BOARD OF APPEALS

Regular Session
North Tonawanda, New York 14120
Monday, March 10, 2014
6:05P.M.

THE REGULAR SESSION OF THE BOARD OF APPEALS WAS CALLED TO ORDER BY CHAIRMAN BRAUN.

ROLL CALL

Present:	**Chairman Braun** **Commissioner Dreier, Evans, Haacker, Pasiak**
Absent:	**None**
Also Present:	**City Attorney Shawn Nickerson** **Building Inspector Cosimo Capozzi**

APPROVAL OF THE MINUTES OF MEETING OF FEBRUARY 10, 2014

MOVED by Commissioner Haacker SECONDED by Commissioner Pasiak
That the minutes of the regular session held February 10, 2014 be approved as circulated and filed in the office of the City Clerk-Treasurer.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

PROOF OF PUBLICATION PUBLISHED MARCH 1, 2014

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the proof of publication presented by the Clerk of the Board of Appeals of the notice of a public hearing of the various appeals filed with and to be presented at the regular session of the Board of Appeals, which was published March 1, 2014 be received and filed.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

The following item was not acted upon as the applicant was instructed to submit an application for a Use Variance:

#1.
SPECIAL USE PERMIT TO ALLOW A BOAT STORAGE FACILITY WHICH IS NOT ALLOWED PER SECTION 103-6 (A) OF THE ZONING CODE OF NORTH TONAWANDA.

June E. Bush Re: 1144 Sweeney Street
1144 Sweeney Street
North Tonawanda, NY 14120

Three letters were received and filed from Mrs. Bush's neighbors regarding their support for the applicant's request to allow boat storage on his property. At this time three neighbors in attendance spoke regarding the requested variance:

Gary Jaszczak, 1141 Sweeney Street – Stated that he likes seeing the boats that are stored at 1144 Sweeney Street, that it reminds him of better times and better weather. He doesn't understand why the boats would offend anyone.

Sue Ohurm, 1151 Sweeney Street – Lives across the street from the Bush property and stated that they are great neighbors. Roger Bush snowplows the back road so that she can take her grandchildren to see the boats. She has no problem with the boats being stored there. Her 88 year old father lives next door and he likes seeing the boats.

Dan Ohurm, 1109 Sweeney Street – Has no issues with the boats being stored and stated that the Bushes are great neighbors.

#2
AREA VARIANCE TO CONSTRUCT A 528 SQ. FT. DETACHED GARAGE LESS THAN 3′ FROM PROPERTY LINE AND GREATER THAN 15′ IN HEIGHT. [§103-15C (4) (4c) ACCESSORY STRUCTURES NOT PERMITTED TO BE LESS THAN 3′ FROM PROPERTY LINE. §103-15 B 1 (a) ACCESSORY STRUCTURES NOT PERMITTED TO EXCEED 15′ IN HEIGHT.]

Gregory Charsley **Re: 50 Zimmerman Street**
50 Zimmerman Street
North Tonawanda, NY 14120

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

MOVED by Commissioner Dreier SECONDED by Commissioner Braun
That the Zoning Board of Appeals hereby denies the aforementioned request for an area variance to construct a 528 sq. ft. detached garage less than 3′ from property line and greater than 15′ in height at 50 Zimmerman Street as there was an alternate solution; the requested area variance was not substantial and the alleged difficulty was self-created.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

ADJOURNMENT

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the meeting of the Zoning Board of Appeals be adjourned.
CARRIED.

Time Adjourned: 6:35P.M.

Next Regular Meeting: April 14, 2014, 6:00 P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk-Treasurer