

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
 That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 139 Eleventh Avenue and will notify other agencies involved. 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 #2 to Yes, #5a to No and #5b to No and #9 to No.

Ayes: Commissioner Dreier, Haacker, Evans, Braun

(4)

Nays: None

(0)

CARRIED

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
 That the Zoning Board of Appeals approves the Area Variance request from Vincent Kalota, 139 Eleventh Avenue, to erect a 4' picket style fence in front yard. Fence must be 2 Feet from sidewalk, Baron Style fencing must have 2 15/16" spacing between slats also fence is approve to go up to 6 Feet on east side of house. 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, Braun

(4)

Nays: None

(0)

CARRIED

NEW BUSINESS

#1.

AREA VARIANCE TO ERECT A 24' X 26' DETACHED GARAGE. [§103-6 (A) (9) (e) PRIVATE GARAGES ARE LIMITED TO 750 SQUARE FEET IN SIZE AND OF SIMILAR CONSTRUCTION]. EXISTING GARAGE IS 308 SQUARE FEET.

Robert O'Connor
 1130 Ruie Road
 North Tonawanda, NY 14120

Re: Area Variance to erect a 24' x
 26' detached garage, located at
 1130 Ruie 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 Haacker SECONDED by Commissioner Dreier
 That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 1130 Ruie Road and will notify other agencies involved. 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 #2 to Yes, #5a to No and #5b to No.

Ayes: Commissioner Dreier, Haacker, Evans, Braun

(4)

Nays: None

(0)

CARRIED

MOVED by Commissioner Haacker SECONDED by Commissioner Evans
 That the Zoning Board of Appeals approves the Area Variance request from Robert O'Connor, 1130 Ruie Road, to erect a 24' x 26' detached garage. Approval is granted contingent that the other sheds on the property are removed. 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, Braun

(4)

Nays: None

(0)

CARRIED

#2.

USE VARIANCE TO CONVERT AN EXISTING BUILDING INTO A MUSIC AND PHOTOGRAPHY STUDIO BUSINESS. [§103-8 GENERAL RESIDENTIAL DISTRICT DOES NOT ALLOW BUSINESSES AS A PERMITE USE-BUSINESS FIRST PERMITTED IN AN RC BUSINESS DISTRICT].

David Kelly
849 Oliver Street
North Tonawanda, NY 14120

Re: Use Variance to convert an
existing building into a music
and photography studio,
Located at 108 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.

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 108 12th Avenue and will notify other agencies involved. The Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR.

Ayes: Commissioner Dreier, Haacker, Evans, Braun

(4)

Nays: None

(0)

CARRIED

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
That the Zoning Board of Appeals approves the Use Variance request from David Kelly, 849 Oliver Street, to convert 108 12th Avenue into a music studio, green screen room and photography studio. 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, Braun

(4)

Nays: None

(0)

CARRIED

ADJOURNMENT

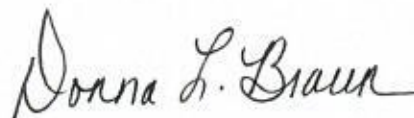
MOVED by Commissioner Evans SECONDED by Commissioner Dreier
That the meeting of the Zoning Board of Appeals be adjourned.

CARRIED.

Time Adjourned: 6:50 P.M.

Next Regular Meeting: March 8, 2021 at 6:00 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer