



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, April 20, 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 April 20, 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/88006954758?pwd=UFM5TUxmV2l6c0VaaTlPa292dVN2Zz09>

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: 880 0695 4758

Passcode: 535470

II. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Chairman John Radens	☐	☐	☐	
Member Ann M. Nichols	☐	☐	☐	
Member Nina Potycz	☐	☐	☐	
Member Ronald Shubert	☐	☐	☐	
Member Kelly J. Philips	☐	☐	☐	

III. APPROVAL OF MINUTES

1. Tuesday, March 16, 2021

IV. HEARINGS ON APPEALS

1. 87 S. Rockingham Way - Area Variance - Fence Height

The petitioner desires to construct a 6 foot high fence 7 feet from the east property line, whereas, the zoning ordinance requires a 30 foot setback.

Required Setback: 30 feet
Proposed Setback: 7 feet
Short of Required: 23 feet or 76%

2. 27 Deer Ridge - Area Variance - Pool Heater/Equip. Setback

The petitioner desires to install a pool heater and pump equipment approximately 2.5 feet from the east property line, whereas, the zoning ordinance requires a minimum of 3 feet.

Required Setback: 3 feet
Proposed Setback: 2.5 feet
Short of Required: 0.5 feet or 16%

3. 87 Culpepper Road - Area Variances - Pool/Fence Setback

The petitioner's proposed pool will be 7 feet from the south property line, whereas, the zoning ordinance requires 30 feet and whereas, the petitioner's existing 6 foot high fence is 0 zero feet from south property line, whereas, a 30 foot setback is required for fencing over 3 feet in height.

Required Setback Pool: 30 feet
Proposed Setback: 7 feet
Short of Required: 23 feet or 76%

Required Setback Fence: 30 feet
Existing Setback: 0 feet
Short of Required: 30 feet or 100 %

4. 10 Greenboro Court - Area Variance - Fence Height

The petitioner's proposed fence along his/her south property line will be 8 feet in height, whereas, the zoning ordinance limits fencing to 6 feet height maximum.

Permitted Fence Height: 6 feet
Proposed Fence Height: 8 feet
Over Permitted Height: 2 feet or 33%

5. 4924 Harlem Road - Temporary Use Permit - Commercial Vehicle/Advertising Sign

The petitioner desires to continue to maintain a commercial vehicle at his residence and to utilize such motor vehicle as an advertising sign, whereas, the zoning ordinance does not permit commercial vehicles or commercial signs in residential zoning districts.

6. 1775 Eggert Road - Area Variances - Non-Attached Dwelling Unit/Rear Setback

The petitioner desires to convert her/his detached garage into a dwelling unit, whereas the zoning ordinance requires such dwelling unit to be attached to the existing two unit dwelling building, and whereas, the existing detached garage if converted to a dwelling will be 3.23 feet from the rear property line, whereas, the zoning ordinance requires 30 feet.

Required Setback: 30.0 feet
Existing Setback: 3.3 feet
Short of Required: 26.7 feet or 89%

7. 410 Mill Street- Area Variances - Landscaping Relief/VUA Setbacks/Exterior Illumination Levels

The petitioner's proposed parcel split creates a zero foot setback along the new interior property line and the existing parking lot (vehicle use area), whereas, the zoning ordinance requires 5 feet of landscaping along such property line and the vehicle use area, and whereas, the proposed new parcel division line requires that each parcel/land use provide medium impact screening along such parcel line, and whereas, the proposed parcel division line now creates non-conformities with the existing exterior lighting illumination levels along such new property line.

V. ADJOURN TO THE NEXT ZONING BOARD OF APPEALS MEETING