



CITY OF LACKAWANNA
OFFICE OF CODE ENFORCEMENT

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



Date JULY, 29 2025

Agenda Checklist
Zoning Board of Appeals
Planning and Development Board

Property address 154 COLTON AVE

Reason in front of the board 2 AREA VARIANCES

Special use permit needed for Zoning? Yes/ No Planning? Yes/ No

Agenda Applicant VANESSA DIAZ

Agenda item 2 AREA VARIANCES TO ADD A ABOVE GROUND POOL

Zone MIXED 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...) WANTS 5 FEET FROM GARAGE AND 5 FEET FROM PROPERTY LINE. CODE SAYS 10 FEET FROM EACH.

Description of agenda use? 2 VARIANCES

Code enforcement research (attached if applicable) YES

Legal opinion/ research (attached if applicable) NO

Scott Hayes
Code Enforcement Officer



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: 06/25/2025

Application No. _____

Application Fee:

Fee

Land Use Variance
 Zoning Law Appeal

\$ 250.00
 \$ 250.00

Property Address: 154 Colton Avenue, Lackawanna, NY 14218

S.B.L. No. 142.46-10-14

Description of Action to be Appealed: _____

Land use variance is being requested for the addition of an above ground pool

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

Vanessa Diaz
Name of Applicant

Vanessa Diaz
Signature of Applicant

154 Colton Avenue, Lackawanna, NY 14218
Address of Applicant

[REDACTED]
Applicant Phone No.

[REDACTED]
Applicant's Email

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

Property Owner:

NAME: Vanessa Diaz

Address: 154 Colton Avenue, Lackawanna, NY 14218



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

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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: 154 Colton Avenue, Lackawanna, NY 14218

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 ?

~~The proposed above-ground pool will be located in the backyard, enclosed within an existing fence, and will not be visible from the street or neighboring properties. The proposed placement of the pool maintains the required 10-foot setback from the home and fits within the existing layout of the lot. The variance is specifically requested to allow the pool to be positioned 5 feet from the property line and 5 feet from the detached garage, due to the limited available space in the backyard. The pool is temporary and can be dismantled in the future, meaning it will not result in any permanent alteration to the property or surrounding area. Additionally, similar recreational amenities are common in residential neighborhoods and do not disrupt the character of the community. The use of the pool will be limited to typical family activities. Therefore, this minor variance will allow for reasonable residential use without negatively affecting adjacent properties or the overall neighborhood environment.~~

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 ?

~~No, the benefit sought by the applicant cannot be achieved through any other feasible method without the granting of an area variance. Due to the fixed placement of existing structures on the property, specifically the home and detached garage and the limited dimensions of the backyard, there is no available location that would accommodate the pool while meeting all current setback requirements.~~

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

~~The requested area variance is not substantial when considering the adopted area zoning regulations. The variance seeks a reduction in the setback requirement to allow the pool to be placed 5 feet from the property line and 5 feet from the detached garage, while still maintaining the required 10-foot distance from the home. Given the removable nature of the above-ground pool, along with the fact that it will be fully enclosed by an existing fence, the impact of this deviation is minimal. The request does not involve permanent construction, does not obstruct neighboring properties, and does not significantly deviate from the intent of the zoning code.~~

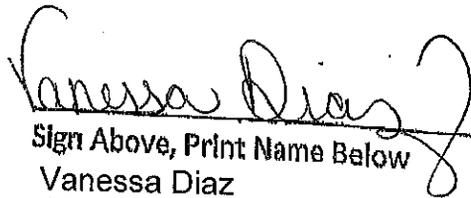
4. Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

~~No, the proposed area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The above-ground pool is a non-permanent structure that can be dismantled and removed at any time, minimizing any long-term physical impact on the property. It will be located within an enclosed backyard, behind an existing fence, and will not interfere with drainage, access, or visibility. The pool's use is seasonal and consistent with typical residential recreational activity, and it does not involve excavation or permanent alteration of the land. As such, the variance poses no~~

~~Threat to the environmental integrity or physical character of the surrounding area.~~

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?

