

ZONING BOARD OF APPEALS OF THE TOWN OF ORCHARD PARK, Erie County, New York, minutes of the Orchard Park May 21, 2024, meeting held in the Town of Orchard Park Community Activity Center, 4520 California Road.

MEMBERS PRESENT: Lauren Kaczor Rodo, Chairwoman
Robert Metz
Robert Lennartz
Dwight Mateer
Kim Bowers
Michael Williams, Alternate

EXCUSED:

OTHERS PRESENT: John C. Bailey, Deputy Town Attorney
John Wittmann, Code Enforcement Officer
Marla Fulton, Recording Secretary

The Chair called the meeting to order at 7:00 P.M., stating that if anyone appearing before the Board was related through family, financial or a business relationship with any member of the Board, it is incumbent upon him to make it known under State Law and the Town Code of Ethics.

The Chair stated that all persons making an appeal before this Board would be heard in accordance with the Town Laws of the State of New York, Article 16, Sections 267, 267(A), 267(B) and 267(C), Subdivision 3, and the Town of Orchard Park Zoning Ordinance. Per Section 144-63 (1) All public notices have been filed. Any person aggrieved by any decision of the Board of Appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal, specifying the grounds of the illegality. Such petition must be presented to the court within 30-days after filing of the decision in the office of the Town Clerk.

APPROVAL OF MINUTES:

The Minutes for April 2024 were approved unanimously.

The Chair stated that Site Inspections of all cases presented tonight were made by:

METZ, AYE / LENNARTZ, AYE / MATEER, AYE / RODO, AYE / BOWERS, AYE

NEW BUSINESS

The Chair stated that the Board would review the first three (3) items together as the Applicant is the same for each.

1. ZBA File #12-24, (Previously File #29-21). Pleasant Acres West LLC, V/L 6088 New Taylor Road, Zoned R-3, SBL# 161.15-2-33 (Sub Lot 86, Map Cover 3427). Requests 4 Area Variances to construct a two-family dwelling on this parcel. 1st Variance is for lot width of 110 feet where 125 minimum feet is required. 2nd Variance is for lot depth of 150 feet where 175 minimum feet is required. 3rd Variance is for lot area of 15,821 square feet where 24,000 minimum square feet is required. 4th Variance is for a 24 foot side setback where 25 minimum feet is required. *§144-9B Supplement schedule of height, lot, yard, and bulk regulations.*

2. ZBA File #13-24, (Previously File #31-21). Pleasant Acres West LLC, V/L 6116 New Taylor Road, Zoned R-3, SBL# 161.15-2-31 (Sub Lot 85, Map Cover 3472). Requests 3 Area Variances to construct a two-family dwelling on this parcel. 1st Variance is for lot width of 110 feet where 125 minimum feet is required. 2nd Variance is for lot depth of 150 feet where 175 minimum feet is required. 3rd Variance is for lot area of 16,500 square feet where 24,000 minimum square feet is required. *§144-9B Supplement schedule of height, lot, yard, and bulk regulations.*
3. ZBA File #14-24, (Previously File #30-21). Pleasant Acres West LLC, V/L 6126 New Taylor Road, Zoned R-3, SBL# 161.15-2-30 (Sub Lot 84, Map Cover 3472). Requests 3 Area Variances to construct a two-family dwelling on this parcel. 1st Variance is for lot width of 110 feet where 125 minimum feet is required. 2nd Variance is for lot depth of 150 feet where 175 minimum feet is required. 3rd Variance is for lot area of 16,500 square feet where 24,000 minimum square feet is required. *§144-9B Supplement schedule of height, lot, yard, and bulk regulations.*

APPEARANCE: *Sean Hopkins – Attorney*
Ed Lasky - Developer

Mr. Hopkins noted that the Board had reviewed and tabled these items in 2021. The Applicant has constructed a model home on a code-compliant lot, and feels that it demonstrates their intention to build high quality, up-scale duplexes. He showed the Board elevations.

Mr. Hopkins showed old Plans for the duplexes, demonstrating that they were always envisioned as duplexes. Under previous Code when this project was originally planned as part of the (constructed) Pleasant Acres Sub-division, duplexes would have been allowed on these sites. He stated that this was in response to questions raised by Mr. Mateer at the original review.

