

ZONING BOARD OF APPEALS MEETING

Betty Sitzman Oct. 15, 2013

The Zoning Board meeting was called to order by Chairman Mike DeWitt at 6:30 PM.

PRESENT: Chairman DeWitt, Members: Dumke, Kirszenstein and Schumacher, CEO Czechowski, Brett Sitzman and Charles Airey

ABSENT: Charles Gaffney

The purpose of this public hearing: Betty Sitzman, 1380 Kellogg St., SBL #119.07-1-5. Sitzman is seeking an area variance, to erect a detached garage 6 inches from the side property line, but Village code section 210-27D(2) requires a minimum setback of 3 feet.

At this point Chairman DeWitt opened the Public Hearing to the audience. Brett Sitzman, representing his mother Betty, explained the purpose for the requested variance. The proposed construction of a one and a half car garage can be built in a relatively straight line with her existing concrete driveway. The request is seeking to waive the three foot required side yard set back and allow for the structure to be built six inches from the property line.

CEO Czechowski, read a letter from Ruth Ward, the only neighboring property owner (1388 Kellogg), who would be effected by the granting of the variance. Ward had no objections to the variance.

MOTION by Tom Kirszenstein, seconded by Robert Dumke, to close the public hearing. Carried

At this time Chairman DeWitt proceeded to review the six criteria for the requested variance.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the requested area variance? **No.** *The village lots on Kellogg are smaller than others.*

2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue other than an area variance? **No.** *If they don't build it this way, the garage would be off center, causing more of an issue.*

3. Whether the requested area variance is substantial? **No.** *It is a small lot.*

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? **No**

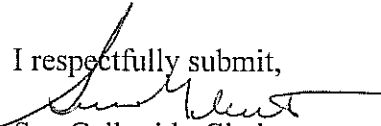
5. Whether the alleged difficulty was self-created; which consideration shall Be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance? **No.** *Lot was small when created.*

6. Whether it will create a hazard to health, safety or general welfare? **No**

MOTION by Tom Kirszenstein, seconded by Brian Schumacher, to grant requested variance. Unanimous, Carried.

MOTION by Robert Dumke, seconded by Tom Kirszenstein, to adjourn the hearing at 6:37 PM. Carried.

I respectfully submit,



Sue Galbraith, Clerk
Zoning Board of Appeals