

BOARD OF APPEALS
Regular Session
North Tonawanda, New York 14120
Monday, May 14, 2018
6:00P.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, Lewis

Absent: None

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION APRIL 9, 2018

MOVED by Commissioner Lewis **SECONDED** by Commissioner Evans
That the minutes of the regular session held April 9, 2018 be approved as circulated and filed in the office of the City Clerk-Treasurer.

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

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED MARCH 31, 2018

MOVED by Commissioner Dreier **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 March 31, 2018 be received and filed.

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

Nays: None (0)

CARRIED.

OLD BUSINESS

#1

SPECIAL USE PERMIT FOR OUTDOOR STORAGE OF MOTOR VEHICLES, RECREATIONAL VEHICLES, CAMPERS, BOATS AND BOAT TRAILERS. [§103-12 DOES NOT PERMIT OUTDOOR STORAGE OF VEHICLES WITHOUT FIRST OBTAINING A "SPECIAL USE PERMIT" PER §103-18 B (4) & §103-12 A (20) BY THE ZBA.]

Rivermist Wash & Storage, LLC
Ralph Allen
655 River Road
North Tonawanda, NY 14120

Re: Special Use Permit to store 46 motor vehicles, recreational vehicles, campers boat and/or boat trailers on lot located at 655 River Road

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.

MOVED by Commissioner Evans **SECONDED** by Commissioner Lewis
That the Zoning Board of Appeals hereby makes no decision on the SEQR, the North Tonawanda Planning Board is lead agency for applicant and their approval was made at their meeting dated May 7, 2018. The Zoning Board grants the Special Use Permit for Ralph Allen, Rivermist Wash & Storage, LLC, 655 River Road. The number of vehicle spots will be determined by the Code Enforcement Office. The land in question cannot yield a reasonable return if used only for a purpose allowed in that zone. The applicant's difficulty stems from unique circumstances and not to the general neighborhood conditions. The requested use will not alter the essential character of the neighborhood and the applicant's hardship has not been self-created.

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

Nays: None (0)

CARRIED.

NEW BUSINESS

#1

AREA VARIANCE TO CONSTRUCT A 16' X 24' SINGLE STORY DETACHED GARAGE 6' FROM DWELLING [§103-15 C (4) (b) ACCESSORY STRUCTURES NOT PERMITTED TO BE LESS THAN 10' FROM DWELLING].

Keith J. Schuppenhauer
250 12th Avenue
North Tonawanda, NY 14120

Re: Area Variance to construct a 16' x 24' single story detached garage 6' from dwelling on property located at 250 12th Avenue.

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.

At this time the applicant Keith J. Schuppenhauer withdraws his request for an Area Variance to construct a 16' x 24' single story detached garage 6' from dwelling on property located at 250 12th Avenue.

ADJOURNMENT

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

Time Adjourned: 6:20 P.M.

Next Regular Meeting: June 11, 2018 at 6:00 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer