



# CITY OF LACKAWANNA OFFICE OF CODE ENFORCEMENT

714 Ridge Road – Room 311  
Lackawanna, NY 14218  
Tel: (716) 827-6474 Fax: (716) 827-1866



Agenda Checklist  
Zoning Board of Appeals ✓  
Planning and Development Board

Agenda item GARAGE ADDITION/ AREA VARIANCE

Property address 139 E. MILNOR

Zone SINGLE FAMILY RESIDENTIAL

Use variance needed? Yes  No

Description of use variance (not allowed in that zone) \_\_\_\_\_

Area variance needed?  Yes  No

Description of area variances needed (Parking/ height ect...) BUILDING ADDITION WITH IN THE 25 FOOT REAR PROPERTY LINE. NEEDS 8'-10" VARIANCE

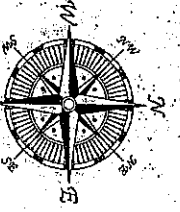
Description of agenda use? \_\_\_\_\_

Code enforcement research (attached if applicable) NO

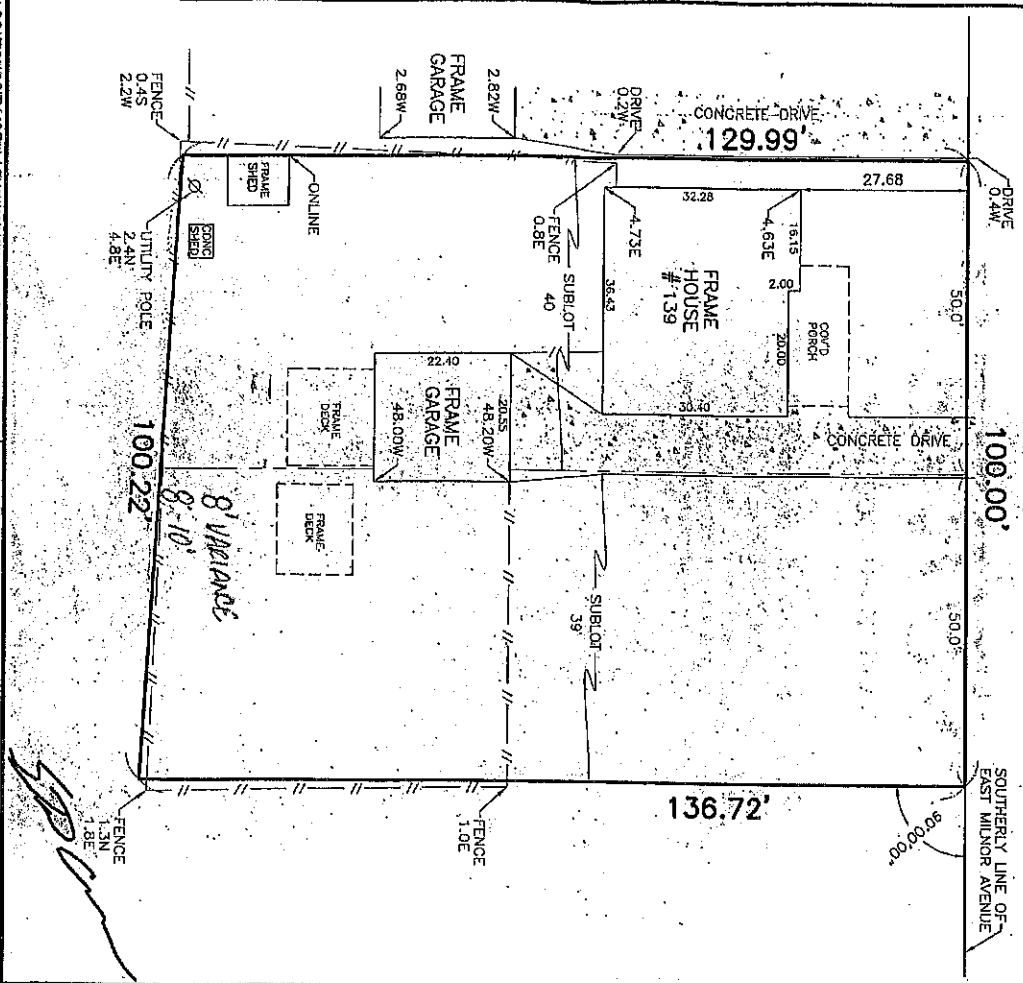
Legal opinion/ research (attached if applicable) NO

Scott Hayes  
Code Enforcement Officer

NOTE: THIS SURVEY IS MADE AND MADE WITH AN ASSUMPTION OF 90 DEGREE CORNER.  
 2025 SURVEY WAS PREPARED WITH THE ASSISTANCE OF  
 ALL ASSUMPTIONS OF MILE AND SUBSECTION, ANY STATE  
 OF SUCH THAT MAY BE REBUILT BY THE EXISTING  
 OF SUCH



# EAST MILNOR (50' WIDE) AVENUE



LOCATION: GIBBS DRIVE, CARLEMANNA	MAP COVER: 1758	JOB NO.: 23-10707
COUNTY: BOEING COUNTY, STATE OF NEW YORK	SUBLOTS: 39, 40	DRAWN BY: I. HARTWELL
PART OF LOT 35, TOWNSHIP 40, RANGE 7	DATE: JULY 20, 2023	CHECKED BY: S. CARVER
SCALE: 1" = 20'		
REVISIONS:		
DRAWN BY: I. HARTWELL		
CHECKED BY: S. CARVER		

STATE OF CARVER PLS  
 LAND SURVEY SERVICES



**CITY OF LACKAWANNA**  
**OFFICE OF CODE ENFORCEMENT**

714 Ridge Road – Room 311  
Lackawanna, NY 14218  
Tel: (716) 827-6474 Fax: (716) 827-1866  
Email: shayes@lackny.com



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***MEMORANDUM***

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TO: Planning & Zoning Members  
FROM: Scott Hayes, Code Enforcement Officer *SH*  
RE: Agenda Checklist  
DATE: June 18, 2024

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Please attach this checklist to the application for the property at 139 E. Milnor.

For future meetings this checklist will be a part of your package.

Any question please [contact my office 716-827-6427](tel:716-827-6427).

Thank you

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Scott Hayes  
CODE ENFORCEMENT OFFICER



Lackawanna Development <lackawannadevelopment@lackny.com>

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## Meeting today

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**michael sobaszek**

To: "lackawannadevelopment@lackny.com" <lackawannadevelopment@lackny.com>

Wed, Jun 26, 2024 at 2:17 PM

I am once again sorry but I will not be able to attend the meeting tonight

It is Lackawanna high school graduation  
My daughter will be graduating

Thank you

Michael Sobaszek  
Sent from my iPhone



**CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT**

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



**MEMORANDUM**

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**TO:** Planning & Zoning Board Members  
**FROM:** Development & Code Enforcement  
**RE:** Fencing Heights and Zoning  
**DATE:** June 7, 2024

---

Attached you will find copies of the Fencing Codes and Zoning Map

We respectfully ask that you review this information and give your opinion on the changes our office is proposing.

Your input will be valuable to the decision made on this matter.

If you have any further questions please reach out to anyone on the team.

Thank you

---

Charles D. Clark  
Department of Development

## 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.

JUNE 26<sup>TH</sup>



# PLANNING AGENDA

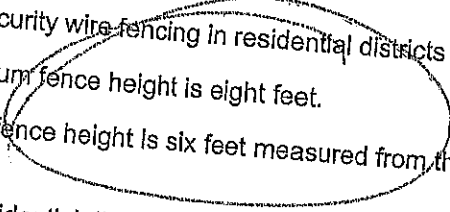
City of Lackawanna, NY  
Wednesday, May 15, 2024

## Chapter 230. Zoning

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CHANGE.



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

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



P3-0  
Get permits

APPLICATION  
TO THE CITY OF LACKAWANNA  
ZONING BOARD OF APPEALS

Date: June 10, 24

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

Application Fee:

Fee

   Land Use Variance  
  ✓   Zoning Law Appeal

\$ 250.00  
\$ 250.00

Property Address: 139 East Milnor

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

Description of Action to be Appealed: Atkey for Variance  
8'-10' of Back property line

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



Victor Colox  
Name of Applicant

Vict Colox  
Signature of Applicant

139 East Milnor  
Address of Applicant

                      
Applicant Phone No.

                      
Applicant's Email

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

Property Owner:

NAME: Victor Colox

Address: 139 East Milnor  
Lackawanna NY 14208

Property Address 139 East W. 1100

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

None

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?

NO

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

NO

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

NO

5. Is the alleged hardship self-created?

*NO*

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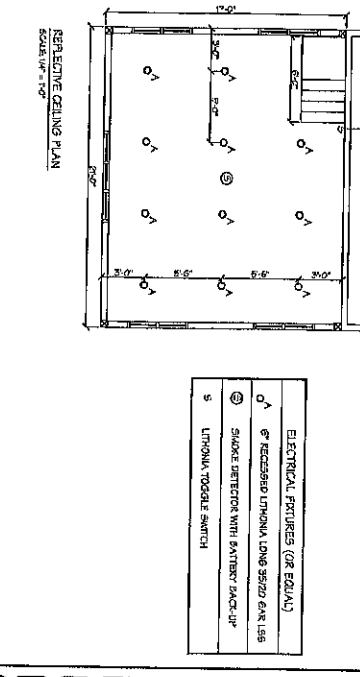
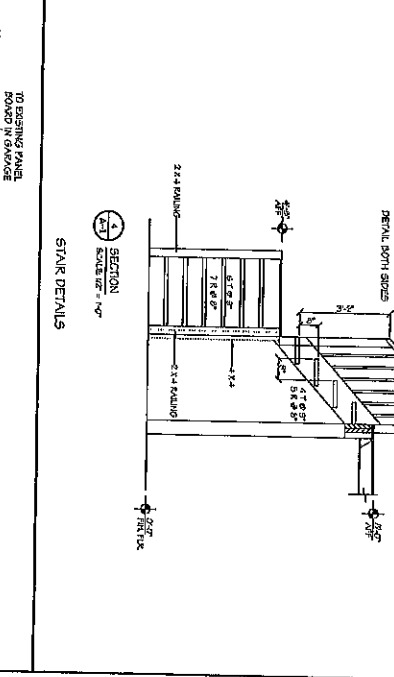
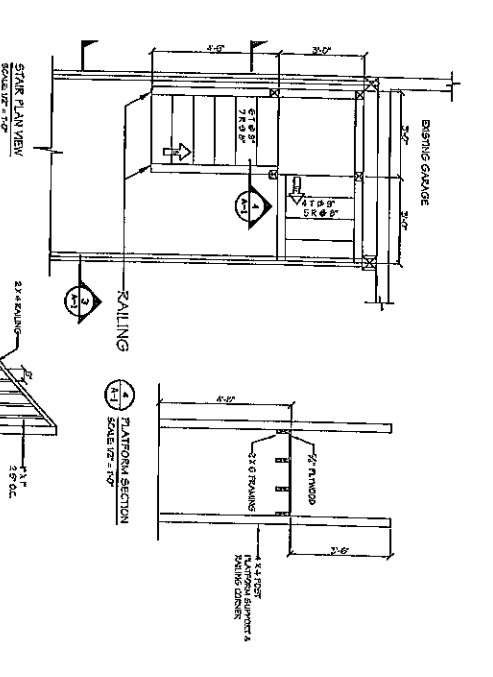
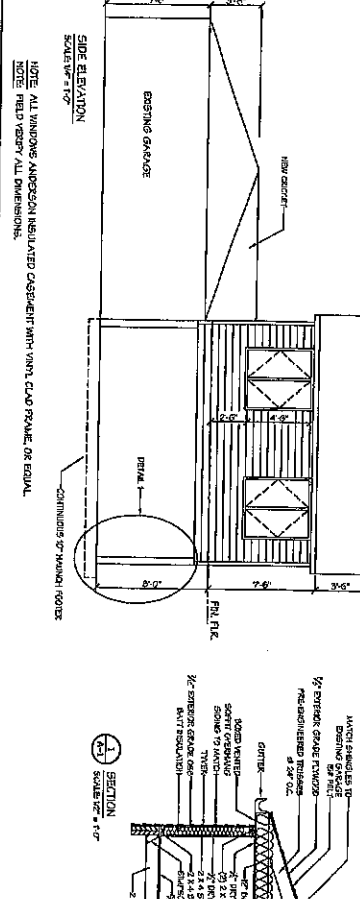
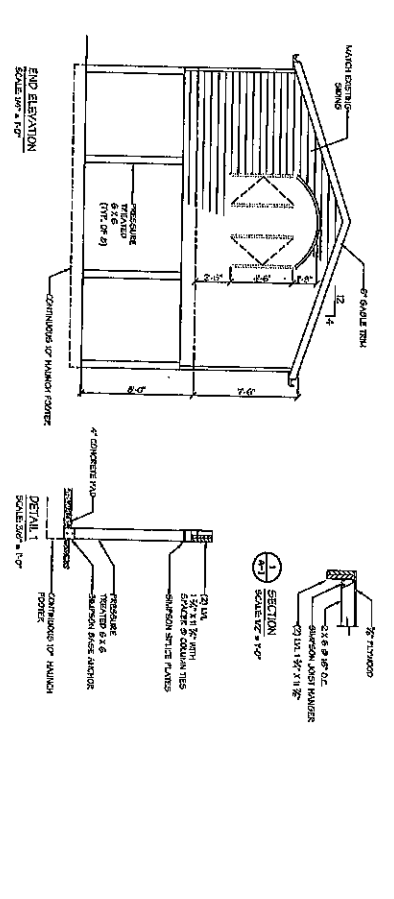
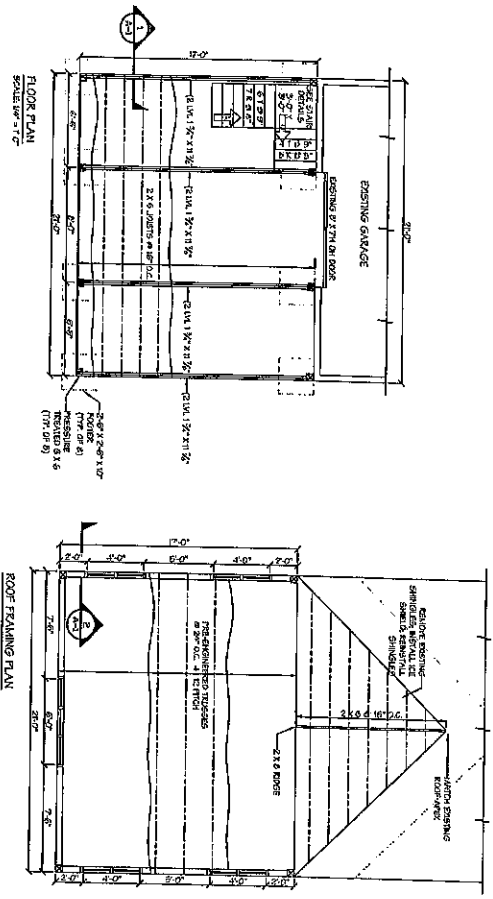
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*Victor Colon / Victor Colon*  
Sign Application and Print Name Below



Revisions			
No.	Date	By	Description

**JAMES ALLEN ENGINEERING**  
ARCHITECTS  
139 EAST MILNOR AVENUE  
LACKAWANNA, NEW YORK 14240

**F. J. WALL AND ASSOCIATES**  
ARCHITECTS  
139 EAST MILNOR AVENUE  
LACKAWANNA, NEW YORK 14240

**CONTRACTOR**  
139 EAST MILNOR AVENUE  
LACKAWANNA, NEW YORK 14240

**CANOPY WITH PARTY ROOM**  
ADDITION TO EXISTING GARAGE  
139 EAST MILNOR AVENUE  
LACKAWANNA, NEW YORK

**FLOOR PLAN & DETAILS**

**A-1**

NOTE: ALL WINDOW ANGLE INSULATED CASSETT WITH 1/2" CLAD FRAME OR EQUAL  
NOTE: FIELD VERIFY ALL DIMENSIONS.

Google Maps 139  
144 E Milnor Ave

Lackawanna, New York

Google Street View

Jul 2022 [See more dates](#)



Image capture: Jul 2022 © 2024 Google





CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

June 12, 2024

Victor Colon  
139 East Milnor  
Lackawanna, NY 14218

**Re: 139 East Milnor**

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: June 26, 2024**

**Time:**

**Time: 5:00 pm**

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

If you have any questions please feel free to call 827-6474

Boarding Neighbors  
Bronislaus Ptak-151 E. Milnor  
Shannon Lanning-133 E. 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: Victor Colon**

**Address: 139 East Milnor**

**In reference to: Requesting variance for canopy with party room**

You are entitled to appear at the public hearing scheduled for **6/26/24 @ 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



**CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT**

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**MEMORANDUM**

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**TO:** Planning & Zoning Board Members  
**FROM:** Development & Code Enforcement  
**RE:** Fencing Heights and Zoning  
**DATE:** June 7, 2024

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Your input will be valuable to the decision made on this matter.

If you have any further questions please reach out to anyone on the team.

Thank you

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Charles D. Clark  
Department of Development



City of Lackawanna, NY  
Friday, June 7, 2024

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JUNE 20<sup>TH</sup>



# PLANNING AGENDA

City of Lackawanna, NY  
Wednesday, May 15, 2024

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