



# CITY OF LACKAWANNA OFFICE OF CODE ENFORCEMENT

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



Date 8/26/25

Agenda Checklist  
Zoning Board of Appeals  
Planning and Development Board

Property address 91 BEECH ST.

Reason in front of the board REAR AND SIDEYARD VARIANCES.

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

Agenda Applicant JANET SUSI

Agenda item TO BUILD A 20' x 20' GARAGE IN REAR OF PROPERTY

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...) ONE REAR AND ONE SIDEYARD VARIANCE.

Description of agenda use? NEED VARIANCE FOR TO BUILD 3 FOOT OFF OF REAR PROPERTY (CODE IS 25 FEET) AND 3 FOOT OFF OF SIDE PROPERTY (CODE IS 10 FEET)

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: 7/17/25

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

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

Property Address: 91 Beech St.

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

Description of Action to be Appealed: Building 20' x 20' garage

Looking for approval for 3' side + 3' Rear Set back

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

Janet N. Susi

~~Chad Lindner~~

Name of Applicant

91 Beech St.

~~2418 Hill~~

Address of Applicant

Applicant's Email

Janet N. Susi

Signature of Applicant

Applicant Phone No.

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

Property Owner:

NAME: Janet N. Susi

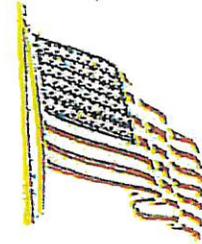
Address: 91 Beech Street

Lockport, N.Y. 14218



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

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?

*N/A*

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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?

*N/A*

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

*Yes*

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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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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, need storage and car  
cover

Sign Above, Print Name Below

City of Lackawanna, NY  
Thursday, July 17, 2025

# Chapter 230. Zoning

## Article III. District Regulations

### § 230-10. Single-Family Residential - SFR.

A. Purpose. Single-Family Residential Districts have been designated in the City of Lackawanna to preserve the unique character of the City's homogenous, single-family residential areas. The district has been designed to limit the introduction of commercial uses and alternative housing styles in order to preserve single-family residential property values.

B. Use regulations.

Permitted Uses and Structures

Permitted Accessory Uses (subject to the provisions of this chapter)

Single-family detached dwellings

Off-street parking and loading facilities

Private garages with space for no more than three vehicles

Signs

Fences, walls and hedges

Private swimming pools

Recreation facilities for the exclusive use of the primary use residents

Satellite receiving antenna

Alternative energy system apparatus

Accessory storage buildings

Houses of worship

Public buildings and uses

Cemeteries

Essential public services where no other site is available

Site Plan Review Uses

C. Site area requirements.

# K · C · M Custom Built Garages, Inc.

15 Ridgedale Circle · Tonawanda, NY 14150-4228 · (716) 694-9822

LICENSE NO. \_\_\_\_\_

This contract made the 9 day of July, 2025 between KCM and the  
Owner (name) Janet Suci Address 91 Beech St.  
City of Lack State NY Zip 14218 Home ph. \_\_\_\_\_ Bus. Phone \_\_\_\_\_

Includes: Job Location Same

Owner is the  Homeowner  Cooperative Shareholder Owner  Residential Tenant of the property (with the authorization of the legal owner to enter into this contract). The Contractor agrees that it will furnish at the Owner's address the material and labor described below in exchange for payment by the Owner as indicated below.

Starting date \_\_\_\_\_ Substantial completion date \_\_\_\_\_ Completion date \_\_\_\_\_ :  of the essence  not of the essence.

Work description (include make and model of materials, and necessary labor, and state anticipated contingencies that would materially alter the completion date stated above):

Tear down existing garage, haul away debris.  
Build new garage 20' x 20', 1/2" roof pitch, 8' walls  
2x4 studs 16" on center, 2x6 rafters 16" on center, 1/2" OSB  
sheathing walls/roof. Install Architectural shingles - Black. Install  
vinyl siding - Dover Grey, white Aluminum trim + gutters. Install  
32" Men door. Install 10x7 white overhead door, key lock.  
Pour haunched concrete pad, steel reinforced, slope base  
1/2" Anchor Bolts.

(If necessary - attach addendum)

PAYMENT Owner agrees to pay Contractor \$ 25,800 (contract price) for the materials, labor, and expenses to be provided as described above.

DOWN PAYMENT \$ 5,800 \* upon signing of this agreement.

PROGRESS PAYMENTS: The Contractor shall be entitled to receive payment from Owner for the reasonable value of materials and labor to be provided and expenses incurred under the contract in accordance with the following schedule:

\* NOTE: DOWN PAYMENTS DEPOSITED AT \$10,000 due concrete \$10,000 due completion (BANK)

### • NOTICES •

1. Owner's failure to tender payment to a performing Contractor or Subcontractor may subject the Owner's property to applicable liens by the Contractor or Subcontractor in order to enforce payments.
2. Payments received from Owner under this contract, prior to substantial completion of the work under this contract, shall be deposited within five (5) business days of receipt in an escrow account in a bank, trust company or savings and loan association located in this state; and Owner shall be notified of the name of the depository where the funds have been placed within ten (10) days of deposit of them. In the alternative, Contractor may post a bond or contract of Indemnity with Owner guaranteeing the return of proper application of such payments to the purposes of the contract. Monies used in escrow become the property of the Contractor when (a) they are applied and transferred according to the contract payment schedule; or (b) a breach of contract by the Owner occurs and the Owner is given seven (7) days written notice of the breach by the Contractor; or (c) the contract has been substantially performed.
3. This Contract is subject to the terms and conditions stated on the front and back of this Agreement.

OWNER MAY CANCEL THIS TRANSACTION at any time prior to midnight on the third business day after the date of this agreement. See the attached notice of cancellation form for an explanation of this right.

