

Minutes
Village of Orchard Park
Zoning Board of Appeals
August 28, 2019

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, August 28, 2019 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:02 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
Scott Hartung
Gary Phillips
William Riter
Alternate Kevin Moran

Others present:

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

Members absent:

Ann Flynn
Dave Obrochta

The Chairman asked for approval of the minutes of the previous meeting held on June 26, 2019. Scott Hartung made the motion to approve the minutes of the previous meeting seconded by William Riter. On the question:

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

ZBA Application

Dorothy and Kenneth Grajek
6267 Armor Duells Road
Orchard Park, NY 14127
SBL #172.16-4-4

Applicant is requesting a variance to Municipal Code Section 225-Schedule II R1 Residential Zoning.

Applicant is requesting permission to build an attached two car garage with a side yard setback of 8.5 feet and a front yard setback of 32 feet. The code stipulates that a 10 foot side yard is required and a 35 foot front setback is required.

APPEARANCE: Kenneth Grajek, Applicant

DISCUSSION: They examined a variety of alternatives and feel this approach improves the property. The house was built in 1951 and nothing has been changed over the years. For convenience they are opening up the backyard and creating more green space. The current garage will be used as a shed and they plan to remove the other driveway. There will be an entry point from the garage into the house. The fire hydrant is two feet from the driveway and the code stipulates it must be a minimum of 7 feet..

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 positive referral to grant the variance.

Kevin Moran made a motion, seconded by Scott Hartung in favor of granting permission to build an attached two car garage with a side yard setback of 8.5 feet and a front yard setback of 32 feet with the stipulation that there is a separation of no less than 7 feet from the fire hydrant to the driveway.

On the question:

THE VOTE ON THE MOTION BEING:

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

THE MOTION WAS PASSED.

Moved by Gary Phillips seconded by William Riter to adjourn at 7:14 p.m.

On the question:

THE VOTE ON THE MOTION BEING:

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

THE MOTION WAS PASSED.

Respectfully submitted,

Christine M. Hanavan
Secretary

Chairman's Approval:

Date: _____