

WEST SENECA TOWN OFFICES
1250 Union Road
West Seneca, NY 14224

ZONING BOARD OF APPEALS
Minutes #2013-04
April 24, 2013

The regular meeting of the Zoning Board of Appeals of the Town of West Seneca was called to order by Chairman David Monopolus at 7:00 P.M. followed by the Pledge of Allegiance led by Michael Harmon and 30 seconds of silent prayer.

ROLL CALL: Present - David Monopolus, Chairman
Michael P. Harmon
Evelyn Hicks
Michael P. Hughes
Sandra Giese Rosenswie
Jeffrey Baksa, Code Enforcement Officer

Absent - Shawn P. Martin, Town Attorney

Chairman Monopolus read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

OPENING OF PUBLIC HEARING

Motion by Hughes, seconded by Rosenswie, to open the public hearing.

Ayes: All Noes: None Motion Carried

APPROVAL OF PROOFS OF PUBLICATION

Motion by Hicks, seconded by Harmon, that proofs of publication and posting of legal notice be received and filed.

Ayes: All Noes: None Motion Carried

APPROVAL OF MINUTES

Motion by Hughes, seconded by Rosenswie, to approve Minutes #2013-03 of March 27, 2013.

Ayes: All Noes: None Motion Carried

OLD BUSINESS

2012-060

Request of Nicholas M Calandra (Hearts for the Homeless WNY) for a variance for property located at 395 Center Road for placement of a temporary structure in parking lot (temporary structures not allowed)

2012-060 (continued)

Chairman Monopolus stated the applicant requested this item be tabled until next month.

Motion by Hughes, seconded by Rosenswie, to table this item until the May meeting.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2013-012

Request of John J Pieri III for a variance for property located at 142 Cresthaven Drive to construct a 6' fence in front yard (4' fence allowed)

John Pieri III stated his request to construct a 6' fence on his corner lot for privacy and security purposes. He indicated on the plans the chain link fence that will be removed and replaced with a dog eared wooden fence 35' off the street.

Chairman Monopolus noted receipt of a letter of support from the neighbor at 1057 Mineral Springs Road.

No comments were received from the public.

Motion by Harmon, seconded by Hicks, to close the public hearing and grant a variance for property located at 142 Cresthaven Drive to construct a 6' fence in the front yard.

Ayes: All

Noes: None

Motion Carried

2013-013

Request of Brian & Lisa Hirsch for a variance for property located at 122 Tampa Drive to raise chickens

Brian & Lisa Hirsch stated their request to raise six chickens, no roosters, noting they will be kept in a coop and the food will be contained.

Chairman Monopolus noted receipt of letters of approval from neighbors at 120 and 130 Tampa Drive and 109 Tudor Blvd.

No comments were received from the public.

2013-013 (continued)

Motion by Rosenswie, seconded by Hughes, to close the public hearing and grant a one year variance for property located at 122 Tampa Drive to raise six chickens, no roosters.

Ayes: All

Noes: None

Motion Carried

2013-014

Request of Paul & Katherine Saeli for a variance for property located at 51 Terrace Blvd. to construct a single family home on a 7650 sf lot with 50' frontage (8500 sf lot and 65' frontage required)

Paul Saeli stated his request for a variance to allow a single family home to be built at 51 Terrace Blvd. some time in the future. The property is contiguous to his house and he would like to obtain the variance and then put the lot on the market as a building lot. Mr. Saeli requested the variance be granted for two years.

Code Enforcement Officer Jeffrey Baksa stated he had suggested a two year maximum time frame for the variance because if the area changes it may affect the Zoning Board's decision.

Mr. Harmon questioned if Mr. Saeli had talked to the neighbor on the other side of the vacant lot regarding his plan and Mr. Saeli responded that he had not.

No comments were received from the public.

Motion by Monopolus, seconded by Rosenswie, to close the public hearing and grant a two year variance for property located at 51 Terrace Blvd. to construct a single family home on a 7650 sf lot with 50' frontage.

Ayes: All

Noes: None

Motion Carried

2013-015

Request of Bradley L Parker for a variance for property located at 702 Main Street to construct detached garage on footprint of existing garage .45' from property line (3' setback required)

Bradley Parker stated his request to replace his existing garage with a slightly larger garage on the same footprint. The new garage will be 20' deep and 24' wide which is 4' deeper and 5.5' wider than his existing garage.

2013-015 (continued)

Code Enforcement Officer Jeffrey Baksa stated the wall will be 8' with a 5-12 pitch on the roof and this is a standard height for an accessory structure. The garage is detached and the distance from the house complies.

Mrs. Hicks questioned if the property owner directly behind on Klink Place approved of Mr. Parker's plan and Mr. Parker responded that the house has been vacant and abandoned for over two years so he had not talked to the property owner.

Chairman Monopolus noted receipt of letters of approval from neighbors at 20 Klink Place and 712 Main Street.

No comments were received from the public.

Motion by Hughes, seconded by Rosenswie, to close the public hearing and grant a variance for property located at 702 Main Street to construct a detached garage on footprint of existing garage .45' from property line.

Ayes: All

Noes: None

Motion Carried

2013-016

Request of Alan Yox for a variance for property located at 4856 Seneca Street to construct a 6' high fence projecting 20' off house (4' high and 10' projection allowed)

Alan Yox stated his request to construct a 6' high white vinyl fence for privacy and to help eliminate a neighbor problem. He presented pictures of railroad ties the neighbor had placed on Mr. Yox's property and cars the neighbor had for sale on his own property. Mr. Yox wanted to block the view of this along with other activity at the neighbor's house and wanted the fence to extend 30' off the house which will still be 50' from the road. He had not asked the neighbor for a letter of support because he did not believe they would approve, although he thought the neighbor would be happy to have his privacy too.

Chairman Monopolus read a letter from the County of Erie acknowledging that the fence will stop at least 50' away from the county right-of-way.

No comments were received from the public.

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2013-016 (continued)

Motion by Harmon, seconded by Hughes, to close the public hearing and grant a variance for property located at 4856 Seneca Street to construct a 6' high fence, 30' from the house and 50' from the road.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Hughes, seconded by Rosenswie, to adjourn the meeting at 7:25 P.M.

Ayes: All

Noes: None

Motion Carried

Respectfully submitted,



Jacqueline A Felser
Town Clerk/Zoning Board Secretary