Owner Janet Suci Date 7/9/25 Contractor KCM Date 7/9/25  
Owner \_\_\_\_\_ Date \_\_\_\_\_ Authorized By [Signature] Date 7/9/25

### • NOTICE OF CANCELLATION •

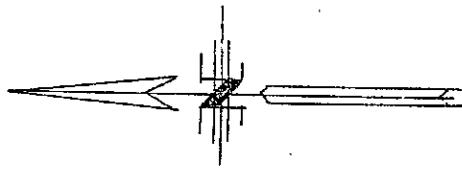
- Owner may cancel this transaction, without any penalty or obligation, within three (3) business days from the above date.
- If Owner cancels, any property traded in, any payments made by Owner under the contract on sale, and any negotiable instrument executed by Owner will be returned within ten (10) business days following the receipt by the Contractor of Owner's cancellation notice, and any security interest arising out of the transaction will be cancelled.
- If Owner cancels, Owner must make available to the Contractor at Owner's residence, in substantially as good condition as when received, any goods delivered to Contractor under this contract or Sale; or may if Owner wishes, comply with the instructions of the Contractor regarding the return shipment of the goods at the Contractor's expense and risk.
- If Owner does make the goods available to the Contractor and the Contractor does not pick them up within twenty (20) days of the date of your notice of cancellation, Owner may retain or dispose of the goods without any further obligation. If Owner fails to make the goods available to the Contractor, or if Owner agrees to return the goods to the Contractor and fails to do so, then, Owner remains liable for performance of all obligations under the contract.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION OR ANY OTHER WRITTEN NOTICE OR SEND A TELEGRAM TO: KCM GARAGES, INC., 15 RIDGEDALE CIRCLE, TONAWANDA, NEW YORK 14150-4228. KCM GUARANTEES ALL WORKMANSHIP AND LABOR FOR A PERIOD OF 1 YEAR FROM INSTALLATION, EXCLUDING CONCRETE. THERE IS NO GUARANTEE ON CONCRETE.

I CANCEL THIS TRANSACTION, NO LATER THAN MIDNIGHT OF \_\_\_\_\_

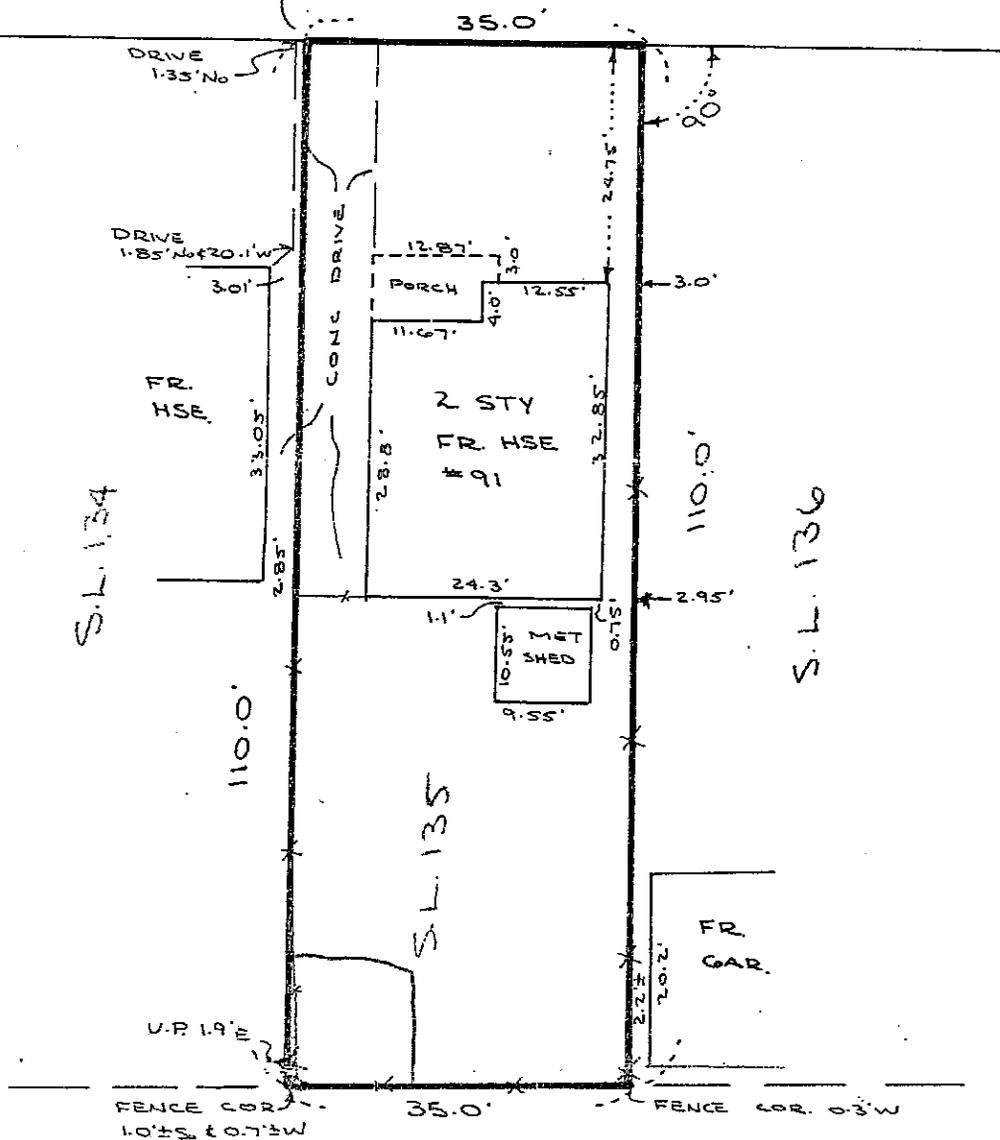
Owner's Signature

Date



# BEECH (50' WIDE) ST.

← 75.0' R&M TO SOUTH LINE ADAMS (50') STREET



SRL 141.83-5-17  
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

SURVEY OF  
 91 BEECH STREET  
 S.L. 135 - M.C. 1318

BEING PART OF LOT 19  
 TOWNSHIP 10 RANGE 8  
 OF THE HOLLAND LAND COMPANY'S SURVEY AND  
 LOCATED IN THE CITY OF LACKAWANNA  
 COUNTY OF ERIE

STATE OF NEW YORK



SURVEYED BY  
 N. Y. S. LICENSE NO.

