



Zoning Board of Appeals

Regular Meeting

Agenda

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

Francina J. Spoth
Town Clerk

In the event of a fire or other emergency, please follow the exit signs that are provided in this room and throughout Town Hall. Upon exiting this room, the main exits are located to the front and the rear of this building. **Do not use the elevator during an emergency event.**

This meeting is being recorded and will stream live online
Amherstny.igm2.com

Tuesday, March 16, 2021

6:00 PM

Amherst Municipal Building

I. PUBLIC PARTICIPATION

In accordance with the Governor's Executive Order 202.1 and for public health and safety concerns related to COVID-19, the Zoning Board of Appeals meeting on March 16, 2021, will not be meeting in-person and will be held via the Zoom videoconference application. The public will have an opportunity to view and participate in the meeting live. At a later date, a meeting transcript will be available. The Public may view and participate via video or audio call shown below.

A. Zoom Meeting Login: Visual/Display Online

<https://us02web.zoom.us/j/85181549052?pwd=dGdOL2svQk9zb0Z6VjM0RWVhRXFaQT09>

Audio/Call-In Instructions: Note to callers your phone number will display to the public, to conceal your number enter *67 before you enter the phone number below.

1-646-558-8656

Meeting ID: 851 8154 9052

Password: 991463

II. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Chairman John Radens	☐	☐	☐	
Member Carrie H. Kahn	☐	☐	☐	
Member Ann M. Nichols	☐	☐	☐	
Member Nina Potycz	☐	☐	☐	
Member Ronald Shubert	☐	☐	☐	

III. APPROVAL OF MINUTES

1. Tuesday, February 23, 2021

IV. HEARINGS ON APPEALS

1. 234 Heim Road - Area Variance - Convert Vacant Commercial Property to Single Family Home

The petitioner's conversion of a lawful non conforming commercial use (plumbing business) to a conforming use (single family dwelling) will cause the dwelling to have an attached garage area that is 1,345.8 sf in area, whereas, section 6-8-1B permits a maximum of 550.1 sf or 75 % of the principal building area; and whereas, the living space will be a minimum of 734 sf in area, whereas, section 3-6-2B requires a minimum floor area of 1000 sf.

Section: 6-8-1B

Square Footage Allowed: 550.1 sf

Square Footage Proposed: 1345.8 sf

Over Allowed: 795.7 sf or 144%

Section: 3-6-2B

Square Footage Allowed: 1000 sf

Square Footage Proposed: 734 sf

Under Allowed: 266 sf or 26.6%

HISTORY:

02/23/21

Zoning Board of Appeals

ADJOURNED

Next: 03/16/21

2. 79 Cherry Laurel Lane - Area Variance - Fence/Accessory Pool Structure

The petitioner's proposed 6 foot high fence will be (0) zero feet from the northerly property line, whereas, the Zoning Ordinance requires 25 feet, and whereas, the petitioners' accessory pool slide will be 18'+/- from the northerly property line, whereas, the zoning ordinance requires 25 feet.

Required Setback (fence): 25 feet

Proposed Setback: 0 feet

Short of Required: 25 feet or 100%

Required Setback (pool slide): 25 feet

Proposed Setback: 18 feet

Short of Required: 7 feet or 28%

3. 5560 Sheridan Drive - Area Variance - Landscaping Relief

The petitioner is seeking relief from providing high impact screening along the east and west property lines as required by section 7-2-4B of the zoning ordinance.

4. 851 Tonawanda Creek Road - Area Variance - Fence Height

A portion of the petitioner's recently constructed fence along her east property line is 3'-11 inches in height whereas, the zoning ordinance limits the height of the fence to 3 feet high maximum within the required front yard of 30 feet.

Maximum Permitted Height: 3 feet

Proposed Height: 3.91feet
Over Permitted Height: 0.91 feet or 30%

5. 4950-4990 Harlem Road - Area Variance - Utility Enclosure Setback

The petitioner's proposed RPZ valve enclosure will be 10 feet from the west property line, whereas, the zoning ordinance requires 30 feet minimum.

Minimum Required Setback: 30 feet
Proposed Setback: 10 feet
Short of Required: 20 feet or 67%

V. ADJOURN TO THE NEXT ZONING BOARD OF APPEALS MEETING