

Appeals Case #1364 for Kevin and Marianne Zicarelli who own vacant land on Transit Road, Elma NY who are requesting a variance to approve a nonconforming lot §100-3, Residential C.

Mr. Zicarelli was present and is looking for a variance for his vacant lot. The abstract of the title shows that in 1953 the parcel was separated from the original lot. Mr. Trzepacz stated he has a deed and it is a separate lot. Mr. Zicarelli will build the house in line with the other homes next to the property. It was a piece of property before the four-split rule was created.

No one spoke for or against the variance.

Mr. Kalinowski made the motion for Appeals Case #1364 for Kevin and Marianne Zicarelli who own vacant land on Transit Road, Elma NY who are requesting a variance to approve a nonconforming lot §100-3, Residential C to approve, noting the following criteria:

- 1) An undesirable change would not be known.
- 2) The benefit could not be achieved another way.
- 3) The request is not substantial.
- 4) The request would not have an adverse physical or environmental effect.
- 5) The alleged difficulty is not self-created in this case.

Seconded by Mr. Kwiek Ayes: 5. Nays: 0

Mr. Kalinowski made the motion to approve the minutes from the July meeting. Seconded by Mr. Carey. Yes: 5. Nays: 0.

Mr. Kwiek made the motion at 7:43 to end the meeting. Seconded by Mr. Kalinowski. Yes: 5. Nays: 0.

Respectfully submitted,

Kerry A. Galuski
Secretary-Clerk