



**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: 4/30/2024

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

Application Fee:

	Fee
<input checked="" type="checkbox"/> Land Use Variance	\$ 250.00
<input type="checkbox"/> Zoning Law Appeal	\$ 150.00

Property Address: 232 SOUTH SHORE BLVD

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

Description of Action to be Appealed: HEIGHT OF SIDE/BACK YARD  
FENCE HEIGHT BUILT AT A HEIGHT OF  
FOUR FEET. VARIANCE

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.

LARRY SWITZER.  
Name of Applicant

  
Signature of Applicant

232 SOUTH SHORE BLVD  
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: Larry Switzer

Address: 232 SOUTH SHORE BLVD.

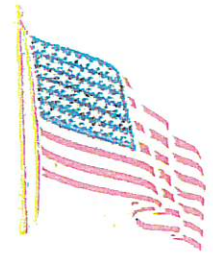
LACKAWANNA NY 14210





**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: 232 South Shore Blvd.

1. Will 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, and if not why not?

NO, It prevents my dog from biting people, especially children if they decide to put fingers through fence. Also fence does not block view of intersection of South Shore + Leonard Streets, Preventing any possibility of accidents. New fence is a better material and more appealing being wood rather than chainlink.

2. Can the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance, and if not why not?

YES because with the chainlink material it created excess noise pollution. With chainlink would be over stimulated along with the other dogs being walked by pedestrians. Prior to the replacement my neighbors would make detours and avoid my corner. The results so far have been very positive.

3. Is the requested area variance is substantial when considered against adopted area zoning regulations?

NO. The fence is one foot above the three foot allocation. Code Enforcement mentioned four feet nine inches in some spots. However I have leveled the uneven ground since then. The new dirt has been graded to a permissible grade.

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

NO. Fence performs the same duty as before. It is just different material. With a better aesthetic quality + new soil is graded correctly.

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5. Is 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?

Yes. I was candid with the city that a four foot fence was necessary for the health, safety and welfare of the neighborhood. I also corrected the previous property owners mistake and built fence behind my property line to minimize this hardship being self created.

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Sign Above, Print Name Below

LARRY SWITZER



**City of Lackawanna  
Office of Code Enforcement**

714 Ridge Road – Room 311  
Lackawanna, NY 14218

Tel: (716) 827-6474 Fax: (716) 827-1866  
Email: [ghayes@lackny.com](mailto:ghayes@lackny.com)



# Building Permit Notice

Permit No.: **24-0169**  
has been issued for this building  
**232 South Shore Blvd**

Unit/Lot No.:

This notice is to be fastened on a part of the building for which it is issued where it may be seen plainly by all persons

All work on this building must be done in accordance with the Ordinances of the Building Code of the City of Lackawanna

Work must commence within SIX months of April 5, 2024.

EXPIRATION DATE: April 4, 2025

Tax Map No.: 142.07-6-22	Owner Information: Switzer, Larry W. Jr.0	Permit Type: Construction - Residential Permit Use: Fence - Residential
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## 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](mailto:shayes@lackny.com)

# BUILDING PERMIT DOCUMENTATION

Application #: 24-0168	Parcel #: 142.07-6-22
<b>I. LOCATION OF PROPERTY</b>	Address: <u>232 South Shore Blvd</u> Unit ID: _____ Subdivision: Lot Area: <u>sq.ft.</u>

### II. TYPE AND COST OF BUILDING

<b>A. TYPE OF IMPROVEMENT</b> Fence <b>B. CURRENT ZONING:</b> SFR - SINGLE FAMILY RESIDENTIAL <b>C. PROPOSED ZONING:</b>	<b>D. PROPOSED USE:</b>  <b>E. COST</b> Total Cost of Improvement <u>\$1,000.00</u> (including material & labor)
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**F. EXISTING USE** Single Family  
**G. DESCRIPTION OF WORK** - Use additional pages if necessary  
 Remove existing chain-link fence and replace on property line with 3 foot tall wooden fence.  
 Homeowner affidavit signed

### III CHARACTERISTICS OF BUILDING - For new buildings, additions, and alterations complete Parts g-n; for all others, skip to Section IV.

