

TOWN OF NIAGARA

COUNTY OF NIAGARA, STATE OF NEW YORK

NIAGARA FALLS, N.Y.



7105 Lockport Road
Niagara Falls, New York 14305

PHONE: 297-2150
FAX: 297-9262

TOWN OF NIAGARA ZONING BOARD OF APPEALS PUBLIC HEARING MEETING MINUTES REGULAR MEETING MINUTES April 13, 2021

Present via Zoom: Thomas Cuddahee, Robert McDermott, Richard Halleen, Jody Wienke, Patrick Barney - Chairman, JoAnna Wallace - Secretary

PUBLIC HEARING

MICHAEL JUSTUS

Area Variance
4515 Isherwood Drive
Tax Map No. 131.13-1-61

Applicant seeks relief in Town of Niagara Zoning Ordinance § 245-15 A, Appendix A Part 2. Applicant wishes to erect a 388 square foot addition to the attached garage of which will be 5.92 linear feet closer than the required 7 feet from the adjacent yard. Also, 25.6 linear feet from the front building line to the streets right of way, 14.6 feet closer than allowed by Town Code.

Public hearing opens at 7:02 PM
Michael Justus was for the project
No one was against the project
Public hearing closed at 7:03 PM

REGULAR MEETING

MICHAEL JUSTUS

Area Variance

4515 Isherwood Drive

Tax Map No. 131.13-1-61

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Mr. Halleen asked if the building inspector has talked about the floodplain issues on the west side. Mr. Justus states, yes. Mr. Justus states the flood zone isn't on his property. It starts on the Town property. The addition isn't in a flood zone. Mr. Barney states that Mr. Justus is in the flood zone but it's minimal.

Mr. Barney states that in last months meeting, vehicle repairs were brought up. Mr. Barney states there was an unregistered vehicle sitting on the Towns property. There is also a a front clip for a truck sitting in your driveway. Mr. Justus states the front clip is for his Uncle's truck and that he won't be doing any motor vehicle work in the new addition.

Mr. Barney asks with going out to the front, how will the addition line up with the other houses. Mr. Justus states it will line up perfectly with the other houses. All the other houses in that area are out further than his house. Mr. Justus states by bringing it out, it's going to match the neighborhood better.

There were no further questions from the board.

Mr. Cuddahee made a motion to approve the variance with the stipulation of no motor vehicle repairs, garage construction must meet floodplain regulations for an AE zone and the side lot requirements of less than five feet must have the New York State fire regulations with no openings, seconded by Mr. McDermott.

ROLL CALL

Ayes: Mr. Barney, Mr. Halleen, Mr. Cuddahee, Mr. McDermott
Mrs. Wienke

Noes: None

Abstained: None

PRESENTATIONS

JAKE MYLES

Area Variance

8135 East Britton Dr.

Tax Map No. 132.17-2-11

Applicant seeks relief in Town of Niagara Zoning Ordinance § 245-18(B). Applicant wishes to build a 40 x 60 x 12 four car detached garage, which is larger than Town Code allows.

Mr. Myles states he's looking to put up a four car garage so he can maintain his property and have stairs he for all of his tools. Also so he can have a place for his vehicles and his collector vehicles.

Mr. McDermott asks if there is a garage there already. Mr. Myles states, no. The property has all older barns which he has revamped some of them but the barns are too low to park vehicles in them.

While looking at the surgery that was given, the board and Mr. Myles discuss where the garage will be going. Mr. Barney asks if the front of the garage would be facing East Britton. Mr. Myles states, yes. Mr. Barney asks what is all the way to the right of the property. Mr. Myles states, an old barn. Mr. McDermott asks if that barn is staying up. Mr. Myles states, yes. Mr. Barney asks what about the shed to the left, is that staying. Mr. Myles states yes, he is making a tree fort out of that for his kids.

Mr. Cuddahee asks if this is the former Baker residence. Mr. Myles states, yes. Mr. Cuddahee asks if he had taken over the tree removal business. Mr. Myles states, no. The tree business is done, that was what Mr. Baker used to do but it's all cleaned up now. Mr. Cuddahee asks if there is any intention of running a business out of the garage. Mr. Myles states, no.

Mrs. Wienke asks if the back of the garage would be facing Cherry Lane. Mr. Myles states, yes.

There were no further questions from the board.

MATTHEW MCCALL

Area Variance

7598 Beachwood Circle

Tax Map No. 145.08-2-44

Applicant seeks relief in Town of Niagara Zoning Ordinance § 245-37 (E). Applicant wishes to install a rectangle/rounded driveway, which does not follow Town Code.

Mr. McCall states he is looking to replace a driveway that was previously removed. When he purchased the house, there was a turnaround located across the property line. That turnaround held approximately two vehicles. In order to get into the driveway and to make that turn, they were driving over the grass so they wish to replace the area that was lost.

Mr. Barney asks if the red section on the map that was given is removed. Mr. McCall states yes, the red section was removed in 2018.

Mr. McCall states when they originally purchased the house, they were unaware that that section of the driveway was located across the property line. Upon the completion of the site survey, they were notified by their neighbors attorney that the section of the driveway must be removed as condition of the purchase.

Mrs. Wienke asks if the concrete goes right to the property line. Mr. McCall states when they did cut the concrete they did cut about 6 inches into their property, so it's not directly on the property line.

There were no further questions from the board.

MINUTES

Meeting minutes of the Zoning Board of Appeals February 9, 2021.

Mrs. Wienke made a motion to accept the minutes presented, seconded by Mr. McDermott.

ROLL CALL

Ayes: Mr. Barney, Mr. Halleen, Mr. Cuddahee, Mr. McDermott
Mrs. Wienke

Noes: None

Abstained: None

Meeting minutes of the Zoning Board of Appeals March 9, 2021.

Mr. Cuddahee made a motion to accept the minutes presented, seconded by Mrs. Wienke.

ROLL CALL

Ayes: Mr. Barney, Mr. Halleen, Mr. Cuddahee, Mr. McDermott
Mrs. Wienke

Noes: None

Abstained: None

As there was no further business, the meeting ended at 7:46 P.M.