

ZONING BOARD OF APPEALS

The hearing on Tuesday, February 10, 2015 was called to order by Chairman Schafer at 7:00 PM.

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

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1255 for Paul & Lynn Czaja, 190 Schultz Road, Elma, who is requesting a variance to build a pole barn less than the required 20 foot side setback § 146-99 C(4), residential C.

Mr. & Mrs. Czaja were present and explained that they did not know about the 20 foot side setback. There is a pool in the backyard of the property and the Czaja would like to be able to view the pool from the windows in the house to make sure there are no problems with their kids and anyone else. Chairman Schafer asked when the home was built and was informed it was built in 2011. Mr. Czaja stated that the pole barn will be 12 feet from the side setback and not the 10 feet that was completed on the zoning application,

Mr. Kwiek asked if there is any other area in the backyard for the building to be placed and Mr. Czaja replied that the best location is the one that has been chosen. Mr. Komorek asked if there will be any utilities in the pole barn and was advised that it is just going to be extra storage for personal belongings.

No one spoke for or against the variance.

Mr. Komorek made the motion in Appeals Case #1255 for Paul & Lynn Czaja, 190 Schultz Road, Elma, who is requesting a variance to build a pole barn less than the required 20 foot side setback § 146-99 C(4), residential C that the variance be granted based on the following items: 1.) that there is no undesirable change; 2.) that there are no other methods; 3.) that there is no negative impact; 4.) that there is no adverse effect on the neighborhood; and 5.) that the situation is not self created. Second by Mr. Trzepacz. Ayes: 5

Appeals Case #1256 for David & Heather Syracuse, 6731 Clinton Street, Elma, who is requesting a variance to build an addition on the existing garage with less than the 20 foot side setback § 144-99 C(4), residential C.

Mr. and Mrs. Syracuse were present to discuss the need for an addition on the existing two car garage. Mr. Syracuse explained why there was a need for the changes to the garage. Chairman Schafer asked what the old garage would be used for and Mr. Syracuse explained that it would be kept as storage for their personal belongings and that it would not be converted into any type of living space.

Mr. Trzepacz asked if it is going to be placed further up than the existing garage is located, the drawings looked as if it might be moved. Mr. Syracuse replied that it will be a little further forward than the old garage. Mrs. Syracuse mentioned that an architect did the layout and the plans. Mr. Kalinowski asked when they would be starting the project and the answer was they would like to start in the early summer and that it would be finished within a month.

No one spoke for or against the variance.

Mr. Kalinowski made the motion in Appeals Case #1256 for David & Heather Syracuse, 6731 Clinton Street, Elma, who is requesting a variance to build an addition on the existing garage with less than the 20 foot side setback § 144-99 C(4), residential C that the variance be granted based on the following items: 1.) that there is no change to the neighborhood; 2.) that there is no other way to achieve the benefit; 3.) that there is no negative impact; 4.) that there is no adverse effect on the conditions in the neighborhood and 5.) that the difficulty is not self-created and that all Town of Elma codes are met. Second by Mr. Kwiek. Ayes: 5

Appeals Case #1257 for Todd Huber, 6350 Seneca Street, Elma, who is requesting a variance to restore the front porch to match the old structure with less than the 50 foot front setback and to also build a portico 20'x30' that would be less than 50 feet from the road § 144-78D, commercial 1.

Mr. Huber was present to explain how he would like to keep the design of the building at 6350 Seneca Street but still make changes to bring the bring up to current conditions. The front of the building porch would get a make over where the old wood would be removed and there would be brick installed on the new design. The portico would be added on the side of the building to allow for people to be dropped off and not have to deal with the weather conditions.

Mr. Trzepacz asked what the building is going to be used for when it is complete. Mr. Huber informed the board members that it will be an apartment building. There will be four apartments upstairs and two apartments in the back along with three efficiency apartment in the front. The yard will also be leveled so that there can be garage units for vehicles to be parked.

Mr. Kalinowski asked what the name would be and was informed that as of now there is no name. Mr. Trzepacz asked if Mr. Huber has spoken to the neighbor next to the building. Mr. Huber mentioned that he has had conversations with the neighbor.

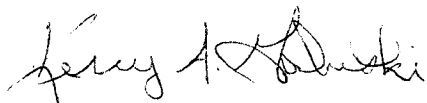
For the variance was Marlene Baumgartner from Hessland Court and no one spoke against the variance.

Mr. Trzepacz made the motion in Appeals Case #1257 for Todd Huber, 6350 Seneca Street, Elma, who is requesting a variance to restore the front porch to match the old structure with less than the 50 foot front setback and to also build a portico 20'x30' that would be less than 50 feet from the road § 144-78D, commercial 1 that the variance be granted based on the following items: 1.) that there is no undesirable change; 2.) that there is no negative impact; 3.) that there is no adverse effect on the neighborhood; 4.) that the benefit can not be achieved by any other method and 5.) that the difficulty was not self-created and that all Town of Elma codes are not. Second by Mr. Komorek. Ayes: 5

The minutes of the last meeting on January 13, 2015 were approved after the changes are made. Motion made by Mr. Trzepacz and second by Mr. Kwiek.

The meeting was adjourned at 7:43 PM. Motion made by Mr. Kwiek and seconded by Mr. Kalinowski.

Respectfully submitted,



Kerry A. Galuski
Secretary-Clerk