<b>H. STRUCTURE TYPE</b>	<b>J. TYPE OF SEWAGE SYSTEM</b> Public	<b>N. DIMENSIONS</b> No. of stories: Total Sq. Ft:
<b>I. FUEL FIRED APPLIANCES</b>	<b>K. TYPE OF WATER SUPPLY</b> Public	<b>O. OFF STREET PARKING</b> No. of spaces:
	<b>L. IMPERVIOUS COVERAGE</b>	<b>P. RESIDENTIAL BUILDINGS</b> No. of bedrooms: No. of bathrooms:
	<b>M. STRUCTURED SPRINKLERED</b> No	
	Will there be an elevator? Yes <input type="checkbox"/> No <input type="checkbox"/>	

### IV. IDENTIFICATION - To be completed by all applicants.

Name	Mailing Address	E-mail Address	Telephone #
1. Owner/Lessee Switzer, Larry W. Jr.0	232 South Shore Blvd , Lackawanna, NY 14218		
2. Contractor			
3. Applicant Switzer, Larry W. Jr.0	232 South Shore Blvd , Lackawanna, NY 14218		716-331-2863

The undersigned agrees to conform to all applicable laws of this jurisdiction. The issuance of this permit does not relieve the owners, or any other person or persons in possession or control of the building, or any part thereof, from obtaining such other permit or licenses as may be prescribed by law for the uses or purposes for which the land or building is designed or intended, nor from complying with any lawful order issued with the object of maintaining the building or land in a safe or lawful condition, nor from complying from any regulations specified in property deed restrictions or regulations specified by any homeowners' association. Permit may expire if work described therein has not begun within 6 months after issuance or if work lapses with no activity for a period of 6 months.

Contractor's Registration Number: -  
 Contractor's Workers Comp No.:

License Expires: -  
 Expiration Date:


Applicant's Signature	Applicant's Address: 232 South Shore Blvd, Lackawanna, NY 14218	Application Date: April 5, 2024
Owner's Signature		

**V. VALIDATION**

**Building Permit Number: 24-0169**

Date	Description	Paid Date	Amount	Paid	Balance
April 5, 2024	Fence - Filing Fee		\$32.25		
April 5, 2024	<b>TOTAL: Permit Fees</b>		<b>\$32.25</b>		<b>\$32.25</b>
	Credit/Debit Card Remove existing chain-link fence and replace on property line with 3 foot tall wooden fence. Homeowner affidavit signed	April 5, 2024		\$32.25	\$0.00
	<b>TOTAL FEES</b>		<b>\$32.25</b>		
	<b>TOTAL PAID</b>			<b>\$32.25</b>	
	<b>TOTAL DUE</b>				<b>\$0.00</b>

Permit Issued on: April 5, 2024

Approved by:   
 Building Inspector



CITY OF LACKAWANNA  
CITY HALL, 714 RIDGE RD. ROOM 311  
LACKAWANNA NY, 14218

APPLICATION FOR BUILDING PERMIT

DATE: 4/5 2024

PERMIT NO. \_\_\_\_\_

PROPERTY LOCATION: 232 SOUTH SHORE BLVD. LACKAWANNA NY 14218

PROPERTY OWNER: Larry W. Switzer JR.

Larry W. Switzer JR.

NAME OF APPLICANT

EMAIL OF APPLICANT

606 2  
PHONE NUMBER

232 SOUTH SHORE BLVD  
ADDRESS OF APPLICANT

Application is hereby made for permission to:

Construction: Residential  Commercial  Industrial

New  Existing  Addition  Remodel  Repair

Demolition  Asbestosis Survey attached (Yes)  (No)

Other specify \_\_\_\_\_

Plans Attached: (Yes)  (No)  Insurance Certificates on File: (Yes)  (No)

Description of work: REMOVING EXISTING CHAIN LINK FENCE WITH  
WOODEN FENCE

Size of existing building/construction if applicable:

\_\_\_\_\_ ft. wide 72 ft. long \_\_\_\_\_ ft. high \_\_\_\_\_ number of stories

Size of proposed new building/construction:

\_\_\_\_\_ ft. wide 72 ft. long \_\_\_\_\_ ft. high \_\_\_\_\_ number of stories

ESTIMATED PROJECT COST: \$ 1000.00

Erie County Sewer Permit required: Yes \_\_\_\_\_ NO \_\_\_\_\_

FEES:

Building Permit \$ \_\_\_\_\_ Certificate of Occupancy \$ \_\_\_\_\_  
Does proposed work entail electrical work \_\_\_\_\_ and/or plumbing \_\_\_\_\_  
Electrician and/or plumber must be licensed in the City of Lackawanna

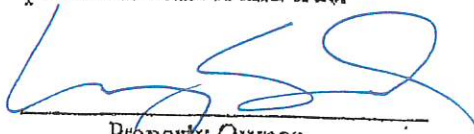
Electrician \_\_\_\_\_ Permit no \_\_\_\_\_  
Plumber \_\_\_\_\_ Permit no \_\_\_\_\_

Name of Architect \_\_\_\_\_  
Address \_\_\_\_\_ Phone No \_\_\_\_\_  
Name of Contractor HUNTER BAILEY.  
Address \_\_\_\_\_ Phone \_\_\_\_\_

The undersigned has submitted plans, specifications and a plot plan in duplicate which are hereto attached, incorporated into and made a part of this application.

In consideration of the granting of the permit hereby petitioned for the undersigned hereby agrees that if such permit is granted, he/she will comply with the terms thereof, the laws of the State of New York; the ordinances of the City of Lackawanna and regulations of the various departments of the City and State of New York, that he/she will preserve the established building line; give full notification to the Code Enforcement Officer and that he/she will not use or permit to be used the structure(s) covered by the permit until a Certificate of Occupancy is legally issued.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

  
\_\_\_\_\_  
Property Owner

Phone: \_\_\_\_\_

232 S SHORE BLVD LACKAWANNA  
\_\_\_\_\_  
Address NY 14213

\_\_\_\_\_  
Architect or Contractor  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Address

I do certify that I have examined the foregoing petition, building plans and the premises described comply with the building code/zoning ordinances of the City of Lackawanna.

Code Enforcement Officer \_\_\_\_\_

Permit No. \_\_\_\_\_ Date issued \_\_\_\_\_

# Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

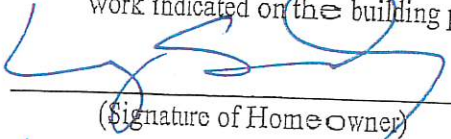
*\*\*This form can not be used to waive the workers' compensation rights or obligations of any party.\*\**

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- I am performing all the work for which the building permit was issued.
- I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- † acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a CE-200 exemption form; OR
- † have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

  
\_\_\_\_\_  
(Signature of Homeowner)

LARRY SWITZER  
\_\_\_\_\_  
(Homeowner's Name Printed)

4/15/2024.  
\_\_\_\_\_  
(Date Signed)

Home Telephone Number \_\_\_\_\_

Property Address that requires the building permit:

232 SOUTH SHORE BLVD

LACKAWANNA NY 14218

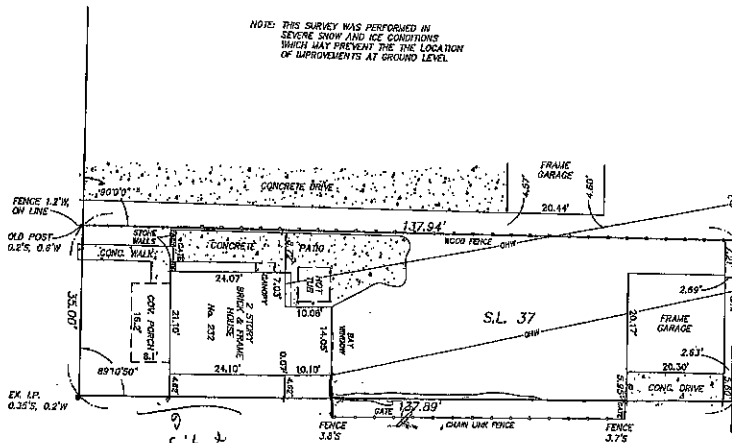
Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
(County Clerk or Notary Public)

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF THE ABSTRACT OF TITLE.  
 \* SET OR EX. 5/8" READ OR AS NOTED

SOUTH SHORE (70' WIDE) BOULEVARD  
 (FORMERLY MARSHLEY PARKWAY)

NOTE: THIS SURVEY WAS PERFORMED IN SEVERE SNOW AND ICE CONDITIONS WHICH MAY PREVENT THE THE LOCATION OF IMPROVEMENTS AT GROUND LEVEL.



Handwritten notes:

32.25  
 25  
 22.5 x 10 = 225  
 29

LEONARD (70' WIDE) STREET

DATE	REVISION/TYPED

SURVEY OF  
 SUB-LOT 37, MAP COVER 1531  
 BEING PART OF LOT 345, TOWNSHIP 10, RANGE 7  
 BUFFALO CREEK RESERVATION  
 CITY OF LACKAWANNA, ERIE COUNTY, NEW YORK



Job No. 9781  
 Scale 1" = 20'



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

May 15, 2024

Application Notice

Larry Switzer  
232 South Shore Blvd  
Lackawanna, NY 14218

**Re: 232 South Shore Blvd**

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: May 29, 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  
Thomas Burke-228 South Shore Blvd  
Dublin Properties-81 Lynn



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: Larry Switzer**

**Address: 232 South Shore Blvd**

**In reference to: Requesting variance for height of fence**

You are entitled to appear at the public hearing scheduled for **5/29/24@ 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