

April 12, 2018

A Regular Meeting of the Zoning Board of Appeals of the Town of Lancaster, Erie County, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 12th day of April 2018, at 7:00 P.M., and there were

PRESENT: RICHARD QUINN, CHAIRMAN
 DANIEL BEUTLER, MEMBER
 JILL MONACELLI, MEMBER
 TYLER SOJKA, MEMBER
 FRANK SWIGONSKI, MEMBER

ABSENT: JOHN MIKOLEY, MEMBER
 LAWRENCE PIGNATARO, MEMBER

ALSO PRESENT: DIANE M. TERRNOVA, TOWN CLERK
 KEVIN LOFTUS, TOWN ATTORNEY
 MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER

The Affidavits of Publication and Posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

PETITION OF: RAYMOND OSTROWSKI

THE 1st CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Raymond Ostrowski, 78 Country Place, Lancaster, New York 14086 for one [1] variance for the purpose of allowing a storage shed to remain as currently positioned on premises owned by the petitioner at 78 Country Place, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10D.(1)(b) of the Code of the Town of Lancaster. The currently positioned storage shed is four [4] feet from the property line.

Chapter 50, Zoning, Section 10D.(1)(b) of the Code of the Town of Lancaster requires a five [5] foot lot line set back for an accessory structure. The petitioner, therefore, requests a one [1] foot lot line set back variance.

The Clerk presented and entered into evidence the following items:

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

PERSONS ADDRESSING THE BOARD

Raymond Ostrowski

Petitioner

Patrick Welch

Proponent

IN THE MATTER OF THE PETITION OF RAYMOND OSTROWSKI

THE FOLLOWING RESOLUTION WAS OFFERED
BY MR. SWIGONSKI, WHO MOVED ITS
ADOPTION, SECONDED BY MR. BEUTLER
TO WIT:

WHEREAS, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Raymond Ostrowski and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 12th day of April 2018, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

WHEREAS, the applicant is the present owner of the premises in question.

WHEREAS, the property for which the applicant is petitioning is within a Residential District, (R1) as shown on the Zoning Map of the Town of Lancaster.

WHEREAS, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT
RESOLVED** that based upon these findings, the relief sought be and is
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call which resulted as follows:

MR. QUINN	VOTED YES
MR. BEUTLER	VOTED YES
MR. MIKOLEY	WAS ABSENT
MS. MONACELLI.	VOTED YES
MR. PIGNATARO	WAS ABSENT
MR. SOJKA	VOTED YES
MR. SWIGONSKI	VOTED YES

The resolution granting the variance was thereupon **ADOPTED**.

April 12, 2018

ON MOTION DULY MADE, SECONDED AND CARRIED, the meeting
was adjourned at 7:16 P.M.

Signed _____
Diane M. Terranova, Town Clerk and
Clerk, Zoning Board of Appeals
Dated: April 12, 2018