

**BOARD OF APPEALS**

Regular Session

North Tonawanda, New York 14120

Monday, February 12, 2018

6:07P.M.

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

**ROLL CALL**

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

**Absent: Commissioner Lewis**

**Also Present: City Attorney Luke Brown  
Building Inspector Cosimo Capozzi**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JANUARY 15, 2018**

**MOVED by Commissioner Dreier                SECONDED by Commissioner Evans**  
**That the minutes of the regular session held January 15, 2018 be approved as**  
**circulated and filed in the office of the City Clerk-Treasurer.**

**Ayes: Commissioner Dreier, Evans, Haacker, Braun (4)**  
**Nays: None (0)**

**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED JANUARY 6, 2018**

**MOVED by Commissioner Evans                SECONDED by Commissioner Haacker**  
**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 January 6, 2018 be**  
**received and filed.**

**Ayes: Commissioner Dreier, Evans, Haacker, Braun (4)**  
**Nays: None (0)**

**CARRIED.**

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**NEW BUSINESS**

**#1**

**AREA VARIANCE TO ERECT A 34' X 45' ONE STORY OFFICE/STORAGE**  
**BUILDING. [§103-10 (D) (2) (c) REAR YARD DEPTH MUST BE 25% OF LOT**  
**DEPTH OR A DEPTH EQUAL TO THE HEIGHT OF THE PRINCIPAL**  
**BUILDING.] [§103-14 (A) (2) (f) ONE OFF-STREET PARKING SPACE IS**  
**REQUIRED FOR EVERY 150 SQUARE FEET OF BUILDING SPACE.]**

**Steven Toth**  
**382 Homestead Drive**  
**North Tonawanda, NY 14120**

**Re: Area Variance to erect a 34' x 45'**  
**office space on corner vacant lot**  
**located at 358 Ward Road.**

**Clark Patterson Lee**  
**26 Mississippi Street, Suite 300**  
**Buffalo, NY 14203**

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 area variance.

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**MOVED** by Commissioner Braun      **SECONDED** by Commissioner Haacker  
 That the Zoning Board of Appeals hereby makes to decision on the SEQR and tables the aforementioned request to Steven Toth 382 Homestead Dr., to receive paperwork from the Niagara County Planning Board for their unbinding recommendations, also applicant will have to submit updated site plans with (4) four additional spots including the driveway for parking.  
 Ayes: Commissioner Dreier, Evans, Haacker, Braun (4)  
 Nays: None (0)  
**CARRIED.**

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**#2**  
**AREA VARIANCE TO ERECT A 90' X 43'-5" ADDITION TO THE NORTH SIDE OF THE BUILDING. [§103-11 (D) (2) (c) REAR YARD DEPTH REQUIRED TO BE TEN (10) FEET MINIMUM.] [§103-14 (A) (2) (f) ONE OFF-STREET PARKING SPACE REQUIRED FOR EVERY 150 SQUARE FEET OF BUILDING.] [§103-15 (C) (1) (c) AREA AND YARDS, CORNER LOT MODIFICATION-BUILDING REQUIRED TO BE 60% OF REQUIRED FRONT SETBACK OF ADJACENT R DISTRICT PARCEL.]**

**Kathleen Carr**  
**1348 Doeblor Drive**  
**North Tonawanda, NY 14120**

**Re: Area Variance to erect a 90' x 43'-5" addition to side of building "Matts Music" located at 937 Oliver Street**

**Ashwood Architectural, PC**  
**908 Niagara Falls Blvd.**  
**North Tonawanda, NY 14120**

**MOVED** by Commissioner Braun      **SECONDED** by Commissioner Haacker  
 That the Zoning Board of Appeals hereby makes to decision on the SEQR and tables the aforementioned request for Kathleen Carr, 1348 Doeblor Dr. Applicant will have to submit letter from neighbor regarding addition and letter from Buffalo Bolt giving permission for use of the their lot for parking, also applicant will have to submit updated site plans showing the actual green space.  
 Ayes: Commissioner Dreier, Evans, Haacker, Braun (4)  
 Nays: None (0)  
**CARRIED.**

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**ADJOURNMENT**

**MOVED** by Commissioner Braun      **SECONDED** by Commissioner Haacker  
 That the meeting of the Zoning Board of Appeals be adjourned.  
**CARRIED.**

**Time Adjourned: 6:40 P.M.**

**Next Regular Meeting: March 12, 2018 at 6:00 P.M.**

Respectfully submitted,

  
**Daniel R. Quinn**  
 City Clerk-Treasurer