

BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, March 13, 2017

6:05 P.M.

THE REGULAR SESSION OF THE BOARD OF APPEALS WAS CALLED TO ORDER BY CHAIRMAN BRAUN.

ROLL CALL

**Present: Chairman Braun
Commissioner Dreier, Evans, Haacker, Lemke**

Absent: None

**Also Present: Assistant City Attorney Nick Robinson
Building Inspector Cosimo Capozzi**

APPROVAL OF THE MINUTES OF MEETING OF FEBRUARY 13, 2017

**MOVED by Commissioner Evans SECONDED by Commissioner Lemke
That the minutes of the regular session held February 13, 2017 be approved as
circulated and filed in the office of the City Clerk-Treasurer.**

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED FEBRUARY 4, 2017

**MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
That the proof of publication presented by the Clerk of the Board of Appeals of the
notice of a public hearing of the various appeals filed with and to be presented at the
regular session of the Board of Appeals, which was published February 4, 2017 be
received and filed.**

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

OLD BUSINESS

#1

**AREA VARIANCE TO CREATE 3 APARTMENTS IN BUILDING PREVIOUSLY
USED AS A MOTEL. [§103-8(C)(1)(b) 3000 SQUARE FEET OF LAND IS
REQUIRED PER DWELLING UNIT]. [§103-8 (F)(2) FOR 2 OR MORE
DWELLING UNITS, EACH UNIT MUST BE A MINIMUM OF 500 SQUARE
FEET].**

**Norma Rosa
191 Bryant Street
North Tonawanda, NY 14120**

**Re: Area variance to create 3 apartments
in building previously used as a motel
located at 686 Niagara Falls Blvd.**

**At this time the Chairman asked if anyone wanted to speak for or against the
requested variance.**

There were no speakers for or against the requested special use permit.

MOVED by Commissioner Haacker **SECONDED** by Commissioner Dreier
That the Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR with a change to #1 to No, #5a to No & #5b to No.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)
Nays: None (0)

CARRIED.

MOVED by Commissioner Dreier **SECONDED** by Commissioner Haacker
That the Zoning Board of Appeals grants a variance for a 2 unit apartment building instead of a 3 unit located at 686 Niagara Falls Blvd. The one lower unit is acceptable as is. The second unit is to be an upper and lower apartment non-conforming with a total of 424 square feet. The request will not change the character of the neighborhood, there was not an alternate solution, the request was not substantial, the request will not have an adverse effect on the physical or environmental conditions of the neighborhood and the alleged difficulty was not self-created.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)
Nays: None (0)

CARRIED.

NEW BUSINESS

#1

SPECIAL USE PERMIT TO CONDUCT OUTDOOR STORAGE OF MOTOR VEHICLES PER SECTION §103-18D (4) OF CITY ZONING

Certified Towing
Jeff Braham
146 Ironton Street
North Tonawanda, NY 14120

Re: Special Use Permit to use lot located at 146 Ironton for an Impound Lot/ Storage of motor vehicles

At this time the Chairman asked if anyone wanted to speak for or against the requested variance.

There were no speakers for or against the requested special use permit.

MOVED by Commissioner Braun **SECONDED** by Commissioner Dreier
That the Zoning Board of Appeals tables the aforementioned request for a more detailed site plan.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)
Nays: None (0)

CARRIED.

#2

AREA VARIANCE TO SUBDIVIDE 12' OF PROPERTY ON EAST SIDE OF LOT AND SELL AREA TO 102 WEBSTER. [§103-9 C MINIMUM OF 3,000 SQ. FT. PER DWELLING REQUIRED IN ANY C ZONE.] [§103-15 C (7) A MINIMUM OF 400 SQ. FT. OF OPEN SPACE PER UNIT REQUIRED IN A C ZONE.] [§103-16 C (2) A NONCONFORMING USE MAY NOT BE MADE MORE NONCONFORMING.]

Frank G. Akins
10 Goundry Street
North Tonawanda, NY 14120

Re: Area Variance to subdivide 12' of property on east side of lot located at 10 Goundry Street and sell area to 102 Webster Street

Kevin Hughes
3757 Colin Court
North Tonawanda, NY 14120

