Minutes Approved: 11/08/2023
Distributed:

October 11th, 2023

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NOV 13 2023
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Town of Evans

TOWN OF EVANS

REGULAR MEETING OF THE ZONING BOARD OF APPEALS

Members Present: H. Martin, Jr., J. Kennedy, C.LaRusso,

Members Absent: D. Maglich, T. Spada

Also Present: J. Flading, Building Inspector, B. Penberthy, Esq., A. Czyz. Assistant Code Enforcement.

Mr. Martin, Jr. opened the meeting with a quorum at 6:00pm. The meeting was held in the Municipal Building Court room, 8787 Erie Road, Angola, New York 14006.

Mr. Martin, Jr. explained the procedure in which the meeting will be conducted. The procedures are that old business matters are heard first and then appeals are heard according to the order of publication in The Dunkirk Observer. The staff report prepared by the building inspector is read. The board has had your file for a week. We have had an opportunity to review your appeal. The appellant is then given the opportunity to speak, and then those in favor or in opposition are allowed to speak. After hearing the respective matters, the Board will either vote or reserve the right pursuant to our local statue to adjourn to executive session to deliberate. Motions granting and rejecting appeals are voted upon in the public portion of the meeting.

New Business:

Emir Omerhodzic 604 Seymour Ter., Angola, NY 14006, is requesting to construct a deck of the front of the house, in violation of the Town of Evans Zoning Law Sections 200-12-C(1)(f) {1} minimum Front yard setback, 200-12-C(1)(f){2} combined side set back. 200-12-C(1)(f){3} minimum side set back).

The applicant was not there to speak for this variance.

John Simet spoke in favor for this appeal.

Mr. Martin closed the public discussion and opened the board for discussion.

The board confirms that the deck that the applicant is looking to build will not go furth past the existing structure of the house.

Mr. LaRusso makes a motion Approve the variance. Mr. Kennedy seconds.

All in favor:

Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, abs
Mr. Kennedy, aye

Dolores S. Reidy 6512 Hamilton Dr. Derby, NY 14047, is requesting to construct an accessory structure, in violation of the Town of Evans Zoning Law Section 200-12-C(1)(f){1} minimum front yard setback.

Dolores Reidy was there to speak for the variance. She wants to construct the garage in that location to store her things in. She doesn't want her things to become an eyesore with leaving everything outside during the winter.

No one spoke in favor or against this appeal.

Mr. Martin closed the public discussion and opened the board for discussion.

The board agrees that it meets the criteria and fits the character of the neighborhood.

Mr. Kennedy asked why she wouldn't keep the garage closer to the house or attach it to prevent the structure from being closer to the road.

The applicant advised that there is a big tree in between her house and the proposed location that she does not want to remove.

Mr. Martin, Jr. makes a motion Approve the variance. Mr. LaRusso seconds.

All in favor:

Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, abs
Mr. Kennedy, No

Dean and Janet Simons 359 Eisenhower Ave. Angola, NY 14006, is requesting to construct an addition, in violation of the Town of Evans Zoning Law Section 200-10-C(2)(a){1} minimum separation between structures.

The applicant was present to speak for the variance.

Mr. Simons advised that the old building inspector came out to look at a similar addition that they did before and approved it with fire code. This addition is like the other but, instead of being under 10ft from the garage it is from the shed.

Mr. Martin, Jr read affidavit Exhibit A which was not in favor of this variance.

Mr. Martin, Jr. closed the public discussion, and opened the board for discussion.

The board confirmed the location of the proposed addition and agreed it would improve the home and fit the characteristics of the area.

Mr. Kennedy makes a motion Approve the variance. Mr. LaRusso seconds.

Mr. Martin Jr. adds the stipulation that the exterior walls and drywall must be fire rated.

All in favor:

Mr. Martin, Jr., aye	**Mr. Maglich, abs**
Ms. Spada, abs	**Mr. Kennedy, aye**
Mr. LaRusso, aye	

Mark Mazur & Clair A. Montroy, 4213 North Buffalo St., Orchard Park NY 14127, is requesting to construct a porch on the front of 7437 Derby Road, Derby NY 14047, in in violation of Town of Evans Zoning Law Section 200-10(C)(1)(c)(1) front set back.

Both applicants were present to speak for the variance.

Clair Montroy explained that they are looking to construct a porch where an existing stoop is now. This would make the home look nicer and give it curb appeal.

No one spoke in favor or against this appeal.

Mr. Martin, Jr. closed the public discussion, and opened the board for discussion.

Mr. Marin, Jr. agreed with the applicants that adding this porch would improve the home and conform to the area.

Mr. LaRusso makes a motion Approve the variance. Mr. Kennedy seconds.

All in favor:

Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, abs
Mr. Kennedy, aye

Michael Vertino, 9190 Meadow Lane, Angola NY 14006, is requesting to construct an addition, in violation of Town of Evans Zoning Law Section 200-10 C(1)(c)[1] front yard setback.

The applicant was not there to speak for this variance.

The building inspector gave his understanding of what the project is going to look like. His understanding of the project is the applicant building a mud room where an existing deck is already. It will not expand the existing footprint of the home.

Mr. Martin, Jr. closed the public discussion, and opened the board for discussion.

The board discusses weather or not to rule on this without a full understanding of what the work is. The board confirms the project details with the building inspector.

Mr. Martin, Jr. makes a motion Approve the variance. Mr. LaRusso seconds.

Mr. Martin, Jr. confirms that this is approved with the understanding that the project is what the building inspector advised, enclosing an existing deck with a mudroom that will not expand on the existing footprint that is there currently.

All in favor:

Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, abs
Mr. Kennedy, aye

Mr. Martin Jr. made a motion to adjourn, seconded by Mr. Kennedy.

All in favor:

Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, abs
Mr. Kennedy, aye

Respectfully Submitted,

Alex Haley
Secretary