

Unapproved minutes filed with
Town Clerk
Minutes Approved 6/12/19
Distributed 6/13/19

April 10, 2019

TOWN OF EVANS
REGULAR MEETING
OF THE
ZONING BOARD OF APPEALS

Members Present: A. Yusick, D. Maglich, T. Spada, V. Gugliuzza, H. Martin, Jr

Members Absent:

Also Present: J. Hill, Building Inspector

Mr. Yusick opened the meeting with a quorum at 6:30pm. The meeting was held in the Municipal Building Court room, 8787 Erie Road, Angola, New York 14006.

Mr. Yusick explained the procedure in which the meeting will be conducted. The procedures are that old business matters are heard first and then appeals are heard according to the order of publication in The Dunkirk Observer. The staff report prepared by the building inspector is read. The board has had your file for a week. We have had an opportunity to review your appeal. The appellant is then given the opportunity to speak, and then those in favor or in opposition are allowed to speak. After hearing the respective matters, the Board will either vote or reserve the right pursuant to our local statute to adjourn to executive session to deliberate. Motions granting and rejecting appeals are voted upon in the public portion of the meeting.

Mr. Yusick asked for a motion to approve the minutes from March 13, 2019.

Mr. Gugliuzza made a motion to approve the March 13, 2019 minutes, seconded by Mr. Maglich. All in favor, motion carried.

RECEIVED

JUN 13 2019

Lynn M. Krajacic
Town Clerk
Town of Evans

NEW BUSINESS:

Chris Leonard on behalf of David Jacobson, 453 Detroit St. P.O. Box A6, Farnham, NY 14061, is requesting to erect a fence at 8923 Erie Road, Angola NY SBL# 235.00-2-27, in violation of the Town of Evans Zoning Law section 200-34-C.

Applicant is requesting to construct a 6' privacy fence on the side of the property reducing the allowable front yard from 30' to 16.70', in violation of the Town of Evans Zoning Law Section 200-34 C.

The applicant would like to erect a 6' privacy fence along the side lot line, in line with the existing structure, which is 16.70' from the front property line.

Present for the appeal was Brian Leonard.

Mr. Yusick asked if the applicant is renovating the restaurant. Mr. Leonard stated yes. Mr. Yusick asked if the front of the building was removed. Mr. Leonard stated yes, that the entrance will be on the side for safety. Mr. Yusick stated that after the front was removed, it left 16.70' from the front right of way. Mr. Yusick asked if the request is to build the fence on the northeast line of the property. Mr. Leonard stated yes. Mr. Yusick asked if there is a single family home next door. Mr. Leonard stated yes. Mr. Yusick stated that the code only allows building a 4' fence in the required front yard and the applicant is requesting a 6' fence.

Mark Zawadzki, 8907 Erie Rd spoke in favor of the appeal.

Diane Zawadzki, 8907 Erie Rd asked if the fence will block the view for pulling out onto Erie Rd. Mr. Yusick stated that the fence would not go past the building.

Heavenly Miller, 8919 Erie Rd wants to make sure the construction site is safe and town code is followed.

Mr. Yusick asked if the board has any questions.

Mr. Maglich made a motion to approve, seconded by Ms. Spada.

All in favor:

**Vote: Mr. Yusick, aye
Ms. Spada, aye
Mr. Martin, Jr, aye**

**Mr. Maglich, aye
Mr. Gugliuzza, aye**

Mr. Yusick asked if there was anything further for the board.

Mr. Yusick made a motion to adjourn to the next scheduled meeting.

All in favor:

Vote: Mr. Yusick, aye

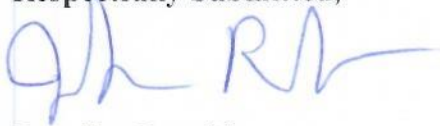
Ms. Spada, aye

Mr. Martin, Jr, aye

Mr. Maglich, aye

Mr. Gugliuzza, aye

Respectfully Submitted,



Jennifer Renaldo
Secretary