

Minutes
Village of Orchard Park
Zoning Board of Appeals
June 23, 2021

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, June 23, 2021 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
Scott Hartung
Peter Freyer
Gary Phillips
Mark Gerwitz

Others present:

Lauren Kaczor, Trustee
John Gullo, Code Enforcement
Christine Hanavan, Secretary

Members absent:

William Riter

The Chairman asked that approval of the minutes of the previous meeting held on May 26 2021 be tabled until the next meeting. Gary Phillips made the motion to table the approval of the minutes of the previous meeting seconded by Scott Hartung. On the question:

SCOTT HARTUNG	YES
STEVE SNYDER	YES
GARY PHILLIPS	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
PETER FREYER	YES

GARY PHILLIPS	YES
MARK GERWITZ	YES
STEVE SNYDER	YES

ZBA Application

Di-Bam LLC

6572 E Quaker St.

Orchard Park, NY 14127

SBL #162.17-2-5

Applicant is requesting a variance to Municipal Code Section 225 – Attachment 2, Schedule II B-2 Business

Applicant is requesting permission to construct a covered porch with a 20' front yard setback and a 1.32' side yard setback. In addition, the applicant is requesting a side yard setback of 3.11' on the rear addition. The code stipulates that the minimum front yard setback must be 15' and side yard is 8'.

Applicant is requesting a variance to Municipal Code Section 225-11, C1 Open Space

Applicant is requesting permission to construct an addition at 6572 E. Quaker St. in a required yard. The code stipulates that every part of a required yard must be open to the sky unobstructed.

APPEARANCE: James Bammel, Bammel Architects

DISCUSSION: Jim presented his concept of the porch and explained he is renovating the home and keeping the integrity of the original structure. He indicated that the first floor will be a bakery.

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.

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Gary Phillips made a motion, seconded by Scott Hartung in favor of granting permission to construct a covered porch with a 20' front yard setback and a 1.32' side yard setback and a side yard setback of 3.11' on the rear addition at 6572 E Quaker St. SBL #162.17-2- with the stipulation that the porch will never be enclosed.

On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
PETER FREYER	YES
MARK GERWITZ	YES
GARY PHILLIPS	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

Moved by Scott Hartung seconded by Gary Philips to adjourn at 7:07 p.m.

On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
PETER FREYER	YES
MARK GERWITZ	YES
GARY PHILLIPS	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

Respectfully submitted,

Christine M. Hanavan
Secretary

Chairman's Approval:

Date: _____