

Minutes
Village of Orchard Park
Zoning Board of Appeals
August 29, 2018

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, August 29, 2018 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:04 p.m. and stated, "If anyone appearing before the Board is related thru family, financial or business relationship with any member of the Board, it is incumbent upon him to make it known under the New York State Law and the Village Code of Ethics."

Members present:

Chairman, Steve Snyder
Gary Phillips
William Riter
Alternate Scott Hartung

Others present:

Matthew Hartung, Trustee
Christine Hanavan, Secretary

Members absent:

David Obrochta

The Chairman asked for approval of the minutes of the previous meeting held on June 27, 2018. Steve Snyder made the motion to approve the minutes of the previous meeting seconded by Gary Phillips. On the question:

SCOTT HARTUNG	YES
GARY PHILLIPS	YES
WILLIAM RITER	YES
STEVE SNYDER	YES

Chairman Snyder then stated, "All persons making an appeal before this Board will be heard in accordance with the applicable laws of the State of New York and the Village of Orchard Park. Any person aggrieved by any decision of the Board of Appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal, specifying the grounds of the illegality. Such petition must be presented to the court within 30 days after filing of the decision in the office of the Village Clerk."

Chairman Snyder asked if site inspections for all cases presented were made by all Board members: On the question:

SCOTT HARTUNG	YES
GARY PHILLIPS	YES
WILLIAM RITER	YES
STEVE SNYDER	YES

ZBA Referral

**Woodview Holdings LLC
4493 South Buffalo St.
Orchard Park, NY 14127
SBL #173.09-1-13**

Applicant is requesting a variance to Section 225-12 F(1)(c), Accessory structures in R-Districts.

Applicant is requesting permission to build one accessory structure at 4493 South Buffalo St. with a side yard setback of four (4) feet. The code stipulate that the minimum side yard setback of an accessory structure must be eight (8) feet in an R zone.

Applicant is requesting a variance to Section 225-11, C1 Open Space

Applicant is requesting permission to construct an addition at 4493 South Buffalo St. in a required side yard. The code stipulates that every part of a required yard must be open to the sky unobstructed.

APPEARANCE: Joseph Deck, Property Owner
4 Lancaster Lane

DISCUSSION: The property owner stated his reason for the variance. He does not want to change the center green space and wants to hide the garage as much as possible. After the gas, NYSEG and FIOS lines he may not build the garage after all. If he does, he may have to move the garage whereby a variance would not be required.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance. There were none.

The Chairman asked three times if there was anyone in the audience who would like to speak against granting the variance. There were none.

The Chairman then asked if the Secretary had received any communications either for, or against, granting the variance. **The Secretary stated the Village Planning Board voted in favor of granting of this variance.**

Zoning Board of Appeals
Village of Orchard Park
August 29, 2018

Scott Hartung made a motion, seconded by Bill Riter in favor of granting permission to build an Accessory Structure at 4493 South Buffalo St. with a side yard setback of four (4) feet and construct an addition in a required side yard open to the sky unobstructed.

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
GARY PHILLIPS	YES
WILLIAM RITER	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

Moved by Gary Phillips, seconded by Bill Riter to adjourn at 7:18 p.m.
On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
GARY PHILLIPS	YES
WILLIAM RITER	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

Respectfully submitted,

Christine M. Hanavan
Secretary

Chairman's Approval:

Date: _____