



**CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT**

714 Ridge Road – Room 309  
Lackawanna, NY 14218  
Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION  
TO THE CITY OF LACKAWANNA  
ZONING BOARD OF APPEALS

Date: 4-2-24

Application No. \_\_\_\_\_

Application Fee:	Fee
<input checked="" type="checkbox"/> Land Use Variance	\$ 250.00
<input type="checkbox"/> Zoning Law Appeal	\$ 250.00

Property Address: 1404 ABBOTT RD

S.B.L. No. \_\_\_\_\_

Description of Action to be Appealed: Variance on Height  
Exceeding three feet in height.

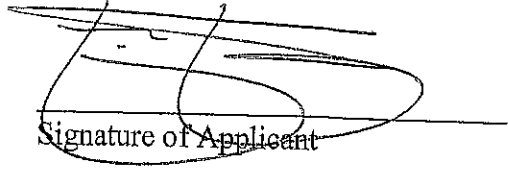
\_\_\_\_\_

\_\_\_\_\_

APPLICATION IS HEREBY MADE to the City of Lackawanna Zoning Board of Appeals for a Land Use Variance and/or Zoning Law Appeal as required by the Municipal Code of the City of Lackawanna. The applicant hereby agrees to comply with all applicable laws, rules, ordinances and regulations.

Director of Development

JOHN JACOBI  
Name of Applicant

  
Signature of Applicant

1404 ABBOTT RD  
Address of Applicant

\_\_\_\_\_  
Applicant Phone No.

\_\_\_\_\_  
Applicant's Email

owner  
Role of Applicant to Project  
(owner, attorney, lessee, agent,  
architect, engineer, contractor...)

MAIL TO:  
4576 LAKE SHORE RD  
HAMBURG NY 14075

Property Owner:  
NAME: JOHN JACOBI  
Address: 1404 ABBOTT RD  
LACK, NY 14218

## Chapter 230. Zoning

### Article V. Regulations Applicable to All Districts

#### § 230-33. Fencing.

- A. Front yard fencing may not exceed three feet in height.
- B. Perimeter fencing is prohibited in all front yards.
- C. No more than 40% of a front yard fence material may be opaque or solid materials.
- D. All fences shall be installed so that the better side of all fencing faces outward from a property.
- E. For uses subject to site plan review, where new fencing would create a continuous surface at least 10 feet in length, the visual expanse of bare fence should be minimized with grouped tree and shrub plantings in accordance with the landscaping provisions of this chapter.
- F. The use of barbed wire and other security wire fencing in residential districts is prohibited.
- G. In nonresidential districts, the maximum fence height is eight feet.
- H. In residential districts, the maximum fence height is six feet measured from the average finished grade of the lot except:
  - (1) Where a property abuts a nonresidential district, a fence up to eight feet in height is permitted.
  - (2) A fence of 12 feet will be allowed to enclose a tennis court.
- I. Where potential health or safety hazards may arise fence height may be increased as necessary to prevent unauthorized access to the premises.



**CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT**

714 Ridge Road – Room 309  
Lackawanna, NY 14218  
Tel: (716) 827-6474 Fax: (716) 827-1866



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**City of Lackawanna Criteria for an Area Variance**

**(All applicants must answer questions below when an Area Variance is sought)**

Before the Zoning Board of Appeals may grant an Area Variance the Applicant must provide proof of, and the ZBA must consider the following:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
  - (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
  - (3) whether the requested area variance is substantial;
  - (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
  - (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.
- (c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

In order to establish the above please complete the questions below (Please feel free to use additional pages if necessary):

Property Address 1404 Abbott Rd

1. What facts support that the applicant cannot realize a reasonable return ?

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2. Why should the ZBA determine the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood?

The fence is being replaced in kind. Material it was made from originally is not around any more so we are requesting to make the changes.

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3. Will the use variance, if granted, alter the essential character of the neighborhood ?

No

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4. Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No

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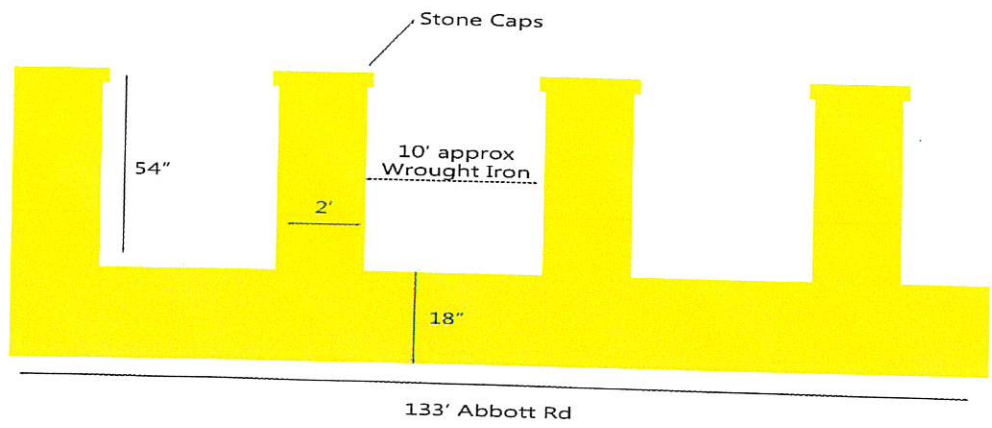
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5. Is the alleged hardship self-created?

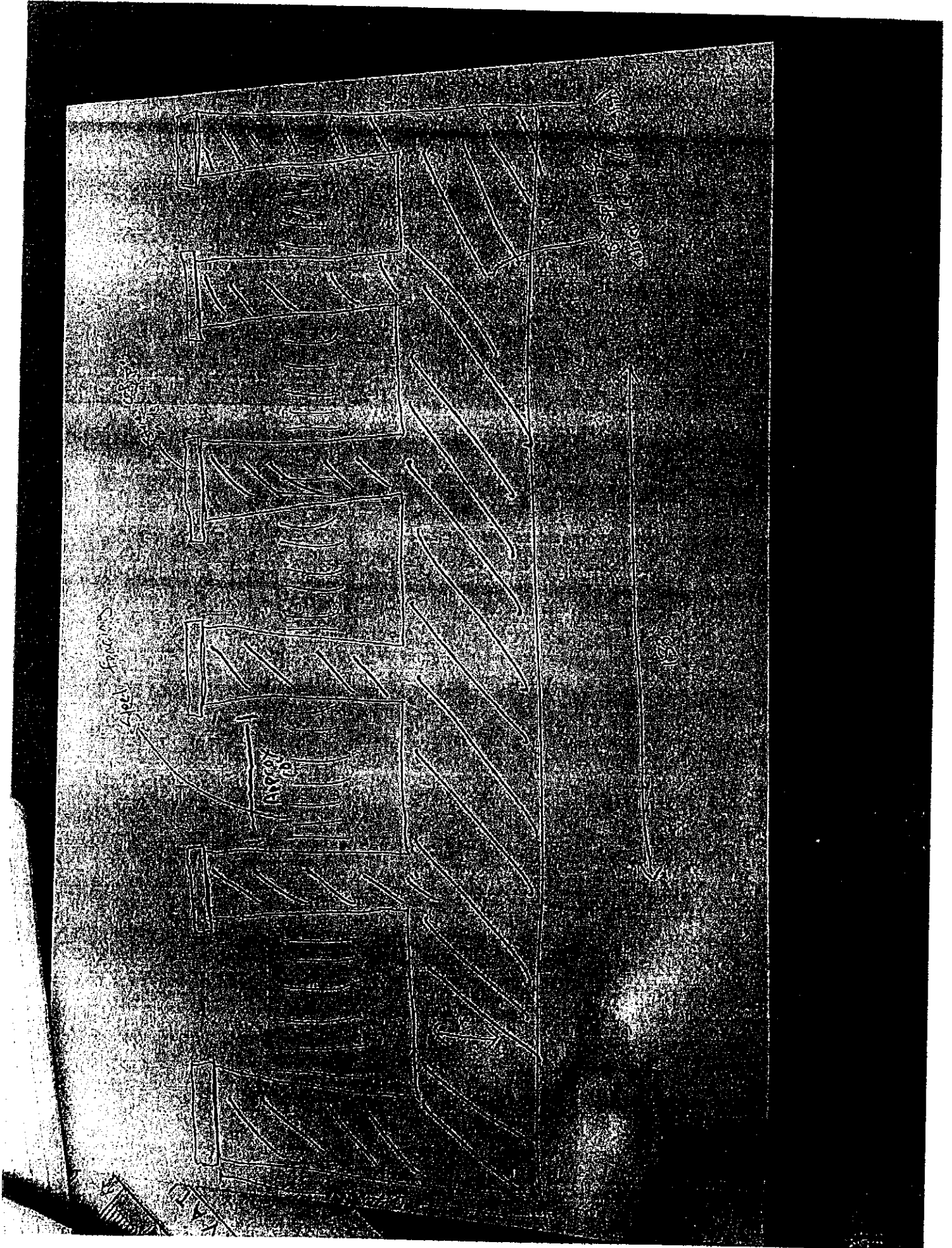
The existing fence was hit by a car.