**WHITFORD and KOELMEL**  
 CONSULTING ENGINEERS - LAND SURVEYORS  
 HAMBURG NEW YORK

DRAWN BY J.S. SCALE 1"=20'  
 CHECKED BY J.A.K. DATE 10-27-86

JOB NO. 86438



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

August 14, 2025

Janet Susi  
91 Beech St  
Lackawanna, NY 14218

**Re: 91 Beech St**

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: August 26, 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  
87 Beech- Kimberly Garrett  
100 Walnut- Eugene J. Fini, Jr



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.   X   Variance
5. \_\_\_\_\_ Zoning Law Appeals

**Property owner: Janet Susi**

**Address: 91 Beech St**

**In reference to: Requesting one rear and side yard variance**

You are entitled to appear at the public hearing scheduled for **8/26/25@ 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  
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: 8/7/2025

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

Application Fee:

Fee

       Land Use Variance  
  ✓   Zoning Law Appeal

\$ 250.00  
\$ 250.00

Property Address: 119 EAST MILNOR AVE, LACKAWANNA, NY

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

Description of Action to be Appealed: ~~1. Maximum Building Coverage 20%~~

Proposed Drawing is # 2.

See Attached Sheet

Variances requested for proposed addition

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

[REDACTED]

[REDACTED]  
[REDACTED]

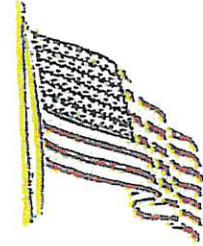
[REDACTED]

[REDACTED]



**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: 119 E MILNOR AVE, Lackawanna

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. Other houses on the street are of similar distance to the curb. The variance is for the portion of property opposite of the corner and will not effect the safety or visibility of the corner in any way. The variance will also require no structural or functional change to the owner's current driveway accessing the street

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?

After consulting with the architect and making amendments to the original designs, it was determined that the variance is the only way to meet the needs of the applicant.

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

No, no rezoning is required for the variance, property is already zoned for residential.

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

No. Variance applies to property opposite of corner and will have no physical or environmental impact on the neighborhood.

The variance will increase the value of the property and thus the neighborhood as well.

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 difficulty was not self created, the variance is requested to accommodate the needs of the family

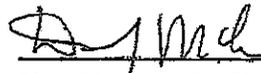
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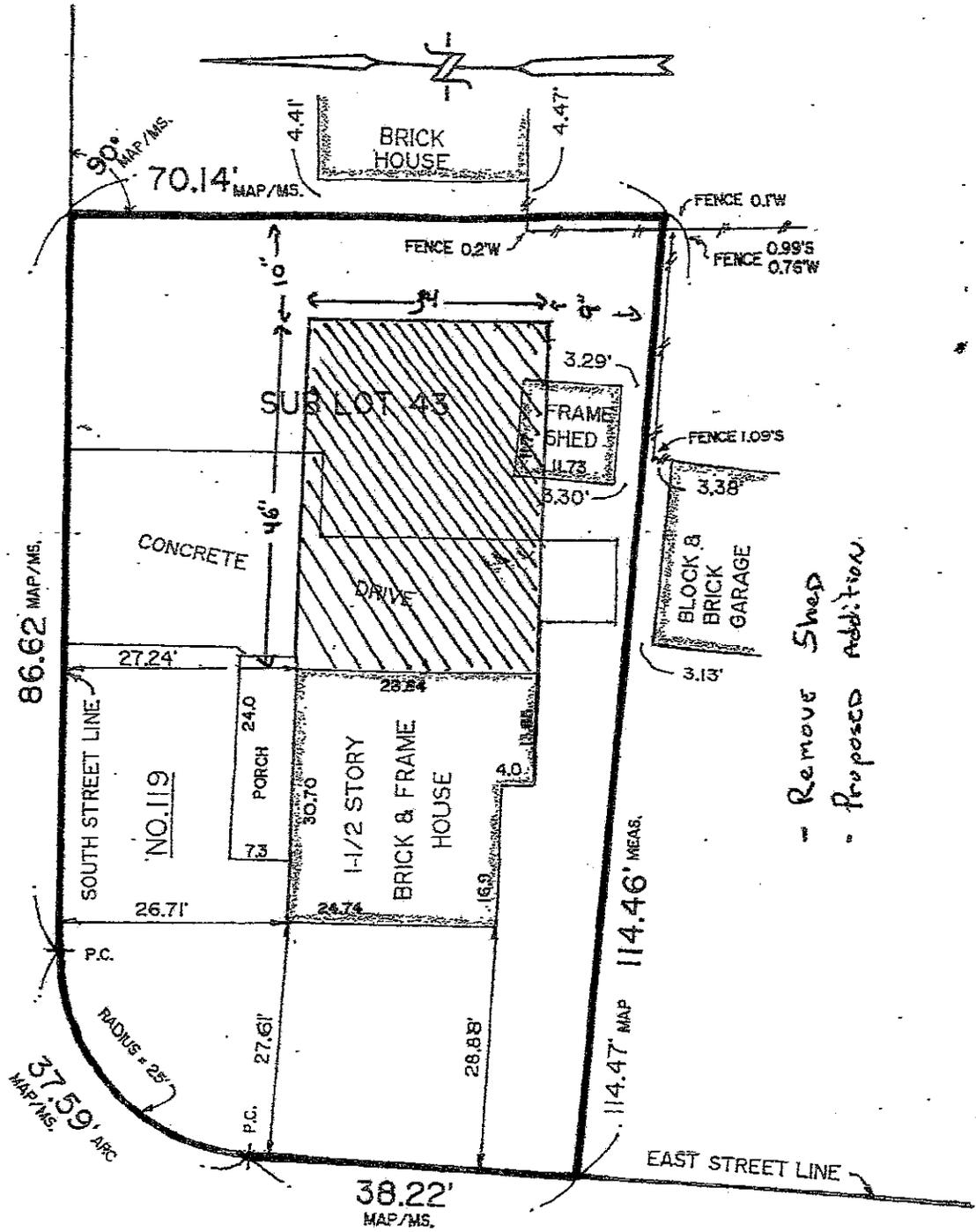
\_\_\_\_\_



Sign Above, Print Name Below

Dennis J. McArthur

EAST (50') MILNOR AVENUE



EAST AVENUE (50')

SURVEY MAP OF:		STREET/ROAD/AVE./HWY. ADDRESS 119 EAST MILNOR AVENUE			
Date	NOV.11, 2011	LOT (or part of)	435	SECT.	TWP. 10
Scale	1" = 20'	RNGE.	7	SUB LOT	43
Job No.	03248	CITY (or village)	LACKAWANNA	BLK.	COVER 1758
		TOWN		LIBER	PG.
		REVISED		CO.	ERIE
				N.Y.	
REF.	M.F. BK.	PG.		BK.	PG.

ADVANCE SURVEY GROUP LLC  
**RENE & JAY SAUVAGEAU**  
 LICENSED LAND SURVEYORS  
 OFFICES:  
 ERIE-NIAGARA CO'S, N.Y.  
 Exemption Certificate - Sec. 7208N  
 Lic. No. 41019 & 50328



Variances requested for the proposed addition at 119 East Milnor Ave.

1-Maximum building coverage is 20%- you appear to be over that

2-Front yard is 25'- looks like you will have about 11'

3-Side yard is 10'-looks like you will have about 5'

4-Side yard is 10'-looks like you will have about 5'

It is a corner lot so it is considered a front yard on both streets that is why there are 2 side yards.



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

August 14, 2025

Dennis J. McArthur  
207 72<sup>nd</sup> St  
Niagara Falls, NY 14304

**Re: 119 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: August 26, 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  
Anthony Whitt- 10 East Minor  
Walter Sopicki- 129 E. Milnor



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

August 14, 2025

Hizam Alsamma  
119 E. Milnor Ave  
Lackawanna, NY 14218

**Re: 119 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: August 26, 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  
Anthony Whitt- 10 East Minor  
Walter Sopicki- 129 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.   X   Variance
5. \_\_\_\_\_ Zoning Law Appeals

**Property owner: Hizam Alsamma**

**Address: 119 E. Milnor Ave**

**In reference to: Requesting variances for new addition**

You are entitled to appear at the public hearing scheduled for **8/26/25@ 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

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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 8/26/25

Agenda Checklist  
Zoning Board of Appeals  
Planning and Development Board

Property address 23 BELL

Reason in front of the board FRONT YARD VARIANCE

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

Agenda Applicant ZULMA NIEVES

Agenda item FRONT YARD VARIANCE FOR NEW PORCH

Zone SINGLE FAMILY RESIDENTIAL

Use variance needed? Yes/No  No

Description of use variance (not allowed in that zone) ✓

Area variance needed? Yes/No  No

Description of area variances needed (Parking/ height ect...) NEW FRONT PORCH  
TO BUILD 12' 2" FROM PROPERTY LINE  
CODE IS 25' FRONT YARD

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

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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 Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION  
 TO THE CITY OF LACKAWANNA  
 ZONING BOARD OF APPEALS

Date: 7/29/25

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

Application Fee:

Fee

Land Use Variance  
 Zoning Law Appeal

\$ 250.00  
 \$ 250.00

Property Address: 23 Bell ave Lackawanna NY 14218

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

Description of Action to be Appealed: Changes on structure - adding a front entrance - eliminating side entrance.

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

Zulma I. Nieves

Name of Applicant

Zulma I. Nieves

Signature of Applicant

23 Bellave Lackawanna  
Address of Applicant NY 14218

703-535-9434  
Applicant Phone No.

nievesnie@yahoo.com  
Applicant's Email

owner

Role of Applicant to Project

(owner, attorney, lessee, agent,  
architect, engineer, contractor...)

Property Owner:

NAME: Zulma I. Nieves

Address: 23 Bellave

Lackawanna NY 14218

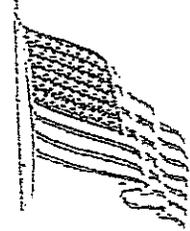
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Director of Development



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DEPARTMENT OF DEVELOPMENT**

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

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- (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: 23 Bell Ave 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?

No, most of the houses on our street  
have front entrances.

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 side entrance is grandfathered  
to the property, changing it will ~~eliminate~~ eliminate  
~~space to~~ space to drive way; ~~changing~~ changing  
only the side entrance. Therefore,  
a front entrance will be more feasible.  
side entrance:  
It has become notorious for people to  
come in the house, and large furniture  
not able to fit through ~~needed~~ back or side doors.

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?

