

MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

July 26, 2022

5:00 P.M.

PRESENT: Kevin Foltz, Chairman, Andy Rosenberg, Sam Marotta, Sheila Tracy, Nancy Babis, Meghan Lutz, Roxanne DeVine, Daniel Wojewoda, Building Inspector.

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 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. 2263, Appeal of Nicholas DiVincenzo to erect a 10' x 14' storage shed located at 87 Pennsylvania Avenue, Lockport, New York situated in an R-1 Zone.

Mr. DiVincenzo stated that he would like to install a small shed in the backyard to store materials that he has in the house.

Mr. Foltz asked what material the shed is going to be.

Mr. DiVincenzo said it will be wooden.

The meeting was opened to the public.

Mr. Gary Lantinen, 2413 Hartland Rd, stated that he has worked with Nick for a while, building handicap ramps and such. He said that he could really use the storage space. He said that the house is small and cluttered with wheel chairs and walkers. He said that this will be a nice shed, prebuilt.

The meeting was closed to the public.

Ms. Tracy asked what the base of the shed is going to be.

Mr. Lantinen said that it will have treated runners under it. He said that they bring the shed in on a fork lift. He said that it is movable, they can change the location or take the shed away if they wanted to. He said there will not be a foundation.

Mr. Foltz asked if they checked with Building Inspection about the location of the shed.

There being nothing further Nancy Babis made a motion to approve the request to erect a 10' x 14' storage shed 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
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2265, Appeal of Aleza O'Connor to erect a 12' x 16' storage shed located at 25 Beverly, Avenue, Lockport, New York situated in an R-1 Zone.

Ms. O'Connor stated that she would like to install a shed. She said that it will be a prefabricated wooden shed. She said there will be no foundation, the shed will be set on stone. She said that she had a fence in the back with a gate that she removed. She said that her garage is full of lawn equipment and she would like to be able to use the garage in the winter to park in. She said that the shed will allow her to move the stuff out of her garage.

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

Ms. O'Connor said yes, it will be white with black shutters and flower boxes.

The meeting was opened to the public.

The meeting was closed to the public.

Mr. Foltz asked if she checked with Building Inspection about the location.

Ms. O'Connor said yes.

There being nothing further Andy Rosenberg made a motion to approve the request to erect a 12' x 16' storage shed 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
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2266, Appeal of Chris McDonald to replace the existing 7' x 24' covered front porch located at 466 Pine Street, Lockport, New York situated in an R-1 Zone.

Mr. McDonald stated that in the December winter storm a City tree fell on front porch and destroyed it. He said that he wants to rebuild the porch with the same footprint.

Mr. Foltz said that he is just replacing what he already had.

The meeting was opened to the public.

Mr. Bob Heinemann, 462 Pine Street, stated that the porch has been there for a long time. He said that he has lived in his house since 1986. He said that he is in favor of the porch.

The meeting was closed to the public.

Ms. Babis asked if the stairs are being moved to the side.

Mr. McDonald said yes, they will be cut into the porch so he doesn't extend the footprint.

There being nothing further Meghan Lutz made a motion to approve the request for the porch to be located 2.48' from the north 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
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

Meghan Lutz made a motion to approve the request for the porch to be located 16.4' from the west property 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
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

Meghan Lutz made a motion to approve the request for the porch to increase the lot coverage to 20.8% 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
Sam Marotta-yes
Andy Rosenberg-yes

Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2267, Appeal of Brian Metzinger to remove the existing detached garage and replace it with a 10' x 16' detached garage located at 93 Price Street, Lockport, New York situated in an R-1 Zone.

Mr. Metzinger stated that he has his wife have a 12' x 18' garage that is leaning and falling. He said that they are sick of looking at it and the neighbor's having to look at it. He said that he would like to install a 10' x 16' structure that looks like a garage but it is a shed. He said that it will be brought in and set on stone.

Mr. Metzinger showed the Board a picture of what he wants to install.

Mr. Rosenberg asked what material the building will be.

Mr. Metzinger said that it will be wooden.

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

Mr. Metzinger said yes.

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 for the garage to be located 3.5' from the east 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 Sam Marotta.

Kevin Foltz-yes
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

Nancy Babis made a motion to approve the request for the garage to be located 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
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

Andy Rosenberg made a motion to approve the request for the garage to increase the lot coverage to 20.4% 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 Roxanne Devine.

Kevin Foltz-yes
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

The next case to be called was Case No. 2268, Appeal of Alice Schank to erect a 4' x 18.3' addition to the rear of the garage located at 182 Elmwood Avenue, Lockport, New York situated in an R-1 Zone.

Ms. Schank was present with Ms. Tina Brush also of 182 Elmwood Avenue.

Ms. Brush stated that she just bought a new vehicle and it cannot fit in the existing garage. She said that they would like to square the back of the garage off. She said that it wouldn't look good if they move it in to meet the setback. She said that she would like to install a concrete foundation and cut out the back wall of the garage. She said that they will either install a metal roof on the garage or asphalt to match the existing. She said that they plan on siding the entire garage the same color as the house.

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 garage addition to be located 3.34' from the east 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 Sam Marotta.

Kevin Foltz-yes
Sam Marotta-yes
Andy Rosenberg-yes
Sheila Tracy-yes
Meghan Lutz-yes
Roxanne Devine-yes
Nancy Babis-yes

AREA VARIANCE GRANTED

Meghan Lutz made a motion to approve the request for the garage addition to increase the lot coverage to 20.3% 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
Sam Marotta-yes

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

AREA VARIANCE GRANTED

Sheila Tracy made a motion to approve the minutes of the June 26, 2022 meeting.
Seconded by Andy Rosenberg. yes-7 Noes-0

Meghan Lutz made a motion to adjourn; Motion seconded by Nancy Babis. Ayes-7 Noes-0

MEETING ADJOURNED

The next regularly scheduled meeting will be Tuesday, August 23, 2022 at 5:00 p.m.