Mr. Hopkins noted that the sites are properly zoned. He also stated that the surrounding lots on Taylor Road are also two-family homes. He feels that the character of the neighborhood will not be negatively affected. He went through the criteria the Board must consider for a Variance.

Mr. Hopkins noted that while they do need some relief, they are willing to comply with the setback requirements, with the exception of one lot.

Mr. Mateer appreciated the thoroughness of the presentation. He inquired if the old Plan Mr. Hopkins presented was submitted to the Town and if the Plan had been approved by the Town. Mr. Mateer noted that the Plan does not appear to be a final Plan, and stated that it was unclear that this Plan was submitted to the Town of Orchard Park. Mr. Hopkins explained that the review had not proceeded as far as approval due to the sanitary sewer extension which was not completed at that time, however, he stated that Mr. Lasky can assure the Board that the Plan was submitted. Mr. Mateer noted that no Variances would be required for a single family home. Mr. Lasky stated that single family homes on these lots were not sellable.

Mr. Metz inquired about the lot width on the constructed, compliant, model duplex. The Applicant stated it was 200 feet, and noted that a portion of that lot was wetlands, and so the buildable area was smaller, approaching the 110 feet proposed for the lots under review.

Mr. Lennartz inquired if the duplexes to be constructed would be the same as the model. The Applicant stated that it would be, excepting the colors.

Mr. Williams confirmed that the buildings would be 2,600 square feet. He discussed other dimensions with the Applicant. Mr. Hopkins noted again that the only Variance they require for setbacks was for one lot and was a difference of 1 foot.

The Chair then asked if there was anyone in the audience who would wish to speak in favor of the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if there was anyone in the audience who would wish to speak against the granting of the Variance.

Tamara Manly
6038 Berkley Drive
Orchard Park NY, 14127

Ms. Manly stated that since the Pleasant Acres subdivision, traffic has increased and Taylor Road is in poor repair. She feels sidewalks and traffic lights would help with the traffic. She feels the Applicant has caused these problems and no Variances should be granted until the problems are corrected.

Mark Manly
6038 Berkley Drive
Orchard Park, NY 14127

Mr. Manly feels that there has been a lot of development in the area without any improvement in infrastructure. He feels it is a safety hazard.

John Tomani
6100 Taylor Road
Orchard Park NY, 14127

Mr. Tomani feels that the proposal is unreasonable and commented on drainage and lack of trees. He commented on the State Appeals Board.

The Applicant responded to the comments made. Mr. Hopkins noted that this Board is not responsible for infrastructure nor approving subdivisions, however in response to comments on drainage, the subdivision was subject to strict review by the Town's Engineering Department. He noted that single family homes of the same size could be placed on these lots. He also clarified that the State Appeals Board is governed by different criteria than the Town's Zoning Board of Appeals. He feels there will be no negative effect on the neighborhood.

Mr. Lasky stated that he had constructed a ditch and other improvements at his own expense which improved drainage in the area.

The Chair then asked if the Secretary had received any communications either for, or against, granting the Variance. The Secretary stated no communications had been received.

BOARD DISCUSSION:

Mr. Lennartz feels the request is large, however he can support the request due to the quality of home being presented. He feels the problems mentioned on New Taylor Road are the purview of Erie County and not the Applicant.

Ms. Bowers does not feel the proposal will significantly increase traffic as single family homes could be built here. She also noted that the surrounding properties were also two-family homes.

Mr. Williams feels the Applicant should not be faulted for a Code change which happened during development.

Mr. Metz stated that he can support this project. He noted that these lots may be unsellable as single family homes.

Mr. Mateer inquired of Mr. Williams if there was any record that the Applicant had submitted the old Plan to the Town. Mr. Wittman stated that he doesn't have access to that information at this time. Mr. Mateer noted that single family homes could be developed under Town Code without any Variances. He stated that he is unsure if he can support this.

The Chair stated that her opinion has changed somewhat. She noted that the surrounding duplexes are on similarly sized lots, and feels single family homes would look out of place on these lots.