*It was not self-created or self-created not applicable.*

*Zulma I. Nieves*

Sign Above, Print Name Below

*Zulma I. Nieves*



# SEVEN SIX

LET'S GET TO WORK!

## Project Proposal

*A Proposal To:*

**MIKE NIEVES**

*7/14/16*

301 14<sup>TH</sup> STREET | BUFFALO, NY 14213 | 716-828-8681 | 716MINISTRIES.

# SEVEN SIX

## WHY CHOOSE

### WHO ARE WE?

We are not just another full service licensed and insured general contractor who is committed to excellence. We are in the business of changing lives through **JOB TRAINING TO SECURE EMPLOYMENT**. Our heart is to break the cycle of poverty in underserved and refugee families as we are building up and giving back!

### WHAT MAKE **BRATS** DIFFERENT?

We hire many of our employees directly through our work readiness program which is all about bringing people out of poverty into stable employment and **CONNECTING PEOPLE TO OPPORTUNITIES**

### HOW WILL THIS IMPACT MY PROJECT?

You will receive an extremely competitive quote, excellent communication, on schedule completion, and the highest quality craftsmanship. You may see **TEACHING & MENTORING** happening on your job site by our skilled craftsmen because that's what we are all about!



Customer: Mike Nieves  
Project: Entrance remodel  
Date: 7/10/25

## SUMMARY OF WORK

- Demo side and front entrance
- Demo side entrance door, concrete slab, brick steps, and roof above
- Demo required siding at front and side entrance
- Excavate for sono tube instillation
- Install sono tube and concrete footers for support
- Install deck and stair framing, ledger board, beams and columns
- Install front entrance porch and stairs
- Install treads and risers
- Install deck and stair rails
- Install posts and new gable roof above front deck
- Frame and interior living space

PRICE: \$13,750

## PAYMENT

The quoted price is valid for 60 days.

## EXCLUSIONS

Excluded from this bid is any other work other than noted, and any other work that is not mentioned by contract scope.

## MATERIALS

Materials used in project are assumed to be contractor grade. Premium finishes can be installed at an additional cost. If customer prefers to procure materials all supplies need to be on the site at the start of construction.

## CHANGES

There are to be no oral changes: All alterations/changes must be made in a written agreement between 716 Ministries and the owner of the project. Any changes to the above scope of work will result in a written change order.

INSURANCE:

Contractors and sub contractors will carry their own insurance for the duration of the project.

**PAYMENT SCHEDULE:**

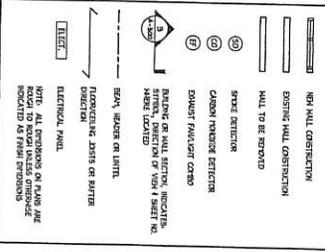
Upon acceptance of the quote, a deposit of 50% will be requested 30 days prior to project scheduling for the purpose of material orders needed. Final payment will be requested upon project completion.

Customer Print:

Customer Signature:

Date:

**SYMBOL KEY:**

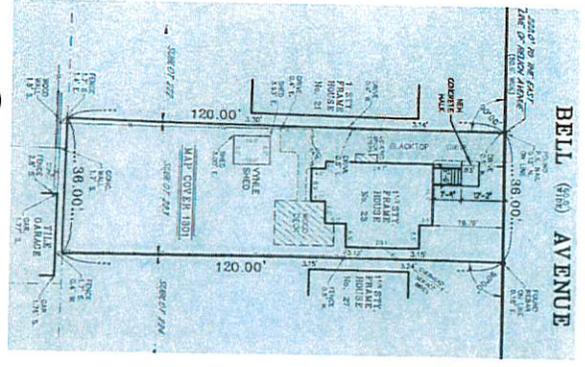


**GENERAL NOTES:**

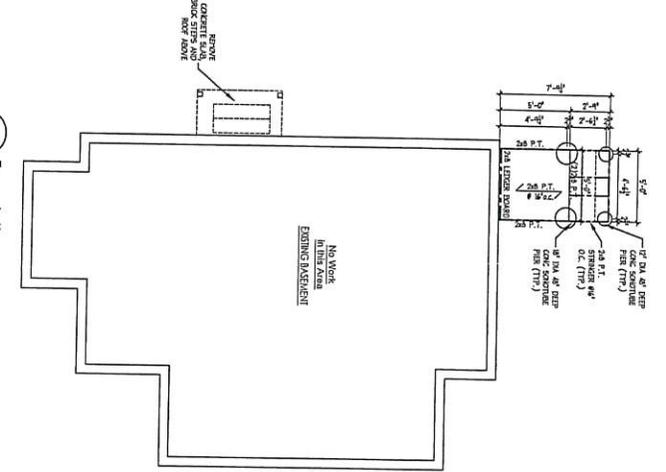
1. ALL WORK SHALL BE IN ACCORDANCE WITH FEDERAL, STATE, LOCAL, COUNTY AND MUNICIPAL CODES, ORDINANCES, REGULATIONS, SPECIFICATIONS AND STANDARDS. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**GENERAL NOTES:**

