

Minutes of the Village of Williamsville Zoning Board of Appeals held at Village Hall, 5565 Main Street, Williamsville, New York, on Wednesday, September 18, 2019, at 7:00 p.m.

Mr. Andrews opened the meeting at 7:00 pm with the Pledge of Allegiance.

Roll Call: Present: Richard Andrews, Chairman
James Celeste, ZBA Member
Patricia Fulwiler, ZBA Member
Joseph Frese, ZBA Member
William Tuyn, ZBA Member

Also present: Charles Grieco, Village Attorney
Deborah A. Habes, Clerk-P/T
Tim Masters, Code Enforcement Officer

Excused: Timothy Boyle, Alternate ZBA Member
Mark Maczka, Alternate ZBA Member
Matthew J. Etu, Trustee Liaison to ZBA

ON MOTION by Ms. Fulwiler, seconded by Mr. Celeste, it was moved to approve the minutes of the August 7, 2019 meeting, as submitted.

Unanimously carried.

On the agenda:

(1) PUBLIC HEARING

ZBA Log # 19-16
Area variance

68 Monroe (R-2)
Applicant and owner, requests relief from code to allow for his new driveway to exceed the 18' maximum requirement. Owner wishes to extend driveway to 26'.

<p>PUBLIC HEARING 68 Monroe Drive (R-2) Area variance</p>

Mr. Andrews opened this public hearing at 7:01 p.m.

This is a request for relief from Section 112-21B (5) of the Zoning Code, which limits the maximum width of a driveway to 18 feet. Owner wishes to extend his current 17' wide driveway to a width of 26 ft.

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The applicant was not present.

Mr. Andrews read into the record the contents of the file.

Legal notice of this public hearing was duly published in the September 11, 2019 Amherst Bee, and printed notices of this public hearing were sent to the applicant and other property owners within 150' of the subject property as per code.

Mr. Andrews wondered if the Board could still go ahead with the public hearing if the applicant was not present to answer questions. Village Attorney Grieco suggested they could still proceed if they chose to whether or not the applicant was present.

There was discussion amongst the members on their thoughts regarding which direction to take.

Mr. Frese – Saw no problem moving forward with the public hearing and deliberations tonight. He considers this really a side yard due to the orientation of the house on the property, which sits on the corner of Oakgrove Dr. and Monroe Dr. Vehicles are bigger now than they used to be, say when most homes were built in the Village decades ago. Thinks the widening of this driveway will improve the aesthetics of this property. It will give the homeowner more room in his driveway. It appears to be very tight now. The mentality of homeowners having to park in the street is old-fashioned. We have to have an open mind about issues like this.

Mr. Tuyn – He could go either way. But thinks there are too many of these requests coming before the ZBA lately for the widening of residential driveways. Thinks the existing driveway is already fine for 2 cars. There are other similar driveways on the street. Thinks the Village Board should consider amending the Village Code regarding the allowable width of driveways in residentially zoned districts since it appears to be a more frequent request for such variances from homeowners.

Mr. Andrews – The current driveway is concrete. Wondered if the requested 8' extension could be made of a different material and then not need a variance.

Ms. Fulwiler – It's already a double driveway and a double garage.

Village Attorney Grieco – As to whether or not proceed with the hearing tonight despite the absence of the applicant or to table it, he reminded the members that if they proceed with the hearing this evening and make a decision, the applicant could request a re-hearing, which would require at that time any vote to be unanimous.

ON MOTION by Mr. Frese, seconded by Mr. Tuyn, to **TABLE** this application until the October 18, 2019 Zoning Board of Appeals meeting.

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ON MOTION by Mr. Frese, seconded by Ms. Fulwiler, it was moved to adjourn the meeting at 7:16 p.m.

Unanimously carried.

Deborah A. Habes

Clerk-P/T

Date of the next scheduled Zoning Board of Appeals meeting: October 16, 2019 at 7:00 p.m.