



MEMORANDUM

June 6, 2019

To: The Honorable Zoning Board of Appeals  
From: Brian P. Andrzejewski, PE, Zoning Enforcement Officer  
Re: Applications for Variances and Special Permits – Meeting of June 18, 2019

The following is a summary of specific information for each application, showing minimum requirements appealed from and requested variances to be considered by your Honorable Body.

**1. Jonathan Yioulos 147 Washington Highway Area Variance**

This application is for an area variance in the R3 District. The petitioner is requesting a 4 foot high fence in the front yard to fully enclose the yard.

1) Per Section 7-5-3 no fences higher than 3 feet shall extend into the front yard except in an Industrial District.

**2. James Huddleston 1375 Campbell Blvd. Temporary Use Permit**

This application is for temporary use permit in the SA District. The petitioner is requesting an extended yard sale.

1) Per Section 3-3-3 yard sales are not an allowable accessory use in the SA District.

**3. NAS Sign Company 2061 Sweet Home Road Area Variance**

This application is for an area variance to install two 4ft x 4ft ground signs in the NCD R5 District.

1) Per Section 56-25 of the 1973 Town of Amherst Zoning Ordinance one wall sign a maximum of two (2) square feet is permitted.

**4. NAS Sign Company 7600 Transit Road Area Variances**

This application is for two area variances for signage in the GB District.

1) Per Section 7-8-8A of the Zoning Ordinance the allowable sign area is 86.86SF.

NOTES:

Required sign area:	86.86 SF
Proposed sign area:	128.0 SF
Overage:	41.14 SF or 47%

2) Per Section 7-8-8B of the Zoning Ordinance the allowable pole sign area is 64SF.

Required sign area:	64 SF
Proposed sign area:	80 SF
Overage:	16 SF or 25 %

**5. Belmont Housing Resources 45, 52, 64&70 Amsterdam Ave. Area Variance**

This application is for an area variance in the MFR-7 District. The petitioner is requesting relief from providing high impact screening along the north property line.

1) Per Section 7-2-4(B) high impact screening is required along the northern boundary. The petitioner is requesting to reduce the level of required screening due to the neighboring property being a utility right-of-way and the rear/delivery area of a furniture store.

**6. Stephen Carnduff 340 Old NF Blvd. Area Variances**

This application is for area variances in the GB District. The petitioner is requesting relief from front and rear yard setbacks to construct a deck and accessory garage. The lot is presently legal non-conforming and located between the bike trail and Old NF Blvd.

1) Per Section 4-4-2B the required front yard setback is 20 ft. The petitioner is requesting 0 ft.

Required front setback:	20 FT
Proposed front setback:	0 FT
Short of required:	20 FT or 100%

2) Per Section 4-4-2B of the required rear yard setback is 15 ft. The petitioner is requesting 1ft.

Required front setback:	15 FT
Proposed front setback:	1 FT
Short of required:	14 FT or 93%

**7. Dianna Kruss 25 Castle Court Temporary Use Permit**

This application is for a Temporary Use Permit in the R3 District. The petitioner is requesting to raise a full size pig as an emotional support animal.

1) Per Sections 3-6-3A and 6-8-9 Livestock is not allowed in the R3 District.

**8. Kristina Stadlmeir 1370 Dodge Road Temporary Use Permit**

This application is for a Temporary Use Permit in the R3 District. The petitioner is requesting to park a commercial vehicle over ¾ ton with commercial advertising in the driveway.

1) Per Section 7-1-12 commercial vehicles over ¾ ton or with commercial advertising are not allowed in the R3 District.

**9. TY Lin International 3120 Niagara Falls Blvd. Area Variance**

This application is for an area variance for signage in the GB District. The petitioner is requesting to add directional signage.

1) Per Section 7-8-8A of the Zoning Ordinance the allowable sign area is 113.57 SF.

NOTES:

Required sign area:	113.57 SF
Proposed sign area:	151.37 SF
Overage:	37.80 SF or 33%

**10. John Rubino 891 Millersport Highway Area Variances  
212 Dellwood Road**

This application is for area variances in the MFR-5 District.

1) Per Section 3-15-5 A(4) the side yard setback of the greater length building wall parallel to the lot line is 2 times height. The petitioner is requesting to construct one apartment building on an odd shaped lot and is requesting relief for the north and south side yard setback.

NOTES:

Required setback Building:	45.33 ft
Proposed setback Building:	31.00 ft
Short of required:	14.33 ft or 32%

**11. Sarah Griebner 290 Campbell Blvd. Special Use Permit**

This application is for a special use permit in the NCD-B-2 District.

1) Per Section 56-83 of the previous Zoning Code in effect on December 23, 1972 per the contract with NYS-UDC chickens are not a permitted use in the B-2 District. The petitioner is requesting to construct a chicken coop and run.