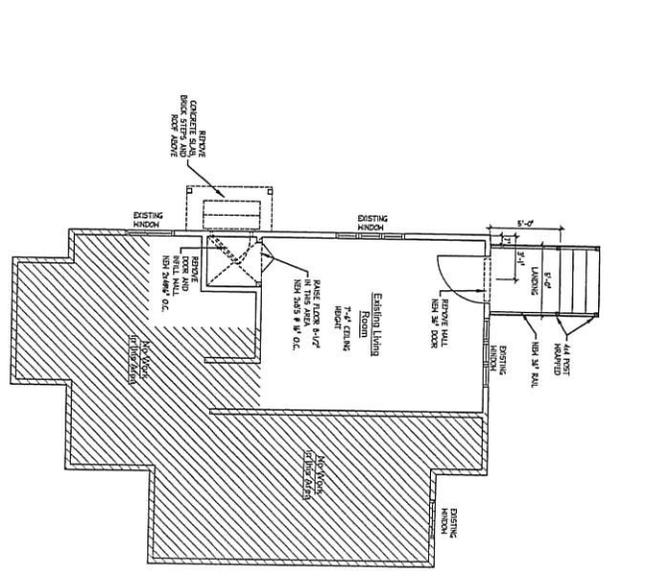
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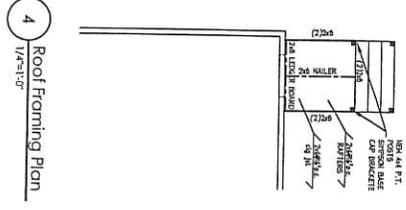
3 Site Plan  
1/8"=1'-0"



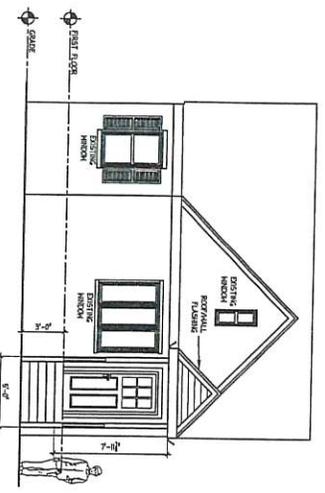
1 Foundation Plan  
1/4"=1'-0"



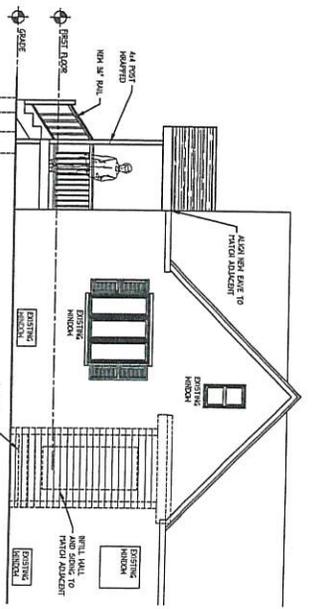
2 First Floor Plan  
1/4"=1'-0"



4 Roof Framing Plan  
1/4"=1'-0"



5 Front Exterior Elevation  
1/4"=1'-0"



5 Side Exterior Elevation  
1/4"=1'-0"

ARCHITECT:  
**MICHAEL  
LUKASZEWSKI**

PO BOX 104  
ORCHARD PARK, NY 14127  
716-253-5300  
MKS@MICHAELLUKASZ.COM

**DOCUMENT STATUS**

<input type="checkbox"/>	NOT FOR CONSTRUCTION
<input type="checkbox"/>	PROCESS REVISION
<input type="checkbox"/>	FINAL (GENERAL)
<input type="checkbox"/>	FINAL (CUSTOMER)
<input type="checkbox"/>	FINAL (DRAWING)

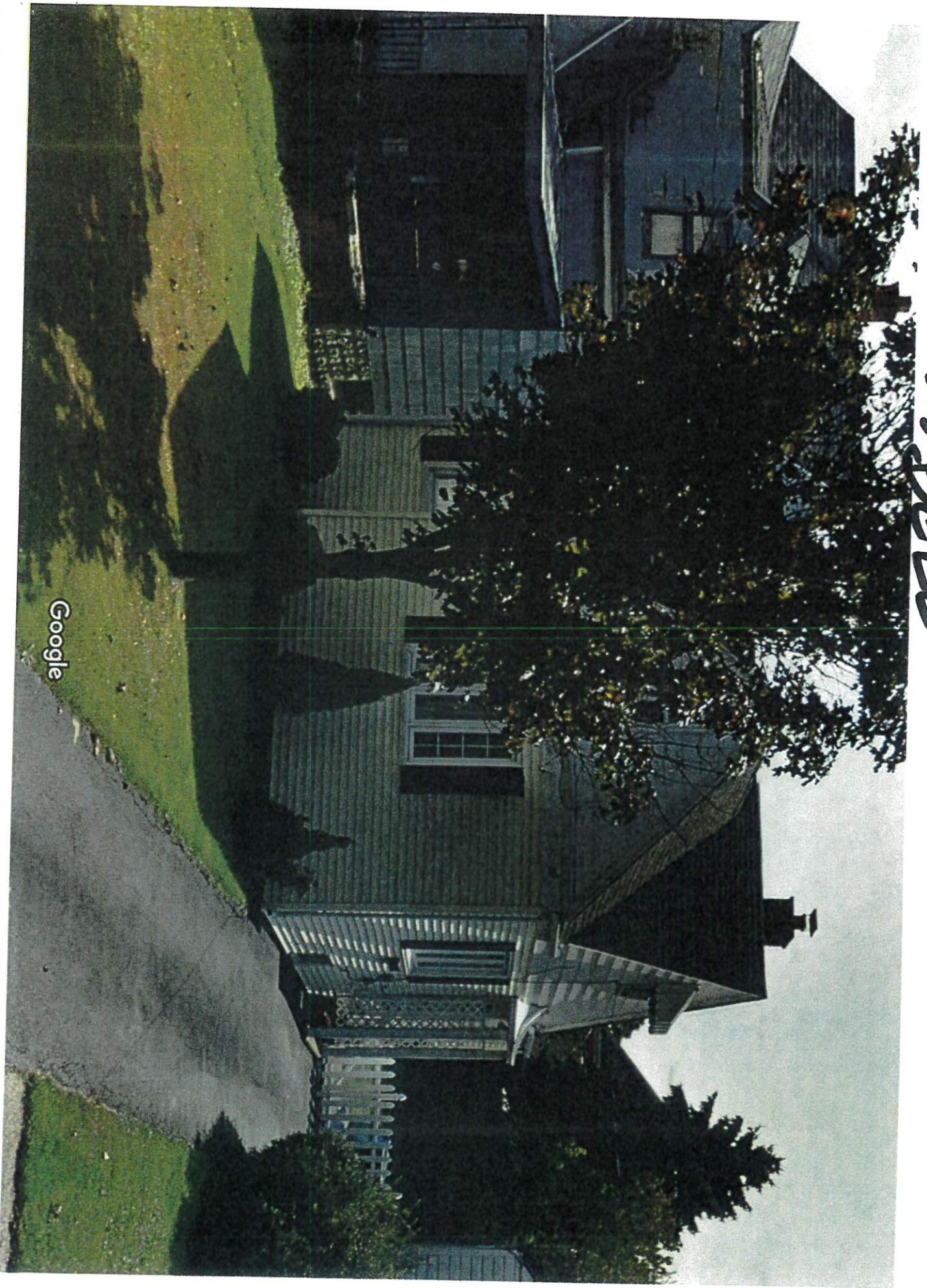
REVISIONS TO:  
**23 BELLAVE**  
LACAWAMANN, NY 14218

DATE	6/11/2025
PROJECT NUMBER	23
SCALE	AS SHOWN
DRAWN BY	ALL
CHECKED BY	ALL
SHEET TITLE	FIRST FLOOR PLAN AND FOUNDATION PLAN

DRAWING NO.  
**A-1**



25 BELL



Google



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

August 14, 2025

Zulma I. Nieves  
23 Bell Ave  
Lackawanna, NY 14218

**Re: 23 Bell 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: August 26, 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  
Joseph Vrzovski- 27 Bell  
Steven Kardasovski – 21 Bell



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.  X  Variance
5. \_\_\_\_\_ Zoning Law Appeals

**Property owner: Zulma I. Nieves**

**Address: 23 Bell Ave**

**In reference to: Constructing new front porch**

You are entitled to appear at the public hearing scheduled for **8/26/25@ 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 8/26/25

Agenda Checklist  
Zoning Board of Appeals  
Planning and Development Board

Property address 1324 MCVINLEY PKWY

Reason in front of the board FRONTYARD VARIANCE

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

Agenda Applicant DUNYA ALJABRI

Agenda item FRONT YARD VARIANCE

Zone MIXED RESIDENTIAL

Use variance needed? Yes/No  No

Description of use variance (not allowed in that zone) ✓

Area variance needed? Yes/No  Yes

Description of area variances needed (Parking/ height ect...) ✓ 5 FOOT TALL FENCING IN FRONT YARD FOR PRIVACY

Description of agenda use? WANTS 5 FOOT TALL CODE IS 3'6"

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: 07/31/2025

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

Application Fee:

Land Use Variance  
 Zoning Law Appeal

Fee

\$ 250.00  
 \$ 250.00

Property Address: 1324 McKinley Pkwy Lackawanna NY, 14218

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

Description of Action to be Appealed: Requesting a variance to install a 5ft privacy fence where current zoning allows max. of 4ft. Purpose of fence is to improve privacy & safety to home.

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

Dunya Aljabri  
Name of Applicant

Dunya Aljabri  
Signature of Applicant

1324 McKinley Pkwy  
Address of Applicant

[REDACTED]  
Applicant Phone No.

[REDACTED]  
Applicant's Email

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

Property Owner:

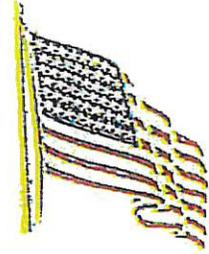
NAME: Dunya Aljabri

Address: 1324 McKinley Pkwy  
Lackawanna NY, 14218



**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: 1324 McKinley Pkwy 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?

NO, granting the area variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The proposed 5ft fence will be newly constructed quality, neutral colored materials that are consistent w/ other fences in the neighborhood. The fence is intended to improve privacy and safety for my property w/o obstructing visibility or impacting homes nearby. Similar fences already exist in the area so it will not change the overall character of the neighborhood.

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 cannot be achieved by other methods. A 4ft fence would not provide enough privacy and safety for my property. I no longer have an existing fence, so I'm starting from scratch, and I want something that will give better coverage and safety. Landscaping or shorter fences wouldn't be practical or as effective, especially since I'm looking for something more permanent and low maintenance. A 5ft privacy fence is the best and most reasonable solution for my situation.

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

The variance requested is relatively minor in nature. Increasing the fence height represents only a slight deviation from the zoning regulations and is consistent with the character of nearby properties. The additional height is being requested primarily for safety and privacy reasons, and it will not negatively impact surrounding properties or the visual appeal of the neighborhood.

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

The proposed fence will not have any adverse effect on the physical or environmental conditions in the neighborhood. It will be professionally installed, following all proper guidelines, and will not interfere

w/ drainage, sunlight, or traffic visibility. The fence is intended to improve privacy and safety on our property.

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 difficulty could be seen as partially self-created, as I began installing posts for the 6ft privacy fence under the mistaken belief that no permit or variance was required. However, as soon as I became aware of the need for approval, I immediately paused the work and began taking the proper steps to comply w/ the city's requirements. My request is based on a genuine need for increased safety and privacy. Particularly after incidents where my nephew was able to get out of my previous 4ft Picket fence. This is not an attempt to avoid zoning regulation but rather an effort to address a concern w/ responsibility.

Dunya Aljabri  
Sign Above, Print Name Below  
Dunya Aljabri





CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

August 14, 2025

Dunya Aljabri  
1324 McKinley Pkwy  
Lackawanna, NY 14218

**Re: 1324 McKinley Pkwy**

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: August 26, 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  
Virginia Eagan – 10 Melroy  
Windell Holdings – 1320 McKinley



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.  X  Variance
5. \_\_\_\_\_ Zoning Law Appeals

**Property owner: Dunya Aljabri**

**Address: 1324 McKinley Pkwy**

**In reference to: Requesting five ft fence in front yard**

You are entitled to appear at the public hearing scheduled for **8/26/25@ 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 8/26/25

Agenda Checklist  
Zoning Board of Appeals  
Planning and Development Board

Property address 23-27 WASHINGTON

Reason in front of the board 6' TALL FENCE IN FRONT YARD / SHED ON PROPERTY LINE

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

Agenda Applicant MOSHIN FATHI ABDULA

Agenda item 6' FENCE IN FRONT YARD / SHED ADDITION ON PROPERTY LINE

Zone MIXED RESIDENTIAL

Use variance needed? Yes/No  No

Description of use variance (not allowed in that zone) ✓

Area variance needed? Yes/No  Yes

Description of area variances needed (Parking/ height ect...) FRONT 6' TALL FENCE. CODE IS 3'6", SHED SIZE TO BE ADDED ON PROPERTY LINE.

Description of agenda use? ,

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: \_\_\_\_\_

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

Application Fee:

Fee

Land Use Variance  
 Zoning Law Appeal

\$ 250.00  
 \$ 250.00

Property Address: 27 Washington St. Lackawanna, NY 14218  
23 Washington St. Lackawanna, NY 14218

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

Description of Action to be Appealed: Need extra space  
to do shed, but the law said it  
needs to be 5ft. from neighbor. I

already built the shed and I did not  
know I could not built it that close. And I need  
a privacy fence, which they did not allow me to do 6ft. only  
4ft.

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.

Note: I still have 30ft from the foundation to the street, and I need to make a fence 6ft. just like any body else, but they said I cant do 6ft. It has to be 4ft.

Director of Development

Moshin Fathi Abdulla  
Name of Applicant

\_\_\_\_\_  
Signature of Applicant

27 Washington St.  
Address of Applicant Lackawanna, NY.

  
Applicant Phone No.

  
Applicant's Email

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

Property Owner:

NAME: Moshin Fathi Abdulla

Address: 27 Washington St.  
Lackawanna, NY 14218

\_\_\_\_\_  
Director of Development

Property Address: 27 Washington St. Lackawanna, NY  
23 Washington St. 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?

No, because it will be a shed, which won't bother the neighbors and it will also give me privacy and to allow me to put my tools in the shed.  
and that fence is too old and rusty it unsafe for my children.

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, it's just for my tools to be safe and for them to be stored in an area like a shed, properly.

Note: I want to make space for my parking for two cars, but they are giving me a hard time to get it. I only have enough room for one car. there is not enough space for two cars.

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

Yes, it would be on my land which I'm paying taxes on. And also, there is no curb on the street, which people, not from around here, are parking on the grass and the sidewalk, which is broken, and the city did not even fix it.

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

No. There is an empty lot, 30 Washington St., which there are always people camping out there. And I need my privacy.

THE YARD BEHIND MY YARD I SAW THEM 3 YEARS  
I TELL THEM TO CLEAN GARBAGE ANIMALS LIVE  
THERE IN I TOLD THE CITY HALL TO THEY TOLD ME  
I HAVE TO CUT MY NEIGHBOR THE ONE IS  
HANGING TO MY YARD

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?

Since I bought this land, before  
I buy it. I bought 23 Washington Street  
from city hall in 2019. After that  
I found out that the land next to  
that house was separate. And they were  
giving me hard time buying 27 Washington Street  
I just want my privacy from the  
people that visits the empty lot next to me.  
Since 2022/2023 I've been trying to combine my  
land to my house. It took them a couple of years

until last week, they approved  
it.

Sign Above, Print Name Below

Note: I have been trying to get a survey  
for a long time now. City Hall is  
supposed to give me a survey when I  
bought the house, but I never got it.  
I'am being charged \$1,500 but the guy  
said he will give me a survey for \$1,200 but  
I rejected it because the city is supposed  
to give me one. How can I obtain a  
Survey for my house?

Variance for Shed Addition:  
 1' from the property line instead of 5'  
 Variance for 6' Privacy fence:  
 17'ft from the sidewalk  
 13' off the front of the Shed

X

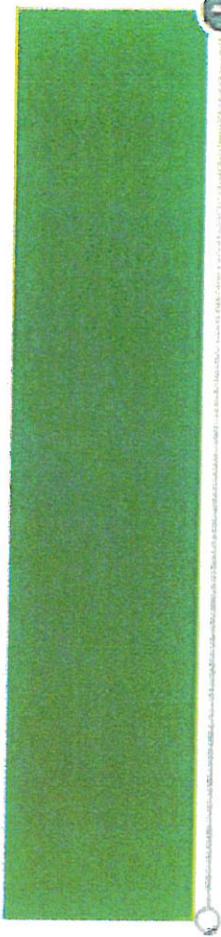
# Line 07/26/25 9:45

07/26/25, 9:45 AM

Hide on map

## Elevation

588 ft



# Drawing Not To Scale















CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

August 14, 2025

Moshin Fathi Abdulla  
23 Washington Ave  
Lackawanna, NY 14218

**Re: 27 Washington 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: August 26, 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  
Sandra Jackson- 33 Washington  
Occupant – 17 Washington Ave



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.   X   Variance
5. \_\_\_\_\_ Zoning Law Appeals

**Property owner: Moshin Fathi Abdulla**

**Address: 23 Washington Ave**

**In reference to: Requesting six ft fence in front yard**

You are entitled to appear at the public hearing scheduled for **8/26/25@ 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