Minutes
Village of Orchard Park
Zoning Board of Appeals
August 26, 2020

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, August 26, 2020 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Acting Chairman Scott Hartung called the meeting to order at 6:57 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: Others present:
Acting Chairman, Scott Hartung   Lauren Kaczor, Trustee
Kevin Moran   Christine Hanavan, Secretary
Gary Phillips   John Gullo, Code Enforcement
Bill Riter

Members absent:
Alternate David Obrochta
Steve Snyder

The Acting Chairman asked for approval of the minutes of the previous meeting held on July 8, 2020. Gary Phillips made the motion to approve the minutes of the previous meeting seconded by Kevin Moran. On the question:

SCOTT HARTUNG   YES
KEVIN MORAN   YES
GARY PHILLIPS   YES
WILLIAM RITER   YES

Acting Chairman Hartung 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."

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

SCOTT HARTUNG   YES
KEVIN MORAN   YES

GARY PHILLIPS   YES
BILL RITER   RECUSED

ZBA Application
William and Eileen Riter
119 S Lincoln Avenue
Orchard Park, NY 14127
SBL #173.05-1-40

> *Applicant is requesting a variance to Municipal Code Section 225, Schedule II – Height, Lot, Yard and Bulk Regulations*
>
> *Applicant is requesting permission to reduce a side yard setback to erect a garage. Applicant is asking for a 1.6' side yard setback. The code stipulates a minimum side yard setback of 8'.*

APPEARANCE: Bill Riter

DISCUSSION: Bill explained that his garage is the original and is asking to make it larger. The Board had no questions for the applicant.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance. Matthew Hartung of 105 Thorn spoke in favor of granting the variance stating it was an improvement to the neighborhood.

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 Planning Board gave a positive referral to grant the variance. A phone call was received from Jim Higgins of 68 Argyle on 8/18/20 stating that the Riter's have done nothing but improve their property and he has no problem with the variance request. A call was also received from Steve Lasker of 60 Argyle on 8/24/20 stating he is unable to make the meeting but has no problem with the variance request.

Kevin Moran made a motion, seconded by Gary Phillips in favor of granting permission to reduce the side yard set back to erect a garage with a side yard setback of 1.6'at 119 S Lincoln Avenue SBL #173.05-1-40.

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On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
KEVIN MORAN	YES
GARY PHILLIPS	YES
BILL RITER	RECUSED

THE MOTION WAS PASSED.

Moved by Gary Phillips seconded by Bill Riter to adjourn at 7:07 p.m.
 On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
KEVIN MORAN	YES
GARY PHILLIPS	YES
BILL RITER	YES

THE MOTION WAS PASSED.

Respectfully submitted,   Chairman's Approval:

Christine M. Hanavan
Secretary

Date: _____