

Minutes  
Village of Orchard Park  
Zoning Board of Appeals  
January 18, 2017

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, January 18, 2017 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Ted Pieczonka called the meeting to order at 7:02 p.m. and stated, "If anyone appearing before the Board is related thru family, financial or business relationship with any member of the Board, it is incumbent upon him to make it known under the New York State Law and the Village Code of Ethics."

Members present:

Chairman, Ted Pieczonka  
Gary Phillips  
Bill Riter  
Steve Snyder  
Alternate David Obrochta  
Alternate Scott Hartung

Others present:

William Reuter, Trustee  
Christine Hanavan, Secretary  
Jeffrey Sweet, Code Enforcement Officer  
James Larivey, Asst. Code Enforcement Officer

Members absent:

Amy Glowczynski

Chairman Pieczonka then stated, "All persons making an appeal before this Board will be heard in accordance with the applicable laws of the State of New York and the Village of Orchard Park. Any person aggrieved by any decision of the Board of Appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal, specifying the grounds of the illegality. Such petition must be presented to the court within 30 days after filing of the decision in the office of the Village Clerk."

The Chairman asked for approval of the minutes of the previous meeting held on September 21, 2016. On the question:

GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES
DAVID OBROCHTA	YES
TED PIECZONKA	YES

Chairman Pieczonka asked if site inspections for all cases presented were made by all Board members:

GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES

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DAVID OBROCHTA            YES  
TED PIECZONKA            YES

**ZBA Referral**

**Carol Leo  
4323 S Buffalo Street  
Orchard Park, NY 14127  
SBL #173.05-2-26**

*Applicant is requesting a variance to Section 225-18 F 1 b – Size of a Building Face Sign.*

*Applicant is requesting permission to erect building face signs based on the area of the entire building face. The code stipulates that only the area of floor occupied by a business can be used for this calculation. A Business occupies the first floor and an apartment occupies the 2nd floor.*

**APPEARANCE:**     Daniel Mania, representing Emprise Realty Group

**DISCUSSION:**     Daniel Mania informed the Board that he is now owner of the building located at 4323 S Buffalo St. He explained that it is his intention to keep the second floor of the building an apartment. There was extensive discussion relating to the owner’s long term goals for building signage and discussion of prior variances issued in the past for similar signage. It is the intention of the owner to maintain the signage as presented.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance. There were none.

The Chairman asked if there was anyone in the audience who would like to speak against granting the variance. There were none.

The Chairman then asked if the Secretary had received any communications either for, or against, granting the variance. The Secretary stated the Erie County Division of Planning had no recommendation and the Village Planning Board made a positive referral to the Zoning Board of Appeals.

Steve Snyder made a motion, seconded by David Obrochta in favor of granting permission to erect building face signs based on the area of the entire building face.

FINDING OF FACTS ATTACHED.

**THE VOTE ON THE MOTION BEING:**

GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES
DAVID OBROCHTA	YES
TED PIECZONKA	YES

**THE MOTION WAS PASSED.**

Moved by Bill Riter, seconded by David Obrochta to adjourn at 7:15 p.m.

**THE VOTE ON THE MOTION BEING:**

GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES
DAVID OBROCHTA	YES
TED PIECZONKA	YES

**THE MOTION WAS PASSED.**

Respectfully submitted,

Christine Hanavan  
Secretary

Chairman's Approval:

\_\_\_\_\_

Date: \_\_\_\_\_