

Minutes
Village of Orchard Park
Zoning Board of Appeals
June 26, 2019

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, June 26, 2019 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:05 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
Ann Dillon Flynn
Scott Hartung
Gary Phillips
William Riter
Alternate Kevin Moran

Others present:

Matthew Hartung, Trustee
Christine Hanavan, Secretary
John Gullo, Code Enforcement

Members absent:

Alternate David Obrochta

The Chairman asked for approval of the minutes of the previous meeting held on May 29, 2019.

Scott Hartung made the motion to approve the minutes of the previous meeting seconded by Gary Phillips. On the question:

ANN FLYNN	YES
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:

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

ZBA Application

Jonathan Petrie

114 Woodview

Orchard Park, NY 14127

SBL #173.09-1-37

Applicant is requesting a variance to Municipal Code Section 225-11 C (1) Lot, Height Yard and Bulk Regulations.

Applicant is requesting permission to construct a six (6) foot wooden fence in a side yard at 114 Woodview Drive. The code stipulates it must be three (3) feet in any side or front yard.

APPEARANCE: Jon Petrie, Applicant

DISCUSSION: Applicant presented his case to the Board. He provided many pictures of other village residential fences he feels have violated the Village Code and feels personally persecuted and singled out. Gary Phillips asked if a decorative type fence vs. a stockade fence would be more appropriate in the front section only.

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 Planning Board gave a negative referral to grant the variance.

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Gary Phillips made a motion, seconded by William Riter in favor of granting permission to construct a five (5) foot wooden fence in a side yard at 114 Woodview Drive with the following stipulations:

1. On the south side 5-10 foot setback off the southeast corner of the house.
2. On the north side, in the same location of the existing chain link fence, replace with a five (5) foot decorative fence

This is reflective of the drawing agreed upon at the Zoning Board of Appeals meeting.

THE VOTE ON THE MOTION BEING:

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

THE MOTION WAS PASSED.

Moved by William Riter, seconded by Scott Hartung to adjourn at 7:40 p.m.
On the question:

THE VOTE ON THE MOTION BEING:

ANN DILLON FLYNN	YES
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: _____