

ZONING BOARD

JUNE 28, 2021

MEMBERS PRESENT: Steve Mac Evoy - Chairman

Margaret Zaepfel

Cliff Johnston

Cheryl Confer

Secretary: Cynthia Boyler

Attorney: Anthony Serianni

Zoning Officer: Michael Hartman

The meeting was called to order at 7:00 pm, by Chairman, Steve MacEvoy.

Secretary Boyler read published notice of Public Hearing into the records.

OWNER/ APPLICANT: James & Jessica Murray

**PROPERTY LOCATION: 3621 Checkered Tavern Rd. Tax Map # 68.00-4-44
Hartland, Niagara County NY.**

APPLICATION: For a Variance of the provisions of the Code of the Town of Hartland to allow for the construction of a 16' x36' home addition consisting of three bedrooms, leaving 11'10 ¾ ' of side setback space, where the Zoning Code requires a minimum of 15' of side setback space in said zone.

APPLICANT PRESENTATION:

Jessica Murray explained that they would like to build an addition for three bedrooms, 11'x11' each, with a 3' wide hallway. They need additional bedrooms and office space, as their family has outgrown the current space.

Chairman MacEvoy asked how close the neighbor to the North is and noted that there were not many trees between the properties.

PUBLIC PARTICIPATION:

Ed Taylor, 3617 Checkered Tavern Road, neighbor to the North, stated that he has no objections to the request for the variance.

With no other questions or comments to be heard, Chairman MacEvoy closed the Public Hearing at 7:07 pm. and opened the regular ZBA meeting.

Minutes – May 24, 2021

Chairman MacEvoy asked that an amendment to the motions on both public hearings, from May 24, 2021, meeting, be made to reflect that the variances would not have an adverse physical or

environmental effect. Clerk Boyler noted the request and will amend the minutes to reflect that change.

Motion by Cheryl Confer, seconded by Cliff Johnston to approve the minutes from the May 24, 2021 meeting, with amendments. CARRIED

ACTION

Chairman MacEvoy cited the following criteria as it pertains to this variance request:

The variance is for an Area 2 Variance, no SEQR is required.

The variance will not have an adverse physical or environmental effect.

The variance will not have an undesirable change in the character of the neighborhood.

The request cannot be achieved by any other method of construction.

The request is not substantial.

It was determined that the request for this variance is self-created, but not to be denied.

Neighbor has no objections to the variance.

MOTION

Motion by Margaret Zaepfel, seconded by Cliff Johnston to grant the variance for an addition to the North side of the residence 11'x10' $\frac{3}{4}$ ", instead of the required 15'. Ayes: 4, Nays: 0
GRANTED

Attorney Serianni noted that the variance must conform to all conditions of the code and any violation will negate the variance. The property must be kept in a neat and orderly condition.

With no further discussion or business to come before the board, a motion by Cheryl Confer, seconded by Margaret Zaepfel to adjourn at 7:15 pm.

Respectfully submitted.

Cynthia Boyler, Zoning Secretary