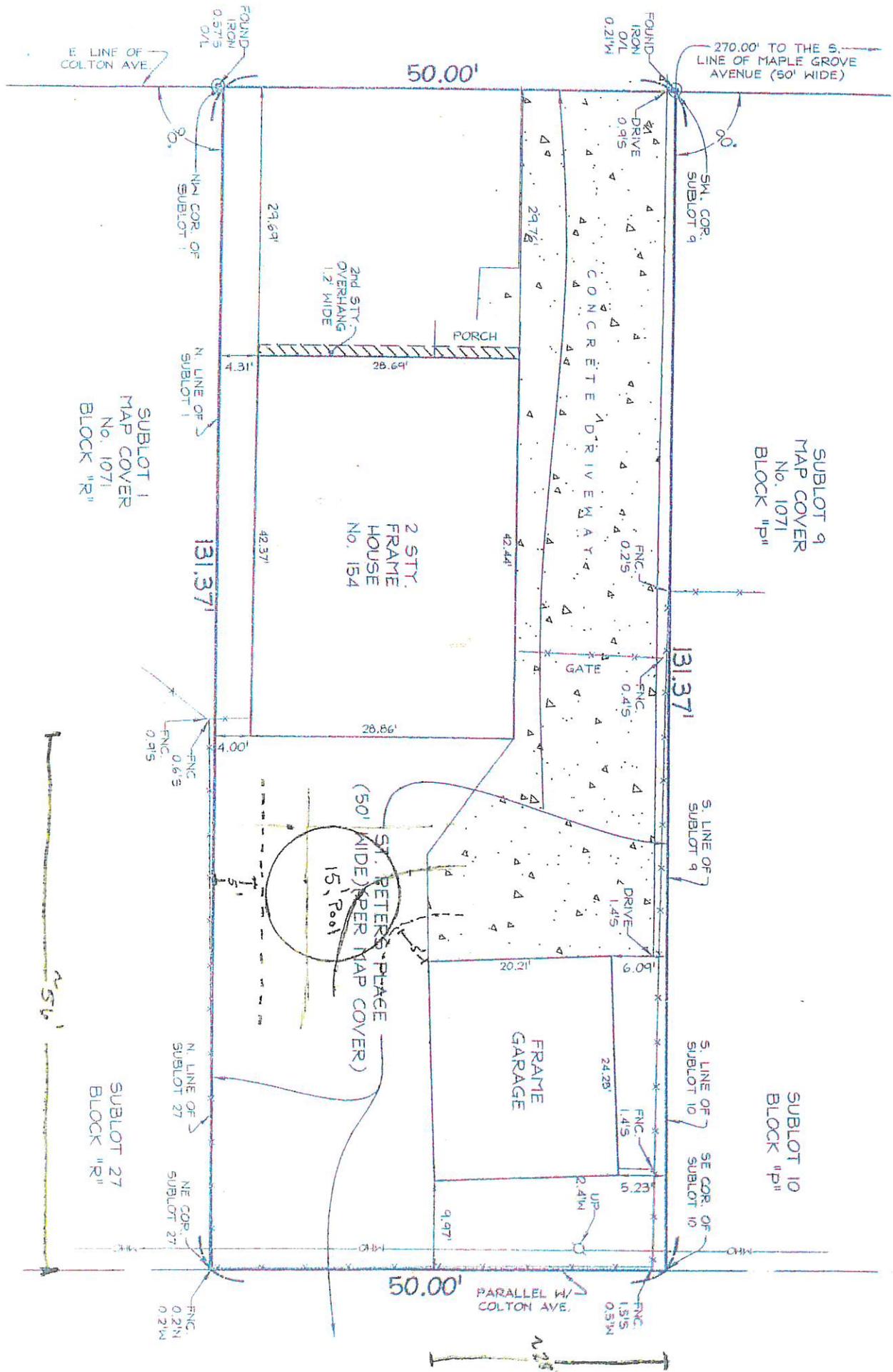
~~The alleged difficulty was not self-created, as the limitations arise from the existing configuration of the property, including the placement of the home and detached garage, both of which were in place prior to the pool proposal. These fixed structures, along with the lot's dimensions, create a spatial constraint that prevents full compliance with current setback requirements. The applicant is simply seeking a reasonable and safe use of their private yard space for seasonal recreation. While the decision to install a pool is voluntary, the need for a variance results from preexisting conditions that the applicant did not create, and this factor should be considered in favor of granting the area variance.~~



Sign Above, Print Name Below
Vanessa Diaz
154 Colton St
Lackawanna, NY 14218

COLTON AVENUE (50' WIDE)

ED	HOUSE	IP =	HOUSE	PO =	PORCH	M =	WEST
LINE	PIPE	L =	IRON PIPE	P =	UTILITY	W/ =	WITH
		MH =	MANHOLE	S =	PAGE	WD =	WOOD
JUNCTION		N =	NORTH	STY =	SOUTH	YD =	YARD
BOX		OHM =	OVERHEAD WIRE	TUB =	STORY	DR =	DRAIN
ENT		O/L =	ON LINE	TYP =	TYPICAL	JUN =	JUNCTION BOX



SUBLOT 1
MAP COVER
No. 1071
BLOCK "R"

SUBLOT 9
MAP COVER
No. 1071
BLOCK "P"

SUBLOT 10
BLOCK "P"

SUBLOT 27
BLOCK "R"



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

July 17, 2025

Vanessa Diaz
154 Colton Ave
Lackawanna, NY 14218

Re: 154 Colton 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: July 29, 2025

Time:

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474
Boarding Neighbors
148 Colton- Brian O'Shaughnessy
160-Colton- Matthew Gorczyca
155 Victory- Abdo Alfagih



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: Vanessa Diaz

Address: 154 Colton Ave

In reference to: Requesting variance for above ground pool

You are entitled to appear at the public hearing scheduled for **7/29/25@ 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 OFFICE OF CODE ENFORCEMENT

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



Date JULY 29TH 2005

Agenda Checklist
Zoning Board of Appeals
Planning and Development Board

Property address 717 RIDGE RD.

Reason in front of the board PARKING VARIANCE / SITE PLAN APPROVAL

Special use permit needed for Zoning? Yes/No No Planning? Yes/No No

Agenda Applicant BEVERLY GARRAWAY

Agenda item CATERING RESTAURANT AND BAR.

Zone CENTRAL BUSINESS DISTRICT

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...) AREA VARIANCE FOR 17 PARKING SPACES AS THERE IS NOT ANY ON PROPERTY PARKING.

Description of agenda use? AREA VARIANCE / SITE PLAN FROM PLANNING BOARD.

Code enforcement research (attached if applicable) YES

Legal opinion/ research (attached if applicable) NO

Scott Hayes
Code Enforcement Officer



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

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 Lackawanna, NY 14218
 Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION
 TO THE CITY OF LACKAWANNA
 ZONING BOARD OF APPEALS

Date: 6/30/25

Application No. _____

Application Fee:

Fee

Land Use Variance
 Zoning Law Appeal

\$ 250.00
 \$ 250.00

Property Address: 717 Ridge Road Lackawanna 14218

S.B.L. No. 33-3280565

Description of Action to be Appealed: Catering Restaurant
 and Bar Parking 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.

Director of Development

Beverley Garraway

Name of Applicant

Beverley Garraway

Signature of Applicant

84 Summer Pl Buffalo NY 14211

Address of Applicant

[REDACTED]

Applicant Phone No.

[REDACTED]

Applicant's Email

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

Property Owner:

NAME: Deep Singh

Address: 120 East Maplemere Rd
Williamville NY 14221

Property Address: 717 Pidge Rd Laramie NY 14218

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

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 ?

