

1.) that there is the potential of an undesirable change to the character of the neighborhood; 2.) that the benefit can be achieved another way; 3.) that the area variance is substantial; 4.) that there is an adverse effect on the neighborhood; and 5.) that the situation is self created. Second by Mr. Kwiek. Ayes: 3. Nays: 2 (Mr. Trzepacz and Mr. Kalinowski).

Appeals Case #1268 for Danny Thompson, 1690 Bullis Road, Elma, who is requesting a variance for a non-conforming lot lacking the required road frontage of 100 feet § 144-99c, residential C.

Mr. Trzepacz requested himself from the case.

Danny Thompson was present and explained that the lots had been separated since 2008 when he purchased the property. Mr. Komorek asked why he waited 14 months before he decided to come before the Zoning Board for a variance and Mr. Thompson answered that he now has someone interested in buying the property.

Mr. Kwiek asked if he lives on the other property and Mr. Thompson said that he does live on the other property. Mr. Kalinowski asked if Mr. Thompson understood that there were limitations and Mr. Thompson said he was aware of the front needing to be 35 feet so he made the front 40 feet and split it at that time as well. Mr. Thompson also commented that when he had the lot split he thought everything was taken care of at that time.

Mr. Schafer asked if when he initially split the property if he knew what the original frontage was. When he originally split the property he asked the Building Dept. about the dimensions for the frontage.

Mr. Kalinowski stated that he does have the frontage to go to 80 feet but Mr. Thompson explained that his septic is on that side of the property and that it would have to be moved if he changed the frontage.

Mr. Kwiek asked if Mr. Thompson has anything in writing from the Town of Elma Building Dept. prior to August 2014 and Mr. Thompson replied that he does not. Mr. Carey asked when the property was purchased and Mr. Thompson stated in 2008.

No one spoke for the variance, against the variance was Thomas Tambe 1710 Bullis Road

Mr. Kalinowski made the motion in Appeals Case #1268 for Danny Thompson, 1690 Bullis Road, Elma, who is requesting a variance for a non-conforming lot lacking the required road frontage of 100 feet § 144-99c, residential C, that the variance be denied based on the following items:

1.) that there is the potential of an undesirable change to the character of the neighborhood; 2.) that the benefit can be achieved another way; 3.) that the area variance is substantial; 4.) that there is an adverse effect on the neighborhood; and 5.) that the situation is self created. Second by Mr. Carey. Ayes: 4 Nays: 1 (Mr. Kwiek).

Mr. Trzepacz came back into the meeting.

The minutes of the last meeting on September 8, 2015 were approved. Motion made by Mr. Kalinowski and seconded by Mr. Kwiek. Ayes: 5.

The meeting was adjourned at 8:01 PM. Motion made by Mr. Kwiek and seconded by Mr. Komorek.

Respectfully submitted,



Kerry A. Galuski
Secretary-Clerk