Mr. Lennartz made a **MOTION**, seconded by Ms. Bowers, to **GRANT** the Area Variances for all three items, as presented in on the Agenda, and as transcribed in the listing in these Minutes, based on the following:

1. Per Section 144-63 (E) (1) All public notices have been filed.
2. There will not be an undesirable change in the character of the neighborhood, or a detriment to nearby properties created.
3. The benefit sought cannot be achieved in another way, other than the granting of the Variance.
4. The request is substantial.
5. There will not be an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
6. The difficulty is self-created, however that does not preclude the granting of these Variances.

With the following stipulation:

1. All setbacks, excepting the one covered by the Variance being granted here, shall be in compliance with Town Code.

THE VOTE ON THE MOTION BEING:

| | |
|----------|-----|
| LENNARTZ | AYE |
| METZ | AYE |
| WILLIAMS | AYE |
| MATEER | NO |
| RODO | AYE |

The Motion being **FOUR (4) in favor** and **ONE (1) opposed**, the Motion to **DENY** the Variance is **PASSED with a STIPULATION**.

4. ZBA File #15-24, Sheldon Smith Esquire, 1 Falconcrest Drive, Zoned R-2, SBL# 153.14-8-29 (Farm Lot 464, Township 10, Range 7). Requests an Area Variance to install 94 feet of 42 inch tall chain link fence in the front yard. *§Chain link fences in front yard are prohibited §144-22D(4)*.

APPEARANCE: *Sheldon Smith Esq. - Owner*

The Applicant noted that because he has a corner lot, his "front" yard was the "back" portion of his property. He stated he can put a different type pf fence, however chain link is prohibited. He stated that the chain link fence will be hidden by the privet hedge, and the fence is necessary because he has two dogs, which he needs to contain. He stated his electric fence is not effective for one of his dogs.

Mr. Lennartz inquired why the Applicant does not extend the existing fence (code compliant and not chain link) into the privet hedge. The Applicant explained that it was cost prohibitive, it may damage the privet because it requires large holes filled with cement, and it would make maintaining the hedge difficult.

Mr. Metz is not opposed to the fence.

Mr. Mateer inquired if the Applicant had spoken to the neighbors. The Applicant stated the neighbors were not opposed to the fence. Mr. Mateer stated a concern of his is that the hedge may die or be removed, at which time the fence would be visible. The Applicant stated he was not opposed to a stipulation stating the hedge must be maintained while the fence is in place. He stated he has no intent to take the privet down.

The Chair inquired how long the owner had owned the house. The Applicant stated they bought the house in 2016 and installed the hedge the first year. The Chair inquired about the invisible fence. The Applicant stated one of his dogs does well with the invisible fence but the other does not. He noted that Baker Road is a busy road and he has concerns that they will violate the electric fence.

Mr. Mateer inquired if the Applicant was to extend the existing fence would it contain the dogs. The Applicant stated it would, however it requires larger holes with more cement which may damage his hedge. They discussed the differences in instillation between the two types of fence.

The Chair then asked if there was anyone in the audience who would wish to speak in favor of the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if there was anyone in the audience who would wish to speak against the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if the Secretary had received any communications either for, or against, granting the Variance. The Secretary stated no communications had been received.

BOARD DISCUSSION:

Mr. Mateer feels the benefit sought could be achieved another way.

Mr. Metz is in favor of the fence and Mr. Lennartz was in agreement.

Ms. Bowers is on the fence about granting the Variance.

Mr. Williams discussed potential stipulations. Deputy Town Attorney, Mr. Bailey advised that it was within their purview to add a stipulation about the hedge, however it may be difficult to enforce.

Mr. Metz made a **MOTION**, seconded by Mr. Lennartz, to **APPROVE** the Area Variance based on the following:

1. Per Section 144-63 (E) (1) All public notices have been filed.
2. There will not be an undesirable change in the character of the neighborhood, or a detriment to nearby properties created.
3. The benefit sought could achieved in another way, other than the granting of the Variance.
4. The request is not substantial.
5. There will not be an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
6. The difficulty is self-created, however that does not preclude the granting of the Variance.

With the following Stipulation:

1. Should the privet hedge die off the fence will be removed.

THE VOTE ON THE MOTION BEING:

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| LENNARTZ | AYE |
| METZ | AYE |
| RODO | NO |
| MATEER | NO |
| BOWERS | AYE |

The Motion being **THREE (3) in favor and TWO (2) opposed**, the Motion to **GRANT** the Variance is **PASSED**.

5. ZBA File #16-24, Leslie Hornung, 3829 Baker Road, Zoned R-2, SBL #162.11-1-7 (Farm Lot 8, Township 9, Range 7). Requests an Area Variance for an 8 foot tall wood fence in the front yard to enclose a garden. *Such fence or wall or hedge shall in no event enclose a front yard; nor shall it exceed four feet in height. A fence shall be of open, decorative design and permit clear visibility through at least 80% of its vertical area §144-22A(2)(c).*

THIS ITEM WAS REMOVED FROM THE AGENDA BY THE APPLICANT

6. ZBA File #17-24, Michael & Mary Cormier, 5891 Seufert Road, Zoned A-1, SBL# 197.00-4-2.11, (Part of Farm Lot 17 & 25, Township 9, Range 7). Requests an Area Variance to construct a 40 foot by 80 foot pole barn, 10 feet set back from the side yard lines. *Minimum side setback in an A-1 zone is 30 feet, §144-9B Supplement schedule of height, lot, yard, and bulk regulations.*

APPEARANCE: *Thomas Lyons – Duke, Holzman, Photiadis & Greens LLP – Attorney
Michael Cormier - Owner*

Mr. Lyons explained the project stating that the lot is uniquely formed, and they are proposing putting the barn in the "alcove" portion of the lot. He stated there are many similar structures in the neighborhood, and the doors would open toward the rear to mitigate any potential impact. He stated there is open field behind the property. He noted it will be minimally visible from the street.

Mr. Metz inquired about the use. The Applicant stated it would be used as a garage. Mr. Metz inquired about other potential sites for the barn. The Applicant stated he was limited by utilities and a septic system. Mr. Metz expressed concern about the neighbor directly in front of the "alcove". The Applicant stated that he could still locate a barn in the "alcove, 30 feet off the property line. Mr. Lyons noted that the Code previously had allowed for a 20 foot setback. Mr. Cormier stated that if the barn was located at 30 feet he would have the doors facing forward.

The Chair asked Mr. Wittmann to clarify the current setback requirement. Mr. Wittmann noted that since this property was subdivided after 1987 it falls under the new Code, which requires a 30 foot setback.

Mr. Lennartz noted that one consideration for a Variance is whether the benefit sought could be achieved another way. He inquired why the Applicant could not live with the 30 foot requirement. Mr. Lyons feels that placing the barn here will preserve open space and avoid potentially violating other setback requirements.

Ms. Bowers inquired about the number of bays. The applicant stated they plan 4 bays facing the woods and noted the planned arborvitae to be located around the barn. Ms. Bowers inquired about rotating the position of the barn. The Applicant feels that facing the barn towards the rear would mitigate the impact on the Applicant by reducing sound and noise. They discussed location referencing the Survey.

Mr. Williams inquired about the Applicant's statement about door placement should the Variance not be granted. The Applicant stated that they are unsure about the door placement should the Variance not be granted as it would depend on other setback requirements.

The Chair inquired about the view from Seufert Road. The Applicant stated that the neighbor's house would obscure the barn as it would be directly in front of the barn. The Chair noted that in that case the barn would obscure the neighbor's view. Mr. Lyon's stated that the view would still be obstructed if the Applicant were to place the barn at 30 feet of the lot line. He also feels that this location utilizes unusable space and preserves open space which is the purpose of the Agricultural Zone.

Mr. Mateer inquired about the snow, drainage and the potential to impact the neighbor. Mr. Lyons feels that the drainage has been accounted for with the design of the building. Mr. Mateer asked for more information. The Applicant expounded on wind directions with regards to drifting and gutters with regards to drainage. Mr. Mateer discussed the criteria that must be considered when considering a Variance. He feels that the benefit sought could be achieved another way, such as rotating the barn and noted that there does not seem to be a serious impediment to another solution. The Applicant feels that they are attempting to be neighborly and feels they have considered other options.

The Chair then asked if there was anyone in the audience who would wish to speak in favor of the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if there was anyone in the audience who would wish to speak against the granting of the Variance.

