

09/11/07 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, September 11, 2007 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Insp
Harry Kaczmarek Greg Kalinowski, Alternate
Mike Komorek
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1094 for Jon Miller, 1199 Girdle Rd, who is requesting a variance to construct a 28'x42' detached garage for personal use only, no business use. Res. C. 52-6; Appeals Case #1095 for St. Paul Lutheran Church, 360 Main St, who are requesting a variance to place a new 4'x6' sign in front of the Church 5' from the ROW. Commercial. 144-102.1 B (1) (e); Appeals Case #1096 for Paul Callahan, 61 Kinsley Rd, who is requesting a variance to add 40'x40'x13' to existing pole barn increasing the square footage from 768' to 1984' for personal use only, no business use. Res. C. 52-6 (see Appeals Case #1063 from 11/14/06); Appeals Case #1097 for Paul & Kathy Grzywna, 21 Nanette Dr, who are requesting a variance to build a 20'x34' detached garage for personal use only, no business use. Res. B. 52-6; Appeals Case #1098 for Thomas Fuer, 2030 Bowen Rd, who is requesting a variance for 2031 Bowen Rd to build a 40'x40' pole barn for personal use only, no business use. Res. C. 52-6; Appeals Case #1092 for Ernest & Karen Belzile, 1430 Bowen Rd, who were granted a 1 month continuance at the meeting of the August 14, 2007.

In the matter of Appeals Case #1094 Jon Miller stated he would like to construct a 28'x42' detached garage on a cement pad for personal storage and to house classic cars. Mr. Miller is presently building a new home on Girdle Rd the 3rd lot north of Jamison Rd. The garage will be vinyl sided to match the house and will have electric only. No one spoke for or against this project.

In the matter of Appeals Case #1095 members of St. Paul's Lutheran Church stated they

would like to place a new 4'x6' sign up perpendicular to the road. It would be on the north west side. The present sign is parallel to the road and has small lettering. The sign will be vinyl and luminated but will not have flashing lights. Mr. Harrington inquired if the sign they are looking at is able to break in half at the legs and not fall in the road and cause an accident. Fred Streif, 130 Streif Rd, owns property on Main St has no objections to the new sign. No one spoke against the sign.

In the matter of Appeals Case #1096 Paul Callahan stated he is asking for the same addition (40'x40') on his pole barn as back on November 14, 2006 except he would like 13' walls instead of 10'. The garage door would be 12'. The addition would be 15' from the west property line. A new motor home, along with other personal belongings will be stored in the addition. No business vehicles will be stored in the addition. It will not be for any business use. Exterior will match existing barn. No one spoke for or against this project. Cindy Youngers who owns the property to the west of Mr. Callahan on Transit Rd had questioned the location of the addition to her property.

In the matter of Appeals Case #1097 Paul & Kathy Grzywna stated they would like to build a 20'x34' detached garage for personal storage. The garage would sit 10' from the side property line which does not include the eaves. Chairman Trzepacz informed Mr. Grzywna the eave would need to be included in the 10' and Mr. Grzywna had no problem with moving the garage to include the eave in the 10' side set back. The location of this garage is different than the proposed location last month (see the minutes of August 14, 2007 Appeals Case #1090) which was denied. No one spoke for this project. A letter was received from Roger & Susan Throm, 31 Nanette Dr, against this project.

In the matter of Appeals Case #1098 Tom Fuer stated he would like to build a 40'x40' pole barn on his property to be located behind his neighbor's house behind a row of trees and the neighbor's detached garage. A driveway will lead back to the pole barn. The doors will be facing north. It will be wood frame and vinyl sided to match the house and will have electric. There will be an open lean-to for wood storage. No one spoke for or against this project.

In the matter of Appeals Case #1092 Ernest Belzile submitted new plans for a 40'x40' pole barn to be located 160' behind his house, 21' from the side lot line. The pole barn will have electric, gas and possibly water. Tom Nolan, 2082 Hemstreet Rd, East Aurora, is in favor of the new plans. A letter was received from Daryl Hess, 1440 Bowen Rd,

stated his support for the proposed pole barn to be located 150' behind Mr. Belzile's house, but is against the original plans if Mr. Belzile reconsiders them.

Mr. Kaczmarek made the motion: In Appeals Case #1094 for Jon Miller, 1199 Girdle Rd, who is requesting a variance to construct a 28'x42' detached garage for personal use only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote – 5 ayes. Motion carried.

Mr. Schafer made the motion: In Appeals Case #1095 for St. Paul Lutheran Church, 360 Main St, who are requesting a variance to place a new 4'x6' sign in front of the Church 5' from the ROW, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote – 5 ayes. Motion carried.

Mr. Harrington made the motion: In Appeals Case #1096 for Paul Callahan, 61 Kinsley Rd, who is requesting a variance to add 40'x40'x13' to existing pole barn increasing the square footage from 768' to 1984' for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote – 5 ayes. Motion carried.

Mr. Komorek made the motion: In Appeals Case #1097 for Paul & Kathy Grzywna, 21 Nanette Dr, who are requesting a variance to build a 20'x34' detached garage 10' from the side lot line to include the eaves for personal use only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote – 5 ayes. Motion carried.

Mr. Kaczmarek made the motion: In Appeals Case #1098 for Thomas Fuer, 2030 Bowen Rd, who is requesting a variance for 2031 Bowen Rd to build a 40'x40' pole barn for personal use only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote- 5 ayes. Motion carried.

Mr. Kaczmarek made the motion: In Appeals Case #1092 for Ernest & Karen Belzile, 1430 Bowen Rd, who were granted a 1 month continuance at the meeting of August 14, 2007, I move the variance be granted per new sketches submitted, provided

all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote – 5 ayes. Motion carried.

The minutes of the last meeting of August 14, 2007 were approved as submitted.

There being no further business, the meeting was adjourned at 8:45PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk