Lot 13 Map Cover 2174). Requests an Area Variance for a 10 foot x 10 foot shed to be two (2) feet from the rear of the primary structure. *No accessory structure shall be located closer than 10 feet to any primary structure, §144-24A(1)(c).*
- 3 ZBA File# 20-25, Sebastiano Battaglia, 8 Hemlock Hill Road, Zoned R-1, SBL# 185.08-2-59, (Sub Lot 383, Map Cover 2335). Requests an Area Variance for a 5 foot side setback for an 11 foot x 7 foot shed. *Minimum side setback in a R-1 Zone is 15 feet, §144 Attachment 15 Supplement Height, Yard, Lot and Bulk Regulations.*
- 4 ~~ZBA File# 21-25, Joseph Iafallo Sr., 4177 Abbott Road, Zoned DR-2, SBL# 161.17-3-9-1, (Lots 2 & 3 Map Cover 1541).~~ ~~Requests two (2) Area Variances for front and side yard setbacks for the construction of a commercial building. First Variance is for a 27.88 foot front setback, *Minimum front setback in a DR-2 zone is 50 feet, §144 Attachment 15 Supplement Height, Yard, Lot and Bulk Regulations.* Second Variance is for a 5 foot side setback, *Minimum side setback in a DR-2 Zone is 25 feet, §144 Attachment 15 Supplement Height, Yard, Lot and Bulk Regulations.*~~ ***
- 5 ZBA File# 22-25, Orchard Park Community Church, 7451 Quaker Road, Zoned R-1, SBL# 162.19-1-10.111, (Part of Farm Lot 63, Township 9, Range 7). Requests an Area Variance to replace the existing sign with a 32 square foot freestanding sign. *There shall be no more than two display surfaces, each of which shall not exceed 20 square feet, §144-38B(2)*
- 6 ZBA File# 23-25, Larry Pezzanite, 7 Rolling Hills Drive, Zoned R-2, SBL# 172.15-2-24, (Sub Lot 96, Map Cover 2269). Requests two (2) Area Variances for a 3 foot side and a 6 foot rear setback to construct a 30 foot x 61 foot storage building. *Minimum side and rear setbacks in an R-2 Zone is 10', §144 Attachment 14, Schedule of Height, Lot, Yard, and Bulk Regulations.* A variance for this address was denied in December 2024.
- 7 ZBA File #24-25, Alexander Nastevski, 45 Middlebury Road, Zoned R-1, SBL# 185.08-2-37 (Sub Lot 295, Map Cover 2335). Requests an Area Variance for a 46 foot front yard setback for a 24 foot x 10 foot deck. *Minimum front yard setback in a R-1 zone is 50 feet, §144 Attachment 14, Schedule of Height, Lot, Yard, and Bulk Regulations.*
- 8 ZBA File #25-25, Danielle Esposito, 6 Diller Drive, Zoned R-2, SBL# 162.05-1-39, (Sub Lot 36, Map Cover 2000). Requests an Area Variance for a 33 foot front yard setback for a 30 foot x 32.5 foot addition to the front of the garage. *Minimum front yard setback in a R-2 Zone is 40 feet, §144 Attachment 14, Schedule of Height, Lot, Yard, and Bulk Regulations*

THE PETITIONER OR AN AUTHORIZED REPRESENTATIVE MUST ACCOMPANY EVERY PRESENTATION. ALL PERSONS CONCERNED WITH OR INTERESTED IN THE ABOVE APPEALS WILL BE GIVEN THE OPPORTUNITY TO BE HEARD AT THIS PUBLIC HEARING

Dated: 4/25/25

Orchard Park, New York

Lauren Kaczor Rodo, Chairwoman
Zoning Board of Appeals

*** Removed pending receipt of additional information from Applicant.