Jennifer Preshoff
V/L Seufert Road
Orchard Park, NY 14127

Ms. Preshoff stated that while she lives elsewhere she owns the above property. She stated that to her knowledge if a farm animal is planned in this barn the setback requirement is different. She also feels that the Applicant purchased this property recently knowing the shape. She spoke about the neighbor being impeded upon and feels they haven't had a voice in this process.

Arthur Lipp
5809 Seufert Road
Orchard Park NY, 14127

Mr. Lipp feels that most outbuildings on the street comply with the setbacks and that there is no hardship requiring a 10 foot setback.

Gene Majchrzak
5875 Seufert Road
Orchard Park, NY 14127

Mr. Majchrzak stated that he will soon own the above property. He stated that he is the impacted neighbor and neither he nor his wife were consulted by the Applicant regarding the planned barn. He feels that there is no hardship and has concerns about drainage.

Sean Hopkins
Attorney for Mr. Majchrzak

Mr. Hopkins asked the Board to consider that this "alcove" could be utilized in other ways. With regard to the balancing criteria the Board must consider, he feels:

- There would be a detriment to his client
- There are other ways this can be achieved
- It is substantial
- There are drainage issues, which his client acknowledges could be resolved
- The hardship is clearly self-created

Mr. Hopkins stated that the Applicant should, at the very least, comply with the setback requirements as the lot is large, and would ask the Applicant to consider placing the barn behind his own home, rather than his client's. He stated his client is open to conversations with the Applicant.

Name Inaudible
Boston Hill Road

This member of the public inquired about the need for the Applicant facing the doors towards the woods, noting that there should not be that much light and noise.

The Chair closed the public hearing.

Mr. Lyons responded to comments raised here stating that there would not be farm animals and there was no need to demonstrate a hardship for an Area Variance. With regards to factors commented on by Mr. Hopkins,

Mr. Lyons feels there will be no change in the character of the neighborhood and in his opinion there will not be a detriment to adjacent properties. As far as alternatives, they would impact the purpose of the Agricultural Zoning Designation, and there are issues with utilities. He stated there will be no drainage issues. Mr. Lyons feels it is not a self-created problem as the Applicant did not design the lots. Mr. Cormier described the building materials and colors. Mr. Lyons referenced other pole barn Variances that had been granted.

The Chair then asked if the Secretary had received any communications either for, or against, granting the Variance. The Secretary stated no communications had been received.

BOARD DISCUSSION

Mr. Bowers feels that the Applicant could rotated the barn 90 degrees and he would be in compliance with Town Code. Alternatively, he could move the barn to 20 feet in each direction to comply with the setback requirements.

Mr. Mateer feels that in referencing the criteria they must consider, four are clearly impacted:

- There would be a negative impact on the surrounding area
- The benefit sought can be achieved another way
- The request is substantial
- The difficulty is self-created

Mr. Lennartz was in agreement.

Mr. Mateer made a **MOTION**, seconded by Mr. Metz, to **DENY** the Area Variance based on the following:

1. Per Section 144-63 (E) (1) All public notices have been filed.
2. There will be an undesirable change in the character of the neighborhood, or a detriment to nearby properties created.
3. The benefit sought can be achieved in another way, other than the granting of the Variance.
4. The request is substantial.
5. There will be an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
6. The difficulty is self-created.

THE VOTE ON THE MOTION BEING:

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|----------|-----|
| LENNARTZ | AYE |
| METZ | AYE |
| RODO | AYE |
| MATEER | AYE |
| BOWERS | AYE |

The Motion being **UNANIMOUS** in favor, the Motion to **DENY** the Variance is **PASSED**.

7. ZBA File #18-24, Richard Barnes & Daryl Martin Architect, 47 Birdsong Parkway, Zoned R-1, SBL# 173.12-1-24, (Sub Lot 74, Map Cover 3207). Requests an Area Variance to construct a 22 foot x 16 foot covered patio in

the rear yard with a 15.54% lot coverage. *(Previous ZBA File #15-05 granted 15% lot coverage from 12%) Current Lot coverage is 14% §144-9B_Supplement schedule of height, lot, yard, and bulk regulations.*

APPEARANCE: *Mr. and Ms. Barnes - Owners*
Daryl Martin - Architect

Mr. Martin explained the project stating they would be replacing an existing pergola with a new covered patio, staying within the existing patio. He feels it is an improvement to the property. Ms. Barnes explained that the existing pergola was rotten. Mr. Martin stated that the existing lot coverage already existed when they purchased the property.

Mr. Williams noted that Mr. Barnes was a personal acquaintance and confirmed with Deputy Town Attorney, Mr. Bailey that there was no conflict of interest. He had no issues with this project.

The Applicant stated the neighbors were not opposed.

Mr. Mateer feels that replacing the pergola will be a good solution to their needs.

The Chair asked Mr. Wittmann to clarify the lot coverage. Mr. Wittman stated that the current Code allows 14% lot coverage, and 15% was granted previously and therefore they would be allowed 15% currently without a new Variance.

The Chair then asked if there was anyone in the audience who would wish to speak in favor of the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if there was anyone in the audience who would wish to speak against the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if the Secretary had received any communications either for, or against, granting the Variance. The Secretary stated that communications received were previously distributed to the Board.

BOARD DISCUSSION:

The Board members were in favor of granting the Variance.

Mr. Metz made a **MOTION**, seconded by Ms. Bowers, to **APPROVE** the Area Variance based on the following:

1. Per Section 144-63 (E) (1) All public notices have been filed.
2. There will not be an undesirable change in the character of the neighborhood, or a detriment to nearby properties created.
3. The benefit sought cannot be achieved in another way, other than the granting of the Variance.
4. The request is not substantial.

- 5. There will not be an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- 6. The difficulty is self-created, however that does not preclude the granting of the Variance.

THE VOTE ON THE MOTION BEING:

| | |
|----------|-----|
| LENNARTZ | AYE |
| METZ | AYE |
| RODO | AYE |
| MATEER | AYE |
| WILLIAMS | AYE |

The Motion being **UNANIMOUS** in favor, the Motion to **GRANT** the Variance is **PASSED**.

- 8. ZBA File #19-24, Michael Williams, 38 East Royal Hill, Zoned R-3, SBL# 153.10-1-24, (Sub Lot 24, Map Cover 2521). Requests an Area Variance to move his existing shed 5 feet from the side lot line. *Minimum side lot setback in an R-3 zone is 10 feet §144-9B Supplement schedule of height, lot, yard, and bulk regulations.*

APPEARANCE: *Michael Williams – Owner*

Mr. Willams stated that he bought the house in 2020 with the existing shed. They are planning to install a pool and want to move the shed to make space for the pool.

Ms. Bowers confirmed that he was moving the existing shed and inquired about the use. Mr. Williams stated that he used it for storage of seasonal items.

Mr. Metz inquired how close the pool would be to the shed. Mr. Williams assured the Board that it would meet all requirements for setbacks from the pool.

Mr. Mateer inquired if the Applicant had spoken to any neighbors. The Applicant stated that he had and they were not opposed.

The Chair inquired if there would be any electrical in the shed. The Applicant answered negatively.

The Chair then asked if there was anyone in the audience who would wish to speak in favor of the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if there was anyone in the audience who would wish to speak against the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if the Secretary had received any communications either for, or against, granting the Variance. The Secretary stated no communications had been received.

BOARD DISCUSSION:

The Board members had no issues with this request.

Ms. Bowers made a **MOTION**, seconded by Mr. Mateer, to **APPROVE** the Area Variance based on the following:

1. Per Section 144-63 (E) (1) All public notices have been filed.
2. There will not be an undesirable change in the character of the neighborhood, or a detriment to nearby properties created.
3. The benefit sought cannot be achieved in another way, other than the granting of the Variance.
4. The request is not substantial.
5. There will not be an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
6. The difficulty is self-created, however that does not preclude the granting of the Variance.

THE VOTE ON THE MOTION BEING:

| | |
|----------|-----|
| LENNARTZ | AYE |
| METZ | AYE |
| RODO | NO |
| MATEER | AYE |
| BOWERS | AYE |

The Motion being **FOUR (4)** in favor and **ONE (1)** opposed, the Motion to **GRANT** the Variance is **PASSED**.

There being no further business to be presented to the Board at this time, the Chair adjourned the meeting at 8:52 P.M.

DATED: 6/12/2024
REVIEWED: 6/18/2024

Respectfully submitted,
Anna Worang-Zizzi

Ms. Lauren Kaczor Rodo, Chairwoman
Zoning Board of Appeals