

## ZONING BOARD OF APPEALS

The hearing on Tuesday, April 9, 2013 was called to order by Chairman Schafer at 7:00 PM.

Members present: Harry Kaczmarek                      also: Ray Balcerzak, Bldg Inspector  
Greg Kalinowski    Phyllis Todoro, Town Attorney  
Michael Komorek    Harry Kwiek, alternate  
Donald Trzepacz  
Robert Schafer, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case # for Steven Schneckenberger, 21 Geyer Road, Elma, who is requesting a variance for 50 Elderberry to add an addition to the existing house with the addition being at the existing 3.48' side setback § 144-99 C4, residential C.

Chairman Schafer called the case to order and asked Mr. Schneckenberger to step forward to discuss his case. Mr. Schneckenberger advised the board that he would like to extend the house back an additional 8 feet from the mud room. Mr. Schafer questioned how long he has owned the house and was informed that he purchased the house 4 years ago. Mr. Kaczmarek asked for the history on the house in regards to it only having a 3.48 side setback. Mr. Schneckenberger made the board aware that he purchased the house as is and it only has one bedroom and he would like to add two additional bedrooms with the addition. Mr. Kaczmarek also advised Mr. Schneckenberger that the overhang is calculated into the side setback figure and he should be sure to measure that into his addition.

Mr. Komorek asked how old the survey was that was given to the board and was informed that it was from when Mr. Schneckenberger purchased the house four years ago. There is a new shed that is 10 feet off the property line and is moveable and can be relocated on the property if it needs to be. Mr. Kaczmarek asked if the addition could be on the other side of the house but Mr. Schneckenberger said he wanted to match the existing mud room. Mr. Schneckenberger has spoken to his neighbors on the side that he would be building on and they have no problems with the addition. Mr. Kalinowski asked if he had some idea of what the addition was going to look like and Mr. Schneckenberger told the board it would have a kitchen and an eating area in the lower portion of the addition and upstairs would have two bedrooms and a bath. Mr. Kalinowski asked Mr. Schneckenberger if he is looking only for a variance to stay at the 3.48 setback that already exist and Mr. Schneckenberger said that was his intension. Mr. Kalinowski also asked if the roof was going to be similar to what is on the existing home and Mr. Schneckenbeger said the roof would probably go in the other direction for the addition.

No one spoke for or against the case. The resident at 40 Elderberry just had a general question regarding the addition on the home.

Mr. Trzepacz made the motion that the variance be granted as long as all Town of Elma building codes are met. Seconded by Mr. Komorek. Poll vote – 5 ayes, 0 naves. Mr. Kaczmarek voted yes with the exception that it does not exceed the 3.48 setback that already exist. Motion carried.

The minutes of the last meeting on March 9, 2013 were approved. Motion made by Mr. Trzepacz and seconded by Mr. Kaczmarek.

Mr. Kaczmarek made the motion to adjourn and Mr. Komorek seconded the motion.

The meeting was adjourned at 7:36 PM.

Respectfully submitted,

Kerry A. Galuski  
Secretary-Clerk