



Zoning Board of Appeals

Regular Meeting

Agenda

5583 Main Street
Amherst, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

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Amherstny.igmp2.com

Tuesday, August 16, 2022

6:30 PM

Amherst Municipal Building

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Member Ann M. Nichols	☐	☐	☐	
Member Ronald Shubert	☐	☐	☐	
Member Kelly J. Philips	☐	☐	☐	
Member Brian Bray	☐	☐	☐	
Member Ellen Parker	☐	☐	☐	

II. APPROVAL OF MINUTES

III. HEARINGS ON APPEALS

1. 655 Lebrun Road - Area Variance

The petitioner's 4 foot high fence extension will be 9.9 south of the front property line, whereas, the zoning ordinance requires a 30 foot setback for fencing over 3 feet in height.

2. 9 Northington Drive - Area Variance

The petitioner's 6 foot high fence will be 1 foot north of the south property line, whereas, the zoning ordinance requires a 30 foot setback for fencing over 3 feet in height.

3. 3171 Sherdian Drive - Area Variance

The petitioners' proposed interior landscaped islands will be 5'-3" in width, whereas the zoning ordinance requires 8 feet minimum.

4. 281 Casey Road - Area Variance

The petitioner's recently constructed house is 15.36 feet from the west property line and 27.67 feet from the east property line, whereas, the previously approved variance permitted a minimum setback of 21.5 feet from both property lines.

5. 355 Heim Road - Area Variance

The petitioner's proposed accessory garage will create 972 s.f of total floor area for all accessory structures including the existing attached garage, whereas, a maximum of 891 s.f. of floor area is permitted.

6. 37 Wood Lee Road - Area Variance

The petitioner's proposed in ground pool will be 13 feet from the south property line, whereas, the zoning ordinance requires a minimum of 20 feet.

7. 8040 Transit Road - Area Variance

The petitioner's proposed flag pole will be 80 feet tall and 81 feet from the centerline of Transit Road, whereas, the zoning ordinance limits the height of structures to 65 feet and the location must be 135 feet from the centerline of Transit Road.

8. 3210 Millersport Highway - Area Variance - Building Setback

The petitioner's building addition will be 104 feet from the centerline of Millersport Highway, whereas, the zoning ordinance requires a minimum setback of 115 feet.

06/21/2022

Adjourned at the request of the Petitioner.

HISTORY:

06/21/22 Zoning Board of Appeals
Next: 08/16/22

ADJOURNED

9. 3210 Millersport Highway - Use Variance

The petitioner desires to expand a non-conforming use (veterinary hospital), whereas, the zoning ordinance does not permit the expansion of non-conforming uses.

6/21/2022

Adjourned at the request of the petitioner.

HISTORY:

06/21/22 Zoning Board of Appeals
Next: 08/16/22

ADJOURNED

10. 400 Hendricks Blvd. - Temporary Use Permit (Renewal) - Work Shop & Storage

The petitioner desires to renew a temporary use permit to utilize a detached garage for a workshop and storage on a temporary basis whereas, the Zoning Ordinance does not permit such use within the GB-General Business zoning district.

6/21/2022

The petitioner did not appear, therefore Chairwoman Nichols moved to adjourn.

HISTORY:

06/21/22 Zoning Board of Appeals
Next: 08/16/22

ADJOURNED

11. 1964 Kensington Avenue - Area Variance - Lot Width

The petitioners proposed place of worship will provide 29 off-street parking spaces, whereas, the zoning ordinance requires 41 parking spaces, and whereas, the petitioner's existing parcel is 0.32 acres in area and 103.8 feet in lot width, whereas, the zoning ordinance requires a minimum lot area of 1 acre and 200 feet of lot width.

6/21/2022

Architect Anthony James and petitioner spoke and answered questions from the Board.

Tom & Shelly Schratz, 1952 Kensington Ave , spoke in opposition.

There were no further speakers from the public, therefore Chairwoman Nichols moved to adjourn the hearing.

HISTORY:**06/21/22****Zoning Board of Appeals****ADJOURNED****Next: 08/16/22****IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING**