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TOWN OF EVANS

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Lynn M. Krajacic
Town Clerk
Town of Evans

REGULAR MEETING OF THE ZONING BOARD OF APPEALS

Members Present: H. Martin, Jr., D. Maglich, C.LaRusso,

Members Absent: T. Spada, J. Kennedy,

Also Present: B. Penberthy, Esq., J. Flading, Code Enforcement Officer

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:

Mr. LaRusso moves to approve the minuets from September meeting. Mr. Maglich seconds.

All in favor:
Mr. Martin, Jr., aye **Mr. Maglich, aye**
Ms. Spada, abs **Mr. Kennedy, abs**
Mr. LaRusso, aye

Timothy Gabel, 22 Woodcrest Blvd, Tonawanda, NY 14223 is requesting to construct a deck on the side of the home located at 447 Shell Rd, Angola, NY 14006, in violation of the Town of Evans Zoning Law Section 200-10(C)(1)(c)(1), minimum front yard of 40 feet and 200-10(C)(1)(c)(4), minimum rear yard of 35 feet.

The applicant was present for the appeal. The applicant explains that the yard is so small and there is no way to put the deck up with the size. He said that he is going to be putting the deck on the same footprint that a porch used to be.

No one spoke in favor or against the appeal. Mr. Martin Jr. read a letter of support into record.

Mr. Maglich asks if the deck will be enclosed. The applicant explains it is a two story deck and the bottom of it will be enclosed to make it a porch.

Mr. LaRusso makes a motion approve with condition that the deck will be in the same footprint as the old porch. Mr. Maglich seconds.

All in favor:

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

Samuel Mardino, 8015 Versailles Rd, Angola, NY 14006, is requesting to construct a modular home on SBL# 222.00-4-3, in violation of the Town of Evans Zoning Law Section 200-8.1(C)(1)(a), minimum lot area of 5 acres.
The applicant was present for the appeal.

The applicant was present for the appeal. Explains that his sister lives next door and wants to put a house on this lot.

No one spoke in favor or against the appeal.

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

The board agrees that there are other lots that have houses and are similar sizes.

Mr. Maglich makes a motion approve Mr. LaRusso seconds.

All in favor:
Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, aye
Mr. Kennedy, abs

Eric Lanc, of 1730 Sturgeon Point Rd, Derby, NY 14047, is requesting to add a 250 sq ft carport to a new 1200 sq ft pole barn, in violation of Town of Evans Zoning Law Section 200-8.2(C)(8)(b)(3), maximum size of 1200 sq ft.

No one was there to speak for the appeal but, the board decided to make a decision anyway.

No one spoke in favor or against the appeal.

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

Mr. Martin Jr. makes a motion approve the variance with the condition that the extension is not enclosed, Mr. LaRusso seconds.

All in favor:
Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, aye
Mr. Kennedy, abs

John Trimm, of 9229 Mohawk Rd, Angola, NY 14006, is requesting to construct a pole barn, in violation of Town of Evans Zoning Law Section 200-17(A)(4), maximum size of accessory structure of 900 sq ft.

The applicant was present for the appeal. Mr. Trimm explains that he is going to take down a carport and put the pole barn in the same footprint.

No one spoke in favor or against this appeal.

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

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, aye
Mr. Kennedy, abs

Linda Sweet, of 9679 Quebec St, Angola, NY 14006 is requesting to construct a shed in violation of Town of Evans Zoning Law Section 200-12(C)(1)(f)(1), minimum front yard of 25 feet, and 200-12(C)(1)(f)(3), minimum one side yard of 5 feet.

The applicant was present for the appeal. The applicant explains that the shed can't go anywhere else on the lot and that it would match the house with siding.

The board confirms the location of the shed based on the survey that was provided.

Dave Bohn 9685 Quebec st Angola, NY 14006 Spoke in favor of the appeal. Mr. Marin Jr. reads a letter in favor into the record.

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

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, aye
Mr. Kennedy, abs

Mr. LaRusso make a motion to adjourn seconded by Mr. Maglich.

All in favor:
Mr. Martin, Jr., aye
Ms. Spada, abs
Mr. LaRusso, aye
Mr. Maglich, aye
Mr. Kennedy, abs

Respectfully Submitted,
Alex Haley