

08/08/06 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, August 8, 2006 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Insp
Harry Kaczmarek Phyllis Todoro, Town Attorney
Michael Komorek Greg Kalinowski, Alternate
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1048 for David Lewandowski, 820 Girdle Rd, who is requesting a variance to construct a 20G'+x24G'+ barn for personal use only, no business use. Res. C. 52-6; Appeals Case # 1049 for Timothy King, 821 Knabb Rd, who is requesting a variance to build a 30G'+x40G'+ private storage building for personal use only, no business use. Res. C. 52-6; Appeals Case #1050 for James Wyzykiewicz, representing St. JohnG'+s Lutheran Church, 2131 Woodard Rd for a 6G'+x5G'+ addition for handicap access less than 50G'+ from the Right of Way. Res. B. 144-98 C (4); Appeals Case #1051 for William & Connie Ulrich, 450 Northrup Rd, who are requesting a variance for a 560G'+x145G'+ lot south of 450 Northrup Rd. Res. C 100-3 Depth; Appeals Case #1045 for Frank Abraszek, 5960 Seneca St, who was granted a 1 month postponement at the meeting of July 11, 2006.

In the matter of Appeals Case #1048 David Lewandowski stated he would like to build a 20G'+x24G'+ garage in the right back corner of his property, north of the 400 Expressway. The building will be metal with a 16x8 overhead door and 1 man door 3x6 (36G'Ñ). Garage will be for personal storage only. No one spoke for or against this project.

In the matter of Appeals Case #1049 Timothy King stated he would like to construct a 30G'+x40G'+ building to sit on a concrete slab 350G'+ off the road. It will be vinyl sided

with 2 garage doors (16x7 and 9x7) and a man door and the walls will be 8' to the eaves. There will be no utilities at this time, but electric may be added in the future. No one spoke for or against this project. Debbie Reilly, 810 Knabb, questioned the size and numbers of floors in the building.

In the matter of Appeals Case #1050 Jim Wyzykiewicz stated St John's church would like to construct a 5'x6' handicap lift addition to the church 25' from Woodard Road. The lift would be enclosed. It holds approximately 2 passengers (1 wheelchair) with approximately 400lb weight capacity. The lift will go to the first floor of the church or down to the basement. The sidewalk would be extended from the front of the Church to the addition. No one spoke for or against this project.

In the matter of Appeals Case #1051 Connie Ulrich and Susan King from King Consultants were present for this case. Mrs. King stated the reason for the variance is the single lot in question is lacking in depth. A section of the property has been cut back due to the reconstruction work done of Northrup Road. The property does gain depth around the curve of the property. The lot will be used for residential use only. No one spoke for or against this project. Robert Deisz, 400 Northrup Rd, wanted to verify the use of the property.

In the matter of Appeals Case #1045 for Frank Abraszek, Mr. Abraszek and Attorney Jay Ricketts were present. Mr. Ricketts spoke for Mr. Abraszek stating they would request the property at 5960 Seneca St be allowed the use to sell used cars/trucks. Since 2001, the zoning of the property was changed and Mr. Abraszek was no longer allowed to sell vehicles. The request is to allow the sale of 18 used cars. The automotive shop on the property would like to display some cars. Placement of the vehicles for fire safety and access was mentioned. No one spoke for or against this project.

Mr. Kaczmarek made the motion: In Appeals Case #1048 for David Lewandowski, 820 Girdle Rd, who is requesting a variance to construct a 20'x24' 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. Schafer made the motion: In Appeals Case #1049 for Timothy King, 821 Knabb Rd,

who is requesting a variance to build a 30G⁺x40G⁺ private storage building 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 G⁺(5 ayes. Motion carried.

Mr. Komorek made the motion: In Appeals Case #1050 for James Wyzykiewicz representing St. JohnG⁺s Lutheran Church, 2131 Woodard Rd for a 6G⁺x5G⁺ addition for handicap access less than 50G⁺ from the Right of Way, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote G⁺(5 ayes. Motion carried.

Mr. Schafer made the motion: In Appeals Case #1051 for William & Connie Ulrich, 450 Northrup Rd, who are requesting a variance for a 560G⁺x145G⁺ lot south of 450 Northrup Rd, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by M. Kaczmarek. Poll vote- 5 ayes. Motion carried.

Mr. Komorek made the motion: In Appeals Case #1045 for Frank Abraszek, 5960 Seneca St, who was granted a postponement at the meeting of July 11, 2006, I move the variance be granted to allow the sale of no more than six personal vehicles and/or light trucks at any one time, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G⁺(5 ayes. Motion carried.

The minutes of the last meeting of July 11, 2006 were approved as submitted.

There being no further business, the meeting was adjourned at 8:55PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk