

BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, November 9, 2015

6:00 P.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, Lemke**

Absent: None

**Also Present: City Attorney Shawn Nickerson
Building Inspector Cosimo Capozzi**

APPROVAL OF THE MINUTES OF MEETING OF OCTOBER 19, 2015

**MOVED by Commissioner Dreier SECONDED by Commissioner Lemke
That the minutes of the regular session held October 19, 2015 be approved as
circulated and filed in the office of the City Clerk-Treasurer.**

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED OCTOBER 10, 2015

**MOVED by Commissioner Evans 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 October 10, 2015 be
received and filed.**

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

OLD BUSINESS

#1

**AREA VARIANCE TO ERECT A 16' X 34' DETACHED GARAGE FIVE (5)
FEET FROM DWELLING. [§103-15 (C)(4)(b) ACCESSORY STRUCTURE MUST
BE TEN (10) FEET FROM DWELLING UNLESS ATTACHED THERETO.]**

**Thomas F. Reed
1158 Payne Avenue
North Tonawanda, NY 14120**

**Re: Area Variance to erect a 16' x 34'
detached garage 5' from dwelling.**

**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
with a change to #2 from No to Yes, #5a & #5b to No and #12b to No.**

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

MOVED by Commissioner Lemke **SECONDED** by Commissioner Dreier
That the Zoning Board of Appeals hereby approves an area variance to Thomas Reed, 1158 Payne Avenue, to erect a 16' x 30' detached garage. Garage can only be single story, must be 5' from rear property line, 10' from corner of house and 2' from side property. The request did not change the character of the neighborhood, there was not an alternate solution, the requested area variance was not substantial, the request will not have an adverse effect on the physical or environmental conditions of the neighborhood, and the alleged difficulty was not self-created.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

ADJOURNMENT

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

CARRIED.

Time Adjourned: 6:06 P.M.

Next Regular Meeting: December 14, 2015, 6:00 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer