

MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

January 26, 2021

6:00 P.M.

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

EXCUSED: Tom Hull, 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. 2224, Appeal of Candy Giles to erect a 6' fence on the south property line located at 480 Niagara Street, Lockport, New York situated in an I-2 Zone.

Ms. Giles stated that she put a fence up between her and the business next door. She said that it will be privacy for both parties.

Mr. Foltz asked if she was aware that the fence is in the City right-of-way.

Ms. Giles asked what that is.

Mr. Foltz stated that the right-of-way is owned by the City.

Ms. Giles said that she didn't know that. She said that they followed the angle of the fence line.

Megan Brewer explained the City right-of-way and that Jason Dool will mark the property line.

Ms. Tracy stated that the fence will need to be removed from the right-of-way.

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 to erect a 6' fence on the south property line as follows:

AND IT APPEARING, the fence be removed from the City right-of-way,

WHEREAS, 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 Nancy Babis.

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 minutes of the November 24, 2020 meeting.
Seconded by Meghan Lutz. 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, February 23, 2021 at 6:00 p.m.