



CITY OF LACKAWANNA  
Zoning Board of Appeals  
COUNCIL CHAMBERS

MINUTES

Wednesday November 20, 2024

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**Opening:**

The regular meeting of the City of Lackawanna Zoning Board of Appeals was called to order at 5:00pm.

**Present:** Mohamed, Stampone, Sobaszek, Turner, Kogut  
**Excused:** Geerchen, Beres

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**Agenda:**

**A. Approval of Board meeting minutes:**

Motion to approve minutes for 10/30/24: Sobaszek: Second: Turner  
All yeas carried 5-0  
Motion to open election for temporary Chairperson

Motion to nominate Azaldeen Mohamed as temporary Chairman: Sobaszek:  
Second: Turner All yeas carried 4-0

Motion to close nominations: Sobaszek: Second: Kogut  
All yeas carried 5-0

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Mr. Charles Clark

Director of Development

Mr. Clark address the Board on updates regarding the meeting dates

Mr. Clark informed the Board in their package is the meeting dates for the year 2025. Your attendance and participation is welcome and necessary. We are bringing people in on their time to present to us. I ask that you manage your participation on these dated accordingly. We have gotten a lot of last minute cancellations the day of the meeting and it is understood if there is a health issue or other matter otherwise do your best to be here. Also starting in January we are going to follow the protocol of the Pledge of Allegiance as our opening of the meeting like the City Council.

LEGAL NOTICE  
CITY OF LACKAWANNA  
**ZONING BOARD OF APPEALS AGENDA**  
COUNCIL CHAMBERS  
TIME: 5:00 P.M.  
Wednesday December 18, 2024

Agenda

NEW BUSINESS

Item#1  
Area Variance

Bridget O'Connor/Charge Smart EV  
2500 Hamburg Tpke  
Requesting to install EV Chargers near property line  
code call for 20 feet of property line  
in mixes commercial industrial

Item #2  
Department of Development  
Code Enforcement

Mandatory Webinar Training Discussion

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Also a copy of correspondence sent to the Planning Board member regarding a request for information outside of their purview. They ask for public safety and law related matters as part of the site plan review and that is not part of the site plan review. That information is part of the business registration process.

Motion to open public hearing: Sobaszek: Second: Kogut  
All yeas carried 5-0

**Item #1**  
**Area Variance**

Antonio Acevedo  
3047 South Park Ave  
Requesting variance for 5 parking spaces to open a  
Taco Restaurant  
in mixed residential zone

Antonio Acevedo representing

Mr. Acevedo stated requesting to open taco restaurant

Chairman Mohamed ask is it a sit in or take out only

Mr. Acevedo stated it is a sit in and we have 28

Mr. Balon explained the square footage of the store next door and the parking of the premise was not enough for the square footage of the store and the seating of the restaurant.

Mr. Marion ask what was it before

Mr. Balon said it was a pizzeria a few times, and then they separated it and had a smoke shop. They put a fire wall between what was left of the restaurant, put a window where the cooking is, put two tables where the smoke shop was with a window to get the food out.

Mr. Marion this was originally was a restaurant in the past

Mr. Hayes replied yes

Mr. Marion ask Mr. Acevedo if any alterations to the parking lot

Mr. Acevedo replied no

Mr. Marion stated no parking up to code and the Board is not required to reject the application even if the hardship is self created.

Kogut asked how many parking does the store next door need

Mr. Balon said they did measure it and figure out five

Mr. Clark explained some areas have a limit amount of parking and long term is part of our Zoning code grant update hopefully the parking will be fixed

Member Stampone said looks like it's about ten parking spaces for the whole building and you are going to have a sit down inside

Mr. Acevedo said he and his business associate will be in the restaurant

Member ask where will you and him park in front of the store

Mr. Acevedo said he lives around the corner so he walks

Motion to close public hearing: Mohamed Second: Turner

All yeas carried 5-0

Motion to approve: Sobaszek: Second: Stampone

All yeas carried 5-0

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**Item#2**  
**Area Variance**

Charles Horton  
2723 South Park Ave  
Requesting variance for 6 parking spaces to open a  
nail and spa salon  
in Central Business District

Motion to open public hearing: Kogut: Second: Stampone  
All yeas carried 5-0

Charles Horton representing

Mr. Horton stated requesting to open a nail and spa shop

Chairman Mohamed stated you have three chairs which you need two spots for each chair.

Member Turner ask are you parking across the street in that parking lot

Mr. Horton replied yes and if not there is parking on the side street by the store

Member Stampone said the parking lot does not belongs to the building

Mr. Horton said my intention is to park by the store or across the street and not the parking lot it belongs to the building across the street

Chairman Mohamed ask if the City still have parking on the east side of the building

Mr. Clark said no and the closes parking is the Post Office lot on the south side of Ridge

Mr. Hayes stated he is here for a variance due to no public parking within 400 feet

Motion to close public hearing: Kogut: Second: Sobaszek  
All yeas carried 5-0

Member Kogut ask if the colors can be changed

Mr. Horton replied yes

Motion to approve variance for 6 spaces: Mohamed: Second: Stampone  
All yeas carried 5-0

**Item #3**  
**Land Use Variance**  
**Area Variance**

Carl Bueme, Jr  
10 South Fisher Rd  
Requesting to build a 22x100 garage in  
Mixed Residential District

Motion to open public hearing: Kogut; Second: Sobaszek  
All yeas carried 5-0

Carl Bueme, Jr representing

Chairman Mohamed ask what is allowed in this mixed residential area size wise and what size garage

Mr. Balon said a three car garage and it can't be bigger than the house

Mr. Hayes stated the West Seneca property line goes right thru this property and the house is in West Seneca

Member Stampone said wasn't there a question about being close to the school way and where does the line begin and ends

Member Balon said it is 20 feet to the property line which give him the right variance as far as the back yard and the thruway might be 30 feet

Mr. Marion ask when is the last time you had a survey done

Mr. Bueme said a survey was done when we bought the property about five years ago

Chairman Mohamed said if the house is in West Seneca and the property he is proposing to build a garage is in Lackawanna, is it on the same parcel

Mr. Bueme replied he ask West Seneca about that and they said go to Lackawanna

Member Stampone ask who do you pay taxes to West Seneca or Lackawanna

Mr. Bueme said both

Member Stampone ask what is the garage going to be used for

Mr. Bueme replied to store my car collection only storage

Member Kogut stated you are not going to renting out spaces

Mr. Bueme replied no

Motion to close public hearing: Sobaszek; Second: Kogut  
All yeas carried 5-0

Member Stampone ask is the driveway going to be where

Mr. Bueme said the driveway is the same shared driveway on the right side of the building

Motion to approve plans: Sobaszek; Second: Kogut

All yeas carried 5-0

Motion to adjourn: Stampone Second: Sobaszek

All yeas carried 5-0