

MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

February 22, 2022
January 25, 2022

6:00 P.M.

PRESENT: Kevin Foltz, Chairman, Andy Rosenberg, Meghan Lutz, Nancy Babis, Sam Marotta, Roxanne Devine, Pat McGrath, Deputy Corporation Counsel, Jason Dool, Chief Building Inspector.

ABSENT: Sheila Tracy, Andy Rosenberg

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 wishes 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. 2254, Appeal of Randy Zglinicki to convert the existing single-family dwelling into a two-family dwelling located at 368 Walnut Street, Lockport, New York situated in a B-4 Zone.

Attorney Brian Hutchinson was present virtually to represent Randy Zglinicki.

Mr. Hutchinson stated that the request is self-explanatory. He said that nothing can be done about the lot size. He said that Mr. Zglinicki shows his proposed layout for the interior in the application. He said that the house was damaged by a tree and he plans on rehabbing the property. He said that he is going to keep the front porch and the one unit will be two bedrooms and approximately 1,200 s.f. He said that the back studio apartment on the Cave Street side will be shy of 600 s.f. He said that it will be 538 s.f. appx 60 s.f. short of the requirement.

Mr. Hutchinson said that the reason the second unit is short is because there is a load bearing wall between the units that supports the second story. He said that Mr. Zglinicki would have to cut into it in order to move the stair case.

Mr. Hutchinson said that the proposal is to allow a two-family. He said that there is plenty of parking and access because this is a corner lot. He said that based on the zoning requirements they need a variance for the lot size.

Megan Brewer explained that the section for conversions in the Zoning Ordinance requires the lot to meet the legal minimum size requirements.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Meghan Lutz made a motion to approved the request to not meet the minimum lot size requirements 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 Nancy Babis.

Kevin Foltz-yes
Sam Marotta-yes
Meghan Lutz-yes
Nancy Babis-yes
Roxanne Devine-yes

AREA VARIANCE GRANTED

Nancy Babis made a motion to approve the request for the second dwelling unit to be less than 600 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 Meghan Lutz.

Kevin Foltz-yes
Sam Marotta-yes
Meghan Lutz-yes
Nancy Babis-yes
Roxanne Devine-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2253, Appeal of Melanie Boron to erect a 13' x 18' carport on the east side of the property located at 368 Walnut Street, Lockport, New York situated in an R-1 Zone.

Ms. Boron said that she would like build a carport of the side of the lot. She said that there are trees on that side of the lot so it is unusable space.

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

Ms. Boron said yes, same shingled roof.

Mr. Foltz asked if they are going to put a gutter system in. He said that it cannot be directed into the neighboring property.

Ms. Boron said that they are actually going to install a drain pipe on that side of the property so that the water goes to the road.

Mr. Foltz asked if they are going to install any lighting on the carport.

Ms. Boron said maybe a motion light but she would point it at her house.

Mr. Foltz asked if she was aware that she can't enclose anymore than two sides of the carport.

Ms. Babis thanked Ms. Boron for providing the helpful pictures.

The meeting was opened to the public.

Ms. Jad Kwoka, 377 Walnut Street, stated that she has lived in her house for 38 years. She said that she is for this carport. She said that the neighborhood is full of apartments and bad landlords. She said that this house was a foreclosure and was empty for three or four years. She said that someone gutted it and worked on it for a year and a half. She said that it is beautiful inside. She said that she is all for the carport.

The meeting was closed to the public.

There being nothing further Meghan Lutz made a motion to approve the request to erect a 13' x 18' carport 6' from the east 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 Sam Marotta.

Kevin Foltz-yes
Sam Marotta-yes
Meghan Lutz-yes
Nancy Babis-yes
Roxanne Devine-yes

AREA VARIANCE GRANTED

Nancy Babis made a motion to approve the minutes of the January 25, 2022 meeting.
Seconded by Meghan Lutz. yes-5 Noes-0

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

MEETING ADJOURNED

The next regularly scheduled meeting will be Tuesday, March 22, 2022 at 6:00 p.m.