no

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

no

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

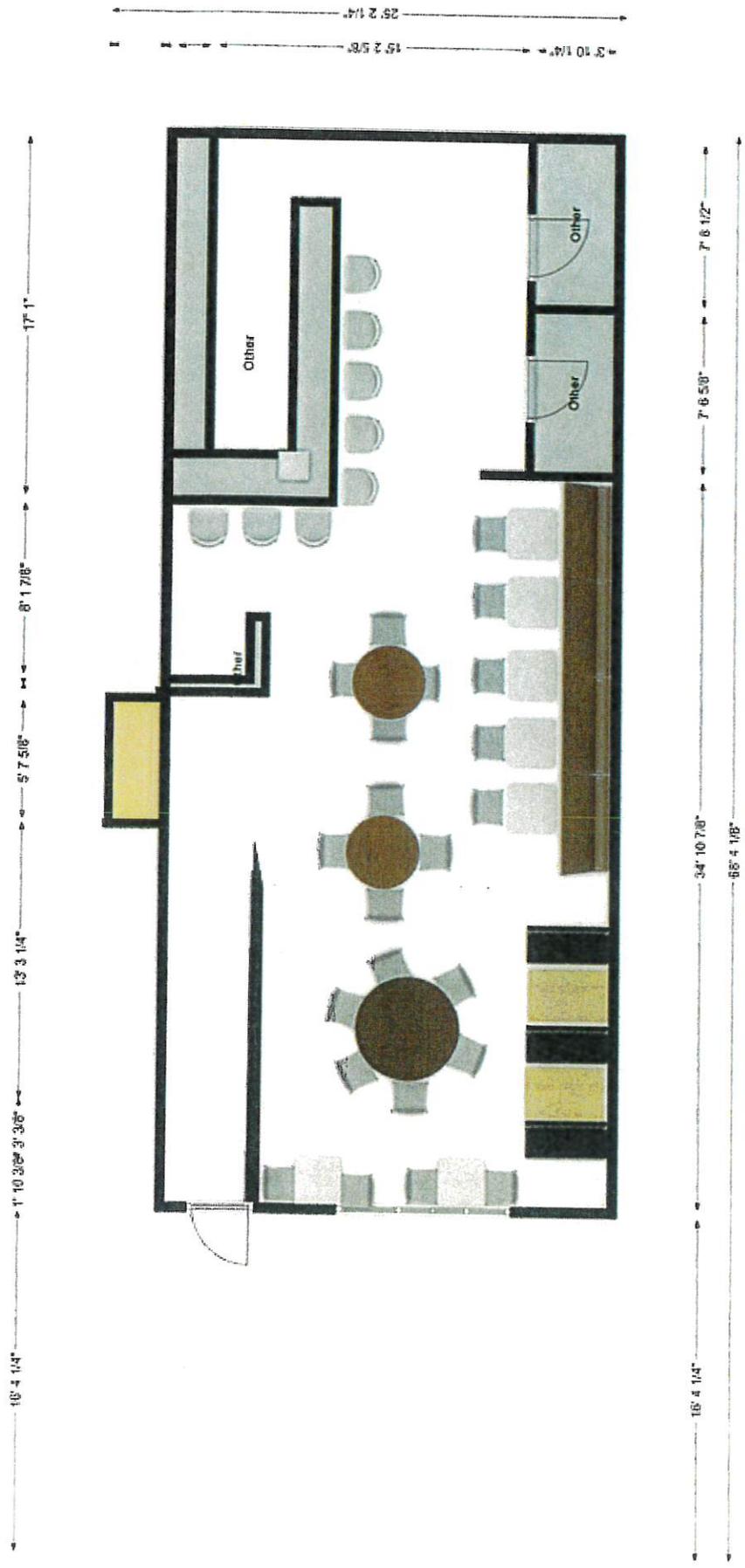
no

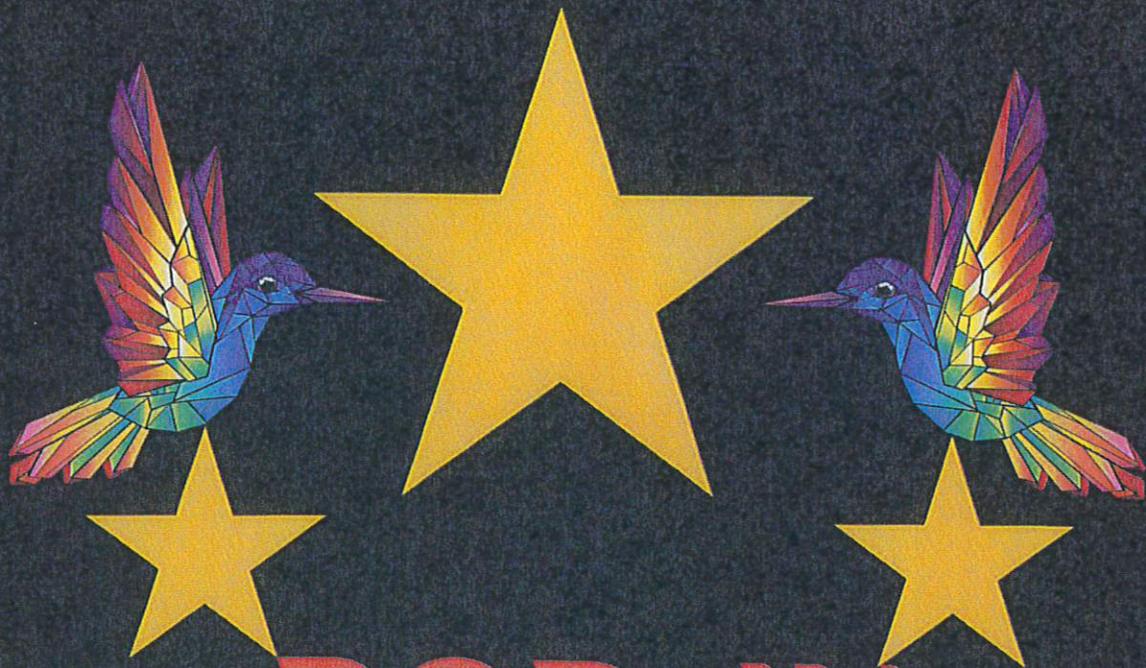
5. Is the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance?

NO


Sign Above, Print Name Below

Beverly Garraway





**POP-IN
717**



Come level up your taste buds!

Use/Facility	Requirement (spaces)
Residential (group home for elderly, disabled)	more bedroom units 1/2 per dwelling unit or if public transportation is available within 500 feet, 1/4 per dwelling unit
Restaurant and banquet hall	1 per 3 seats plus 2 for every 3 employees on the maximum shift
Restaurant - take out only	1 per 10 square feet of net floor area
Retail stores (detached)	1 per 250 square feet of sales floor area
Schools (nursery and primary)	1 per employee
Schools (secondary)	1 per 10 student instruction seats or if no fixed seats, 1 per 100 square feet of instructional space
Schools (trade)	1 space per 4 students
Shelters	1 per 2 employees
Commercial centers	5 per 1,000 net square feet
Sports complex/athletic field	10 per field

C. Exceptions. The requirements of this article may be reduced to the extent that the applicant can demonstrate that less parking is required for one of the following reasons:

- (1) Adjacent uses operate at different times and thus, arrangements with surrounding land owners to utilize their parking facilities through a formal agreement are feasible.
- (2) The new development is in close proximity to a public parking facility.

D. Location.

- (1) Required off-street parking shall be located on the same lot as the building to which it is an accessory use, except as herein provided.
