

October 9, 2019

TOWN OF EVANS
REGULAR MEETING
OF THE
ZONING BOARD OF APPEALS

Members Present: A. Yusick, D. Maglich, A. Supon

Members Absent: T. Spada, V. Gugliuzza, H. Martin, Jr

Also Present: J. Hill, Building Inspector

Mr. Yusick 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. Yusick 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 statute to adjourn to executive session to deliberate. Motions granting and rejecting appeals are voted upon in the public portion of the meeting.

Mr. Yusick made a motion to approve the September 11, 2019 minutes. All in favor, motion carried.

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Lynn M. Krajacic
Town Clerk
Town of Evans

NEW BUSINESS:

Jason Schultz, 9485 Erie Rd., Angola, NY 14006, is requesting to construct a fence along the side and front of his property, in violation of the Town of Evans Zoning Law Section 200-9 C 6 (a), (b) & (e).

Applicant is requesting to construct a 6' privacy fence on the side of the property aligning with the front porch reducing the allowable side fence from 60' to 50' and reducing the allowable front yard from 15' to 0', in violation of the Town of Evans Zoning Law Section 200-9 C 6 (a) (b) (e).

The applicant would like to erect a 6' privacy fence along the side lot line, and front 4' fence in the front yard on the front lot line.

Present for the appeal was Jason Schultz.

Mr. Yusick asked Mr. Schultz if he was in front of the board before. Mr. Schultz stated yes. Mr. Yusick stated that according to survey that was submitted, a 6 foot fence will go even with the porch. Mr. Schultz stated yes. Mr. Yusick asked how far the front line from the street right of way is. Mr. Schultz stated 20 feet. Mr. Yusick stated there is a 15 foot front setback for the 4 foot fence. Mr. Schultz stated that the fence will be on the house side of the bushes.

Mr. Yusick asked if the board has any questions and no one in the audience was there for or against this appeal.

Mr. Yusick made a motion to approve, seconded by Mr. Maglich.

All in favor:

**Vote: Mr. Yusick, aye
Ms. Spada, absent
Mr. Martin, Jr, absent**

**Mr. Maglich, aye
Mr. Gugliuzza, absent
Mr. Supon, aye**

Ryan & Jerrica Raab, 6689 Lake Shore Rd., Derby, NY 14047, requesting to reduce the minimum width of a building lot to construct a single family dwelling at 7215 Sweetland Road SBL# 206.00-5-53, in violation of the Town of Evans Zoning Laws Section 200-9 C (1) (b).

Applicant is requesting to reduce the allowable minimum width abutting a dedicated street from 200' to 143' the Rural Residential district in order to construct a single family dwelling at 7215 Sweetland Road, Derby SBL# 206.00-5-53 in violation of the Town of Evans Zoning Law Section 200-9 C (1) (b).

The applicant would like to construct a single family dwelling on property located at 7215 Sweetland Road. There was a home on this parcel at one time; the house was demolished due to the condition of the structure.

Present for the appeal was Ryan and Jerrica Raab.

Mr. Yusick asked when the house was demolished. Ms. Hill stated last year. Mr. Yusick asked if the new built house would be approximately in the same location as the demolished house. Mr. Raab stated yes but it will not be as far back on the lot. Mr. Yusick asked if it would be behind the neighbor's house. Mr. Raab stated yes. Mr. Maglich asked if the house would be situated in the middle of the property. Mr. Raab stated it would be approximately in the middle. Mr. Yusick stated that the lot is substandard for the zoning district and if the variance is approved all other zoning requirements need to be met. Ms. Raab stated that the house will be 76 feet wide.

Mr. Yusick asked if the board has any questions and no one in the audience was there for or against this appeal.

Mr. Maglich made a motion to approve, seconded by Mr. Supon.

All in favor:

Vote: Mr. Yusick, aye

Ms. Spada, absent

Mr. Martin, Jr, absent

Mr. Maglich, aye

Mr. Gugliuzza, absent

Mr. Supon, aye

Mr. Yusick asked if there was anything further for the board.

Mr. Yusick made a motion to adjourn to the next scheduled meeting.

All in favor:

Vote: Mr. Yusick, aye
Ms. Spada, absent
Mr. Martin, Jr, absent

Mr. Maglich, aye
Mr. Gugliuzza, absent
Mr. Supon, aye

Respectfully Submitted,



Jennifer Renaldo
Secretary