

MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

June 25, 2024

5:00 P.M.

PRESENT: Kevin Foltz, Chairman, Nancy Babis, Meghan Lutz, Sam Marotta, Shelia Tracy, Andrew Rosenberg, Kevin McDonough, Kathleen Kugler, Deputy Corporation Counsel, Jason Dool, Chief Building Inspector.

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. 2324. Appeal of Gretchen Ohar to erect an 8' x 10' outdoor kitchen roof covering located at 28 Le Van Avenue, Lockport, New York situated in an R-1 Zone.

Ms. Ohar stated that she would like to erect a shelter in order to use her outdoor kitchen space when it is raining.

Mr. Foltz asked if it is just a roof on a concrete pad.

Ms. Ohar said that there will be countertops.

Mr. Foltz asked if there is going to be any walls.

Ms. Ohar said that there will countertops coming up from the bottom.

Ms. Babis asked what the structure will be made of.

Ms. Ohar said that it will be pressure treated wood with a metal roof.

Mr. Foltz asked if there will be any additional lighting.

Ms. Ohar said no.

Mr. Foltz said that she just needs to be conscious of her neighbors. He said that the structure isn't near any of the property lines.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Andy Rosenberg made a motion to approve the request to increase the lot coverage to 24.1% 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
Nancy Babis-yes
Andy Rosenberg-yes
Kevin McDonough-yes
Sam Marotta-yes
Sheila Tracy-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

Meghan Lutz made a motion to approve the request for a third accessory structure 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
Nancy Babis-yes
Andy Rosenberg-yes
Kevin McDonough-yes
Sam Marotta-yes
Sheila Tracy-yes
Meghan Lutz-yes

USE VARIANCE GRANTED

The next case to be called was Case No. 2325. Appeal of Amanda Gorko to erect a 3.75' x 3' wall sign on the south side of the house, a 24" diameter sign on the southeast porch and a 2' x 1' ground sign on the east portion of the lawn for Miss Bella Salon located at 329 East Avenue, Lockport, New York situated in an R-2 Zone.

No Show.

The next case to be called was Case No. 2326. Appeal of Ed Sandell to install a 12' x 24' in-ground pool in the rear yard located at 49 O'Brien Drive situated in an R-1 Zone.

Mr. Sandell stated that he would like to have a pool installed. He said that they have a contract with Colley Pools to install a 12' x 24' pool. He said that the pool is not up to the line, it will be at least 5' from both fences.

Ms. Tracy asked if they are taking the shed down.

Mr. Sandell said yes, it will be removed.

Mr. Foltz asked where they would discharge water if they had to drain their pool.

Mr. Sandell said that they shouldn't have to remove water. He said that he has never had a pool before.

Mr. Foltz asked that if they for some reason has to drain water from the pool, where it would drain.

Ms. Sandell said that they would drain it on their own lot.

Mr. Foltz asked if there is going to be any addition lighting added for the pool.

Mr. Sandell said just in the pool.

Mr. Foltz said that if they do install any lighting, it needs to shine on their own property.

The meeting was open to the public.

The meeting was closed to the public.

There being nothing further Nancy Babis made a motion to approve the request to install a 12' x 24' in-ground pool 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
Nancy Babis-yes
Andy Rosenberg-yes
Kevin McDonough-yes
Sam Marotta-yes
Sheila Tracy-yes
Meghan Lutz-yes

AREA VARIANCE GRANTED

The next case to be called was RAS Development I, LLC. Request to extend Variance Case No. 2306 regarding 116 & 120 Main Street for 18 Months.

Meghan Lutz made a motion to approve the request to extend Case No. 2306. Seconded by Kevin McDonough.

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

VARIANCE EXTENDED

Shelia Tracy made a motion to approve the minutes of the May 28, 2024 meeting. Seconded by Kevin McDonough. Ayes-7 Noes-0

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

MEETING ADJOURNED

The next regularly scheduled meeting will be Tuesday, July 23, 2024 at 5:00 p.m.