

Minutes  
Village of Orchard Park  
Zoning Board of Appeals  
June 27, 2018

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, June 27, 2018 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:00 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  
  
Kelly Stressinger, Acting Secretary

Members absent:

David Obrochta

The Chairman asked for approval of the minutes of the previous meeting held on May 23, 2018. Steve Snyder made the motion to approve the minutes of the previous meeting seconded by Scott Hartung. 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**

**John Ruh  
124 Meadow Drive  
Orchard Park, NY 14127  
SBL #173.06-1-4**

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

*Applicant is requesting permission to build an Accessory Structure in an R-1 zone. The resulting structure will have an area of 900 square feet. The code stipulates that any structure exceeding 600square feet in an R-1 zone must be considered a principle structure. The code further stipulates that an accessory building shall not exceed one story or 18 feet in height and that only one principle building is permitted on a lot of record in an R-1 zone.*

**APPEARANCE:** Jim Bammel of Bammel Architects

**DISCUSSION:** He showed what the garage would look like on the property. Also showed an arial view. He stated because the lot is so large, the 900 s.f. building does not appear too big.  
Steve Snyder asked the height of structure. Jim replied 22 ft. (4' taller than code)  
William Riter asked if it was a loft structure. Jim replied yes.  
Scott Hartung asked if there is more storage. Jim replied yes.  
Jim asked if there were any other questions. All replied no.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance. Bill Burns (69 Forest Drive), neighbor, said it is fine with him.

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.**

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William Riter made a motion, seconded by Gary Phillips in favor of granting permission to build an Accessory Structure in an R-1 zone with an area of 900 square feet.  
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.**

Moved by Gary Phillips, seconded by Scott Hartung to adjourn at 7:10 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,

Kelly Stressinger  
Acting Secretary

Chairman's Approval:

\_\_\_\_\_

Date: \_\_\_\_\_