- (2) All off-street parking facilities shall be located to the side or rear of the principal use building except in the Central Business District, where off-street parking shall be restricted to the rear yard.
- (3) Off-street parking facilities shall not be located within the required setback areas.
- (4) Permanent front and rear yard parking areas in residential zones, other than driveways accessing a garage or designated parking area, are prohibited.
- (5) No vehicles shall be parked on any lawn area.
- (6) Vehicles bearing signs more than two square feet in area shall not be permitted to park as a customary operation in a residential area so as to be visible from the street.
- (7) At least one of the required spaces for attached single-family residential units shall be provided on the same lot as the primary unit.
- (8) No parking lots shall be located closer than 15 feet to any adjacent residential property.
- (9) Nonresidential parking spaces shall be provided access to a nonresidential public street through a drive or aisle at least 10 feet wide.

E. Parking space dimension requirements.

Angle of stall	90°	60°	45°
Stall length	19' 00"	21' 00"	19' 10"



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

July 17, 2025

Beverley Garraway
84 Summer Pl
Buffalo, NY 14211

Re: 717 Ridge 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: July 29, 2025

Time:

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474
Boarding Neighbors
715 Ridge - LMW1968LLC
727 Ridge – Adolph Development



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: Beverley Garraway

Address: 717 Ridge Rd

In reference to: Requesting parking variances for new catering restaurant and bar

You are entitled to appear at the public hearing scheduled for **7/29/25@ 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