



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.igm2.com

Tuesday, June 13, 2023

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

1. Tuesday, May 16, 2023

III. HEARINGS ON APPEALS

1. 90 Pearce Drive - Area Variance

The petitioner's proposed 6 foot high fence will be zero feet from the south property line, whereas, the zoning ordinance requires a minimum setback of 30 feet.

5/16/2023

Petitioners, Mike and Andrea Beacham spoke and answered questions from the board.

Pauline Bycznski, 89 Pearce Drive spoke in support of the application.

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

HISTORY:

05/16/23

Zoning Board of Appeals

ADJOURNED

Next: 06/13/23

2. 3800 Sheridan Drive - Area Variance

The petitioner's proposed vehicle use area will be 10.5 feet from the westerly property line, whereas, the zoning ordinance requires a minimum setback of 15 feet.

HISTORY:**05/16/23****Zoning Board of Appeals****ADJOURNED****Next: 06/13/23****3. 4196 Sherian Drive - Temporary Use Permit**

The petitioners desire to use their property for a commercial use (landscaping business) which, is not permitted in the R-3 residential zoning district.

4. 66 Beachridge Drive - Area Variance

The petitioner's proposed 6 foot high fence will be 6.5 feet from the south property line, whereas, the zoning ordinance requires 10 feet minimum.

5. 120 Via Foresta Lane - Area Variance

The petitioner's building addition is 34.29 feet from the south property line, whereas, the zoning ordinance requires 35 feet minimum.

6. 555 North Forest Road - Area Variance

The petitioner's proposed 6 foot high fence will be 0 feet from south property line, whereas, the zoning ordinance requires a 10 foot setback.

7. 475 North Forest Road - Area Variance

The petitioner's proposed detached accessory garage will be **22.8 feet** in height, whereas, the zoning ordinance permits a maximum height of **20 feet**.

8. 318 Washington Hwy. - Area Variance

The petitioner's proposed heat pump will be 1.4 feet from the south property line, whereas, the zoning ordinance requires 3 feet minimum.

9. 2350 Sweet Home Road - Area Variance

The petitioner's buildings number 9, 10, 11 & 12 require a minimum building separation of 29.66 feet, and whereas, the petitioner desires to construct sun room additions which will cause a building separation between buildings 9 and 10 to have a 24 foot building separation, and cause a building separation of 17.29 feet between buildings 11 and 12.

10. 380 Hartford Rod - Area Variance

The petitioner's parcel division causes his/her existing detached accessory garage to be a minimum of 3.32 from the new northerly property line, whereas, the zoning ordinance requires a minimum of 5 feet, and whereas, the creation of the new parcel for the existing two family dwelling (lot no. 2) will be 65 feet in lot width, whereas, the zoning ordinance requires a minimum lot width of 120 feet, and whereas, the new parcel for the existing two family dwelling will be 7,280 s.f. in area, whereas, the zoning ordinance requires 8,600 s.f. in area, and whereas, proposed parcel number 1. contains 40 existing dwelling units on a lot that is 139,890 s.f. in area, whereas, the zoning ordinance requires a lot area of 174,240

s.f. in area and whereas, the zoning ordinance does not permit parcels to be further reduced in area if already non conforming.

11. 4625 Harlem Road - Area Variance

The petitioner's proposed ground sign will be 8.5 feet from the Harlem Road right of way, whereas, the zoning ordinance requires 15 feet minimum, and whereas, the sign will be 10 feet in height whereas, the zoning ordinance permits 8 feet maximum, and whereas, the base of the sign will be 6 feet in width, whereas, the zoning ordinance requires a minimum width of 9.75 feet.

12. 4224-4256 Ridge Lea Road - Special Use Permit

The petitioner desires to establish a service station (petroleum sales) accessory to his/her membership discount retail store (Costco), whereas, a special use permit is required for the establishment of such use.

13. 4224-4256 Ridge Lea Road - Area Variance

The petitioner's proposed Dick's building will be 20 feet from the west property line, whereas, the zoning ordinance requires 30 feet minimum, and whereas, the vehicle use area serving the proposed Dick's building will be 6.12 feet from the west property line, whereas, the zoning ordinance requires 25 feet minimum, and whereas, the petitioner's buildings will not provide a minimum of 3 feet of landscaping adjacent to a portion of the north building wall, and along the south building wall of the proposed Dick's building and along the north and east walls of its Costco building as required by the zoning ordinance.

IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING