

MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

September 22, 2020

6:00 P.M.

PRESENT: Kevin Foltz, Chairman, Andy Rosenberg, Nancy Babis, Meghan Lutz, Sheila Tracy, Jason Dool, Chief Building Inspector, Pat McGrath, Deputy Corporation Counsel.

EXCUSED: Tom Hull

ABSENT: Lynn Harper

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. 2214, Appeal of Christopher Knapp to erect a 21' x 16' detached garage located at 16 Utica Street, Lockport, New York situated in a R-1 Zone.

Mr. Knapp stated that he would like to erect a 21' x 16' detached garage in the back corner of the property at the end of the driveway. He said that he would like the garage to store tools, lawn equipment and vehicles.

Ms. Lutz asked what material the garage would be.

Mr. Knapp said it will be on concrete.

Ms. Lutz asked what material the structure will be.

Mr. Knapp said it will be wood frame.

Mr. Foltz asked if the garage will match the house.

Mr. Knapp said that the garage will have vinyl siding but the house is asbestos siding.

Mr. Foltz asked if he is aware that two sides of the building have to be fire rated.

Mr. Knapp said yes.

Ms. Tracy asked if the garage is going to be used for storage or for vehicles.

Mr. Knapp said that it will be a 1 and a half car garage, half used for storage and half for a car.

Ms. Tracy asked if the tree in the back is going to be a problem.

Mr. Knapp said that is why they want to locate the garage closer to the line. He said that he will have about 2.6' clearance to get a vehicle in the garage.

Mr. Foltz stated that because the garage will be located so close to the property lines that he needs to make sure gutters are installed to direct the water away from the neighbors. He stated that he needs to make sure that if lights are installed that they do not shine on the neighboring properties.

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 variance for the lot coverage to be 22.9% 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 Sheila Tracy.

Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes
Sheila Tracy-yes

AREA VARIANCE GRANTED

Nancy Babis made a motion to approve the variance for the garage to be situated 3.5' from the west property line 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 Sheila Tracy.

Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes
Sheila Tracy-yes

AREA VARIANCE GRANTED

Sheila Tracy made a motion to approve the variance for the garage to be situated 3.5' from the south property line 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 Meghan Lutz.

Kevin Foltz-yes

Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes
Sheila Tracy-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2215, Appeal of Paul Czelusta to erect a 10' x 14' storage shed located at 85 Haines Street, Lockport, New York situated in an R-1 Zone.

Mr. Czelusta stated that he would like to install a Sturdi Built shed that is 10' x 14' in the northwest corner of the property. He said that it will be 5' from the property lines. He said that he needs the shed to store his yard equipment.

Mr. Foltz asked if the shed is going to match the house.

Mr. Czelusta said that it will be wood frame with white vinyl siding.

Mr. Foltz asked if he will be able to meet the setbacks.

Mr. Czelusta said yes.

Ms. Tracy asked if the shed will look like the picture that was given to the Board.

Mr. Czelusta said yes.

Mr. Foltz stated that he may want to put a gutter on the shed to keep the drainage away from the neighbor.

The meeting was opened to the public.

Mr. John Miller, 64 Haines Street, stated that he needs the shed to store his things. He said that the shed is average sized and is in line with what everyone else has. He said that it is not obtrusive.

Mr. Miller said that he is storing some of Mr. Czelusta's things in his shed right now.

The meeting was closed to the public.

There being nothing further Ms. Lutz made a motion to approve the variance to erect a 10' x 14' storage shed situated in an R-1 Zone 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.

Kevin Foltz-yes
Andy Rosenberg-yes
Nancy Babis-yes
Meghan Lutz-yes
Sheila Tracy-yes

AREA VARIANCE GRANTED

Andy Rosenberg made a motion to approve the minutes of the August 25, 2020 meeting.
Seconded by Nancy Babis. yes-5 Noes-0

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

MEETING ADJOURNED

The next regularly scheduled meeting will be Tuesday, October 27, 2020 at 6:00 p.m.