

Mr. Kalinowski made the motion for Appeals Case #1368 for Penny Pennington of 10 Timberline Drive, Elma, NY who is requesting a variance to install an inground pool on the side yard of the property §144-50, Residential A, that the variance be approved based on 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.

Appeals Case #1369 for David Ponitz of 7020 Clinton Street, Elma, NY who is requesting a variance to add an addition of 14x16 feet to the home with less than the required 50 feet setback §144-99 C4, Residential C.

Mr. Ponitz was present and explained that the house sits sideways to the road and that the addition will be a second story with a deck underneath.

Mr. Trzepacz asked if the back of property has the septic system and was informed that it is. Mr. Carey asked if it will sit level and if you will go upstairs to get to the new addition and the reply was yes. Mr. Trzepacz asked if it is only going to be a second floor and again the reply was yes.

No one spoke for or against the variance

Mr. Carey made motion for Appeals Case #1369 for David Ponitz of 7020 Clinton Street, Elma, NY who is requesting a variance to add an addition of 14x16 feet to the home with less than the required 50 feet setback §144-99 C4, Residential C, that the variance be approved based on 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. Sobczak. Ayes: 5. Nays: 0

Motion was made by Mr. Carey and seconded by Mr. Sobczak to approve the October 8, 2019 minutes. Ayes: 5

The meeting was adjourned at 7:27 PM. Motion made by Mr. Kalinowski and seconded by Mr. Kwiek. Ayes: 5.

Respectfully submitted,

Kerry A. Galuski
Secretary-Clerk