  
Sign Application and Print Name Below



Sincerely,

John Jacobi





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# J's White Elephant

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4/8/2024

1404 Abbott Rd  
Lacakwanna, NY

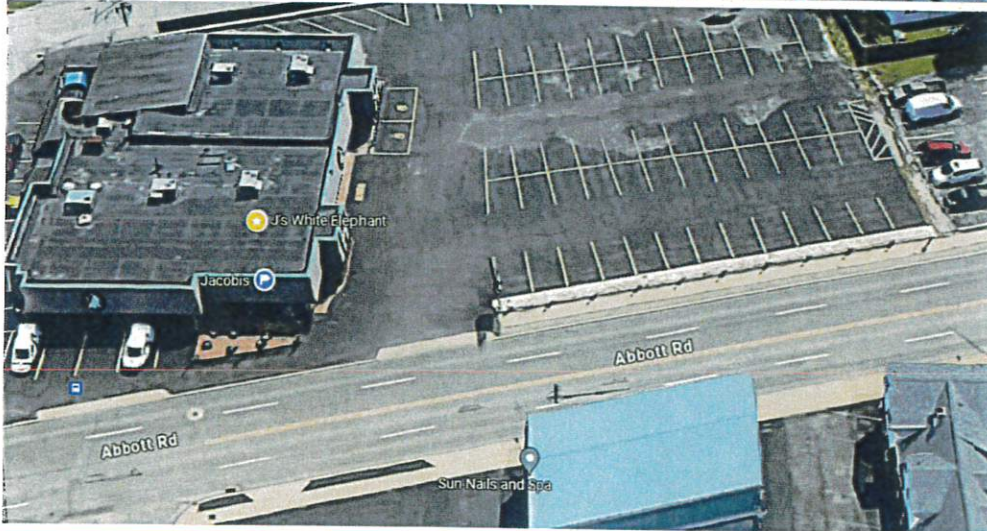
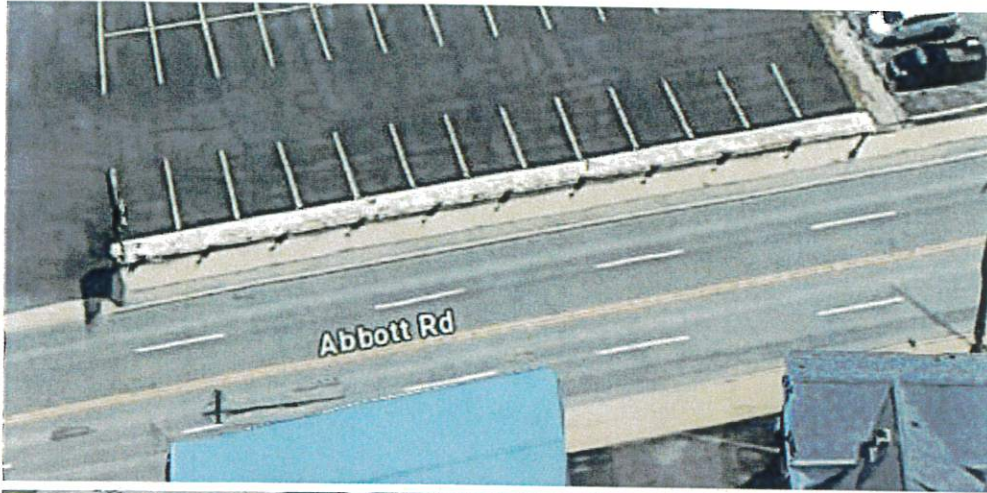
Dear Recipient:

We need to replace the fence along Abbott Rd due to a car accident the destroyed the fence and is impossible to replace to its current materials and design. We are replacing it with block, and wrought iron keeping the similar look to what is currently there. Enclosed are images of prior and damages and proposed approximate design.











CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

April 15, 2024

John Jabobi  
1404 Abbott Rd  
Lackawanna, NY 14218

**Re: 1404 Abbott Rd**

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

**Date:** \_\_\_\_\_

**Date: April 24, 2024**

**Time:** \_\_\_\_\_

**Time: 5:00pm**

**City Council Chambers Room 241**  
**Lackawanna City Hall**

If you have any questions please feel free to call 827-6474 or 827-6421  
Boarding Neighbors



# CITY OF LACKAWANNA DEPARTMENT OF DEVELOPMENT

714 Ridge Road – Room 309  
Lackawanna, NY 14218  
Tel: (716) 827-6421 Fax: (716) 827-1866



## APPLICATION TO THE CITY OF LACKAWANNA ZONING BOARD OF APPEALS

Date: 4/9/24

Application No. \_\_\_\_\_

Application Fee:

Fee

Land Use Variance  
 Zoning Law Appeal

\$ 250.00  
\$ 250.00

Property Address: 126 Keever

S.B.L. No. \_\_\_\_\_

Description of Action to be Appealed: Lot width is undersized @ 40', and the distance from front lot line to porch is 7'-6".

APPLICATION IS HEREBY MADE to the City of Lackawanna Zoning Board of Appeals for a Land Use Variance and/or Zoning Law Appeal as required by the Municipal Code of the City of Lackawanna. The applicant hereby agrees to comply with all applicable laws, rules, ordinances and regulations.

Director of Development

Angela Watson  
Name of Applicant

AwL  
Signature of Applicant

1675 S. Park Ave.  
Address of Applicant

.....  
Applicant Phone No.

.....  
Applicant's Email

Contractor  
Role of Applicant to Project  
(owner, attorney, lessee, agent,  
architect, engineer, contractor...)

Property Owner:

NAME: Habitat for Humanity Buffalo

Address: 1675 S. Park Ave

Buffalo, 14220

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: <b>New Construction - Single family home</b>							
Project Location (describe, and attach a location map): <b>176 Keever Ave</b>							
Brief Description of Proposed Action: <b>New Construction, stick built home</b>							
Name of Applicant or Sponsor: <b>Angela Watson - Habited for Humanity Buffalo</b>		Telephone: _____					
Address: <b>1675 S. Park Ave</b>		E-Mail: _____					
City/PO: <b>Buffalo</b>		State: <b>NY</b>	Zip Code: <b>14220</b>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		<b>.096</b> acres					
b. Total acreage to be physically disturbed?		<b>.014</b> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<b>.096</b> acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):							
<input type="checkbox"/> Parkland							



5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
_____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline  
  Forest  
  Agricultural/grasslands  
  Early mid-successional  
 Wetland  
 Urban  
 Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

NO YES

NO YES

16. Is the project site located in the 100-year flood plan?

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
If Yes,

NO YES

a. Will storm water discharges flow to adjacent properties?

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
If Yes, briefly describe:

Gutter to splash blocks

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?  
If Yes, explain the purpose and size of the impoundment:

NO YES

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?  
If Yes, describe:

NO YES

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?  
If Yes, describe:

NO YES

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Angela Watson

Date: 4/5/24

Signature: [Signature]

Title: Production Manager



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

April 15, 2024

Angela Watson  
1675 South Park Ave  
Buffalo, NY 14220

**Re: 126 Keever Ave**

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

**Date:** \_\_\_\_\_

**Date: April 24, 2024**

**Time:** \_\_\_\_\_

**Time: 5:00pm**

**City Council Chambers Room 241**  
**Lackawanna City Hall**

If you have any questions please feel free to call 827-6474 or 827-6421  
Boarding Neighbors  
Donna Grzech- 130 Keever  
Samantha Sharraf- 122 Keever  
Sharon Kapa-153 Milnor



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Bordering Property Notice

Dear Sir or Madam:

As an adjoining property owner in the City of Lackawanna, you are hereby notified that a neighbor has made application to the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna as follow;

- |                                  |                             |
|----------------------------------|-----------------------------|
| 1. _____ Site Plan Review        | 2. _____ Special Use Permit |
| 3. _____ Development Plan Review | 4. <u>  X  </u> Variance    |
| 5. _____ Zoning Law Appeals      |                             |

**Property owner: Angela Watson/Habitat**  
**Address: 126 Keever Ave**  
**In reference to: Construction of new home**

You are entitled to appear at the public hearing scheduled for **4/24/24@ 5:00pm** in Council Chambers at Lackawanna City Hall to express your support or opposition to the granting of said application.

Communications, relating to the application, may be filed with the appropriate Board before the meeting by writing to:

Planning & Development Board/Zoning Board  
Department of Development  
714 Ridge Road, Room 309  
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6474

PLANNING AND DEVELOPMENT BOARD, CITY OF LACKAWANNA  
ZONING BOARD OF APPEALS, CITY OF LACKAWANNA

