

**TOWN OF NIAGARA**  
COUNTY OF NIAGARA, STATE OF NEW YORK NIAGARA  
FALLS, N.Y.



7105 Lockport Road  
Niagara Falls, New York 14305

PHONE: 297-2150  
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**AGENDA**  
**TOWN OF NIAGARA**  
**ZONING BOARD OF APPEALS**  
**November 14, 2023**

The meeting opens at 6:30 P.M. with the Pledge of Allegiance.

**PUBLIC HEARING**

**JAMES PITTMAN**

Area Variance  
8645 Third Avenue  
Tax Map No. 146.17-5-36.1

Applicant seeks relief of Town of Niagara Zoning Ordinance §245-18 B (1). Applicant wishes to erect a detached garage larger than the maximum 650' allowed. Applicant seeks relief of Town of Niagara Zoning Ordinance §245-29 B. Applicant wishes to place a detached garage 10' closer to 2<sup>nd</sup> Avenue than the 40' required front yard setback.

**TIMOTHY MARTIN**

Area Variance  
4314 Hurontario Parkway  
Tax Map No. 132.11-1-2

Applicant seeks relief of Town of Niagara Zoning Ordinance §245-32(B)(2). Applicant wishes to erect a 4-foot fence, one foot higher than the three feet maximum allowed.

**RICHARD KINDZIA**

Area Variance  
7212 St. Joseph Road  
Tax Map No. 131.20-3-49

Applicant seeks relief of Town of Niagara Zoning Ordinance §245-37(E). Applicant would like to expand his residential driveway directly adjacent to the neighboring lot line, 10 feet closer than allowed by Town Code.

**DEANNA HYCHE of the BROADWAY GROUP LLC.  
MARC ROMANOWSKI agent for the BROADWAY GROUP LLC.**

Area Variance  
9400 Lockport Road  
Tax Map No. 132.14-1-4

Applicant seeks relief of Town of Niagara Zoning Ordinance §245-54(B)(2). The applicant is requesting 35 parking spaces instead of the 76 parking spaces required.

**MATTHEW LESTER**

Sketch Plan/Area Variance  
2700 Military Road  
Tax Map No. 145.11-1-37

Applicant seeks relief of Town of Niagara Zoning Ordinance §245-37. Applicant is proposing a driveway width of 55 feet at the property line being wider than the allowed 30-foot width.

Applicant seeks relief of Town of Niagara Zoning Ordinance §245-37E. Applicant is proposing a drive-thru lane being 2.5 feet from the property line being closer than the required 10-foot minimum setback distance.

Applicant seeks relief of Town of Niagara Zoning Ordinance Appendix A, Part 5. Applicant is proposing the dumpster coral being 4.3 feet from the side yard which is closer than the required 10-foot side yard setback and 2.5 feet from the rear yard which is closer than the 15-foot rear yard setback.

**REGULAR MEETING**

**JAMES PITTMAN**

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**PRESENTATIONS – As of 11/9/2023**

**MICHAEL ROTELLA – TABLED from the October 10, 2023 meeting.**

Use Variance

7431 Porter Road

Tax Map No. 145.12-3-33

Applicant is seeking relief of Town of Niagara Code (TNC) Chapter 245 Zoning, Article III. Classes of districts, Section 245-15 compliance with code requirements. subsection 245-15 A in the form of a Use variance to allow for the erection and ultimate use of leasable light industrial (L-1) multiple tenant structures and (L-I) light industrial uses in a (B-1) General Commercial zoned property.

**MINUTES**

Meeting minutes of the Zoning Board of Appeals October 10, 2023