

**REVISED  
LEGAL NOTICE  
ZONING BOARD OF APPEALS**

**Notice is hereby given** that the Zoning Board of Appeals of the City of Jamestown, New York, will hold a Public Hearing on **Wednesday, July 1, 2020 at 5:00 p.m.** via Zoom, to consider the following:

1. The petition of Edgardo Lopez, 943 Newland Avenue, Upper, Jamestown, NY 14701 for a use variance to operate a small café/bakery in the former Kirby Vacuum tenant space on the first floor of the building and an area variance to have a parking lot in the rear of the property with a 3' to 5' setback from the property lines at 943 Newland Avenue on parcel 387.18-3-2 being purchased under a land contract by Edgardo Lopez in an R-2 Zone.

(Section 300-0306 R-2 Two-Family: A restaurant/café is not a permitted use in the R-2 District, the first permitted district is the C-2 Community Shopping District.)

(Section 300-0502 Design and Layout Standards: The required setbacks for a parking lot in the R-2 District is 10', proposed is 3' along the east and west property lines and 5' along the south property line.)

2. The petition of Victor and Tory Nary, 2 Spruce Street, Jamestown, NY 14701 for an area variance to erect a 6' tall fence in the front yard at 2 Spruce Street on parcel 370.15-6-74 owned by Victor and Tory Nary in an R-1 Zone.

(Section 300-0206 Fences in Residential Districts: The maximum fence height permitted is 3.5', proposed is 6".)

3. The petition of John and Rene Hearn, 8 Westwood Drive, Jamestown, NY 14701 for an area variance to construct a new garage addition with a roughly 5' minimum side yard setback at 8 Westwood Drive on parcel 404.05-1-26 and 404.05-1-27 owned by John and Rene Hearn in an R-1 Zone.

(Section 300-0305 R-1 Single-family residential district: The required front yard setback is 25', proposed is 5'.)

4. The petition of Steven J. Ricca, Bond Schoeneck & King, Avant Building – Suite 900, 200 Delaware Avenue, Buffalo, NY 14202 for two area variances; one regarding the number of proposed parking spaces and one regarding proposed automotive use setbacks on parcels 387.50-1-21, 22.1, 22.2, 23.1, 23.2, 25.1, 26.1, 27,28,54,55 and 56 at 31, 53 & 55 Water Street owned by Community Helping hands in an M Zone.

(Section 300-0506 (parking spaces); 251 spaces are required; proposed is 148.)

(Section 300-0502 (F) (3); in all M Districts, all automotive use areas shall be set back at least five feet from all property lines, except that where said area abuts any R District, it shall be set back at least 10 feet from all property lines; proposed is 4.4' on the west property line.)

Notice is further given that persons in interest will be given an opportunity to be heard for or against the granting of the foregoing petition by the Zoning Board of Appeals by submitting their comments in writing via U.S. mail to the City Clerk's Office, 200 East Third Street, Jamestown, NY 14701 or via email at [www.clerk@cityofjamestownny.com](mailto:www.clerk@cityofjamestownny.com). Those comments will be read into the record and transcribed. The meeting will be livestreamed at [www.jamestownny.net/live](http://www.jamestownny.net/live).

Jennifer R. Williams  
Secretary  
Zoning Board of Appeals

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