

Minutes  
Village of Orchard Park  
Zoning Board of Appeals  
February 28, 2018

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, February 28, 2018 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:00 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, Steve Snyder  
Gary Phillips  
Alternate Scott Hartung  
Alternate David Obrochta

Others present:

Matthew Hartung, Trustee  
  
James Larivey, Code Enforcement Officer  
Christine Hanavan, Secretary

Members absent:

Amy Glowczynski  
William Riter

The Chairman asked for approval of the minutes of the previous meeting held on November 29, 2017. Gary Phillips made the motion to approve the minutes of the previous meeting seconded by Steve Snyder. On the question:

SCOTT HARTUNG	YES
DAVID OBROCHTA	YES
GARY PHILLIPS	YES
STEVE SNYDER	YES

Chairman Snyder 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."

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

SCOTT HARTUNG	YES
DAVID OBROCHTA	YES

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GARY PHILLIPS                      YES  
STEVE SNYDER                      YES

**ZBA Referral**

**Orchard Park Square LLC  
4391 South Buffalo St.  
Orchard Park, NY 14127  
SBL #173.05-5-22.1**

*Applicant is requesting a variance to Chapter 225, Schedule II – Height, Lot, Yard and Bulk Regulations.*

*Applicant is requesting permission to construct an addition with a side yard setback of 3.57'. The code stipulates a minimum side yard setback of 15'.*

*Applicant is requesting a variance to Chapter 225, Article 225-11, C1 Open Space.*

*Applicant is requesting permission to construct an addition in a required side yard. The code stipulates that every part of a required yard must be open to the sky unobstructed.*

**APPEARANCE:** Jim Bammel, Bammel Architects, 6459 W. Quaker St.

**DISCUSSION:** Jim presented the architectural plans to the Board and the intent of the petitioner. The Board had no questions.

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 three times 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 Village Planning Board voted in favor of granting of this variance.

David Obrochta made a motion, seconded by Scott Hartung in favor of granting permission to construct an addition with a side yard setback of 3.57' with every part of a required yard open to the sky.

**THE VOTE ON THE MOTION BEING:**

SCOTT HARTUNG	YES
GARY PHILLIPS	YES
DAVID OBROCHTA	YES
STEVE SNYDER	YES

**THE MOTION WAS PASSED.**

Moved by Scott Hartung, seconded by David Obrochta to adjourn at 7:10 p.m.

**THE VOTE ON THE MOTION BEING:**

SCOTT HARTUNG	YES
GARY PHILLIPS	YES
DAVID OBROCHTA	YES
STEVE SNYDER	YES

**THE MOTION WAS PASSED.**

Respectfully submitted,

Christine Hanavan  
Secretary

Chairman's Approval:

\_\_\_\_\_

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