

TOWN OF NEWFANE ZONING BOARD OF APPEALS

2737 MAIN STREET NEWFANE, NY 14108

March 18, 2025

MEMBERS PRESENT: Chairman Troy Barnes, Jeremy Irwin, Charles Maynard, Marcy Ferington, Geoff Harding

MEMBERS ABSENT: Tyler Finley, Bill Koller

OTHERS PRESENT: David Schmidt, James Sansone, Robin Bower, John Steinman

The meeting was called to order at 7:00 p.m.

Troy introduced the board including David Schmidt, James Sansone, Robin Bower.

Troy read aloud the variance and those contacted within the 300' radius of said property.

SUSAN FUNK-EAGLE, 20 Lincoln Drive, Lockport, NY 14094 has applied for an area variance under the Newfane Zoning Ordinance, upon premises known as 5631 West Bluff, Olcott, NY, in the Town of Newfane, NY, located in a Single Family Residential District (R-1), to construct a 26 foot 4 inch addition containing a bathroom and bedroom, along the west line of the property, which will be two (2) feet eleven (11) inches from said west line of the property, in violation of the current set back restriction set forth in Section 5-3 (8) said ordinance, which requires a minimum set back of 10 feet, in a Single Family Residence District (R-1).

All parties of interest and citizens will be heard at the public hearing to be held as aforesaid.

Troy asked Susan to approach the podium and introduce herself and to explain what she was asking a variance for.

Susan and her husband are both handicapped and they want to sell their house in Lockport and move permanently to Olcott. She and her husband have mobility issues and the house in Olcott has bedrooms on the second floor, therefore they would like to build an addition and their bedroom would be on the first floor. The house previously was Susan's father.

Troy asked the board for any questions.

Charles asked that the garage is in front of the house and would that impact the addition being built? Susan said no, there will be 6' in between the garage and addition. Charles asked if the addition was going to be attached to the garage. Susan said no.

There was discussion about the laws for building in this situation. Susan is confident that her contractor Mr. Gusimano, is aware of the laws. She will discuss any necessary changes needed to conform to the law.

Troy asked if Sue knew how it would follow with the other house? Susan said that it would follow right in line with the other homes. There was a discussion amongst the board members about the distances between each home before and after the addition. Again, it was stated that Susan's contractor would be aware of all the laws when building.

Troy asked will this variance impact the neighborhood? Susan said no, if anything it would enhance the neighborhoods value, and look nicer. Troy asked if she purchased the house? Susan said no, I inherited the house from my father. Troy asked if she and her architect look at any other feasible way to do the addition. Susan said there is no other way to do it because of the lake behind the house and the rules for the distance from the Lake to the addition.

Troy asked the audience if there were any questions. Nothing from the audience.

Susan stated that she emailed her neighbors about the plan she had. Troy asked if she was familiar with her neighbors? Susan said she is familiar with her neighbors.

Marcy wanted to be reassured that Susan would conform to all rules established for building this addition. Susan reaffirmed that yes, she and her contractor would be in full compliance. Susan does not want to attach the addition to the garage. David would have to see the plan.

Troy asked for a motion to poll the board. Charles made motion and Marcy second the motion.

All in favor:

Charles Maynard- Aye,

Marcy Ferington -Aye

Troy Barnes- Aye

Jeremy Irwin-Aye

Geoff Harding-Aye

Bill Koller- absent

Tyler Finley- absent

Motion carried.

Charles will approve this variance based on this was not a self-created hardship and this should not have an adverse effect on the neighborhood. Charles agrees that it would have a positive impact in the neighborhood. The addition will not bring the structure any closer to the road. Marcy will approve the variance based on the hardships with the bedrooms upstairs and the residents want to be able to get around.

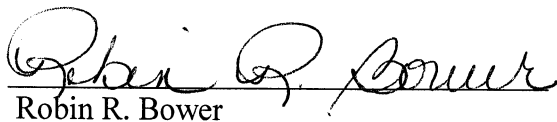
Jermey grants the variance based on the fact they are following the lot line with the other existing homes in the neighborhood.

Geoff grants the variance based on what was already stated from the board members prior.

Variance granted.

Meeting adjourned at 7:15pm

Respectfully submitted,



Robin R. Bower
Zoning Board Secretary