

MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

February 25, 2020

6:00 P.M.

PRESENT: Kevin Foltz, Chairman, Andy Rosenberg, Nancy Babis, Tom Hull, Meghan Lutz, Jason Dool, Chief Building Inspector

EXCUSED: Sheila Tracy

ABSENT: Lynn Harper

No Corporation Counsel was present.

The Chairman explained to those present the procedure followed in these Hearings, First the explanation by the Appellant as to what he/she is appealing for, second, any questions those present wish to ask to clarify the appeal, and third, the Board will hear any opinions for or against the granting of this variance. The chairman stressed the point that anyone wishing to speak must first state their name and address.

Roll call was taken by Chairman Kevin Foltz and all the members present stated that they have seen the properties.

The first case to be called was Case No. 2196, Appeal of Mark Davidson to demolish the existing 18.3' x 9.9' rear section of the house and rebuild the same size located at 65 Oliver Street, Lockport, New York situated in a R-3 Zone.

Mr. Davidson, 144 Waterman Street, stated that the addition to the house was put on at the turn of the century. He said that the house was building in 1867 and the addition was put on sometime in the 1900's. He said that he walked through the house with Jason Dool. He said that the addition has a wooden foundation that is all rotten. He said that he would like to replace the section of the house exactly the same.

Mr. Foltz asked if the addition is going to match the rest of the house.

Mr. Davidson said that he is going to match it the best he can.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Meghan Lutz made a motion to approve the request to demolish the existing 18.3' x 9.9' rear section of the house and replace as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean and orderly condition

Seconded by Andy Rosenberg.

Tom Hull-yes
Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2197, Appeal of Christian Allport to erect a 16' x 25' detached garage located at 380 Caledonia Street, Lockport, New York situated in an R-2 Zone.

Christian Allport stated that he is asking to build a garage. He said that his existing garage is split in half, one side being open like a carport and the other blocked off. He said that it is very small for storage. He said that he would like to building a 16' x 24' garage on the other driveway. He said that he has plenty of room. He said that the garage will be a standard size. He said that he spoke with a contractor and is working on getting estimates. He said that he has plenty of space and the height of the garage will not be a problem.

Mr. Foltz asked if the garage is going to match the rest of the house.

Mr. Allport said that it will have vinyl siding to match the house. He said they are thinking about putting some different material siding on the peaks for decoration. He said that the walls will have white siding or off-white siding.

Mr. Foltz asked if he plans on putting up any other structures.

Mr. Allport said just the existing structure and this one.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Nancy Babis made a motion to approve the request to erect a 16' x 25' detached garage as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean and orderly condition

Seconded by Tom Hull.

Tom Hull-yes
Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes

USE VARIANCE GRANTED

The next case to be called was Case No. 2198, Appeal of Lockport Federal Credit Union to demolish the existing building and erect a 2,865 s.f. building located at 360 So. Transit Street, Lockport, New York situated in a B-3 Zone.

Mr. Michael Metzger from Metzger Engineering was present with Bob Caliendo from PW Campbell to represent the Credit Union.

Mr. Metzger stated that the lot is about a half an acre. He said that it is where Joe the Barber is located. He said that this is essentially an outparcel of the Plaza. He said that the parcel is zoned B-3. He said that they are contracted to purchase the building. He said that they would like to demolish the existing 1,400 s.f. building and erect a 2,800 s.f. building for the Credit Union. He said that they are seeking one area variance.

Mr. Metzger said that the use is permitted in this zoning and they meet the front and side yard setbacks. He said that they positioned the building so that they could ensure adequate parking and handicap accessibility. He said that they have more than ample side and front yard setbacks. He said that the only issue they have is the setback for the canopy on the rear side of the building. He said that the minimum setback is 30'. He said that the building is setback 41' from the rear lot line but the overheard canopy is 22.2'. He said that they are going to come back for site plan approval. He said that they are going to be adding green space. He said that this is a nice project. He said that he believes that they meet the standards for a variance and that the benefit of this out weights any determinate.

Mr. Metzger stated that they went to the Niagara County Planning Board yesterday and they recommended the project.

Mr. Foltz asked if this is going to have a two-lane drive thru with an ATM on the other side.

Mr. Caliendo said that they are still tossing ideas around. He said that the inside lane will be a fully functioning lane.

The meeting was opened to the public.

Mr. Mark Davidson, 144 Waterman Street, asked how many lanes the drive thru is going to be.

Mr. Metzger said two, one on either side.

Mr. Davidson asked if the end of the canopy goes to the property line.

Mr. Metzger said that it will be 22' from the property line.

Mr. Christian Allport, 380 Caledonia Street, asked if they plan on replacing the metal guardrail with green space. He asked what other greenery was going to be added.

Megan Brewer explained that they are only at the Zoning Board for the variance for the canopy. She explained that they still need to go the Planning Board for site plan approval at which time the green space will be addressed.

The meeting was closed to the public.

There being nothing further Meghan Lutz made a motion to approve the request to demolish the existing building and erect a 2,865 s.f. building as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean and orderly condition

Seconded by Tom Hull.

Tom Hull-yes
Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

The next case to be called was Case NO. 2199, Appeal of Sheila Madore to subdivide the 4,856 s.f. northerly section of the property where the house labeled 22 Rene Place is located from the existing parcel located at 347 West Avenue, Lockport, New York situated in a B-3 Zone.

Mr. Steve Santangelo, 5519 Twilight Lane, Lockport, New York was present on behalf of the estate.

Mr. Santangelo, said that they need to separate the parcels in order to sell the properties.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Nancy Babis made a motion to approve the request for the new lot are to be 4,856 s.f. as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean and orderly condition

Seconded by Tom Hull.

Tom Hull-yes
Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

Andy Rosenberg made a motion to approve the request for the new lot depth to be 89.22' as follow:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean and orderly condition

Seconded by Andy Nancy Babis.

Tom Hull-yes
Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

Meghan Lutz made a motion to approve the request for the new lot area of the existing lot to be 8,303.9 s.f. as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and
WHEREAS, request is not substantial, and
WHEREAS, there will be no adverse physical or environmental effect, and
WHEREAS, alleged difficulty is not self-created, and
WHEREAS, premises shall be kept in a neat, clean and orderly condition
Seconded by Tom Hull.

Tom Hull-yes
Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

Andy Rosenberg made a motion to approve the minutes of the November 26, 2019 meeting. Seconded by Nancy Babis. yes-5 Noes-0

Meghan Lutz made a motion to adjourn; Motion seconded by Nancy Babis Ayes-5 Noes-0

MEETING ADJOURNED

The next regularly scheduled meeting will be Tuesday, March 24, 2020 at 6:00 p.m.