

TOWN OF EDEN
ZONING BOARD OF APPEALS
2795 EAST CHURCH ST, EDEN, NY 14057

PUBLIC HEARING DATE: April 19, 2018

BOARD MEMBERS PRESENT: Kristin Kent, Chair
Phil Muck
Curtis Neureuter
Joseph Winiecki
Drew Reidel
Doug Schaeu
Candice Pineau

APPLICANT PRESENT: Mr & Mrs. Michael Preischel

OTHERS PRESENT: Gary Sam – Town Board Member
Jesse Baker – Code Enforcement Officer

RESIDENTS: Lillian Wierzba, Bonny Mombrea, Ronald Wierzba, Penny Grinell, Susan Pratt, Paul Osinski, Robert & Dorothy Sluttenlacher, Don Preischel, Mr. & Mrs. Michael Demler

RE: **Appeal No. 2018-3 (Preischel)**
8133 East Eden Road
Eden, NY 14057

Ms. Kent called the hearing to order at 6:59 p.m.

Mr. Winiecki made a motion to approve the minutes from the January 18, 2018 meeting for Ms. Renee Allen’s hearing: Seconded by Mr. Neureuter. All members voted “Aye.” The minutes were approved.

Ms. Kent then read the following Legal Notice published in the “The Sun”:

Preischel: Application for a permit at 8133 East Eden Road in the local business district, under Code section 225-36 B (3), to enlarge or intensify a nonconforming residence’s property use by the construction of a garage.

Ms. Kent stated that our secretary, Ms. Diane Herzog reviewed the Certified Mailings and they are in substantial compliance with our Code requirements. Ms. Kent then explained the order of hearing and appeal process. If the applicants don’t like the decision of this board they can appeal to New York State Supreme Court; the decision of this board will be filed with the Town Clerk.

Ms. Kent then asked the applicant to give this board why they would like to build this garage addition, and noted he submitted a nice-done plan.

The board then reviewed the requirements for a variance to intensify a non-conforming property, and asked Mr. Preischel the following questions: *(answers in italics)*

- **Describe the changes you would like to make.** *We would like to build a 46' x 26' attached garage addition to the rear of the house.*
- **Do you believe the changes are a reasonable adjustment to your property?** *We need an attached garage, there is a little bit of the house that is there because we need a first-floor laundry since our knees are really bad.*
- **Would there be any undesirable change to your neighborhood?** *No, the architect we are using he is known for blending it all in and making it look like it's not even an addition on to the house. Aesthetically I don't think it will look odd.*
- **Will there be any change to parking on your driveway or spaces you need for visitors?** *No.*
- **Will you still be able to allow access for police and fire?** *Yes*
- **All the changes will be on your lot?** *Yes*
- **What is the height of the new garage?** *18'*
- **What will be your total lot coverage after you build this attached garage?** *.16 - We have 16 acres*
- **When will you build this?** *As soon as the weather breaks.*
- **The applicant indicated on the Short Environmental Assessment form that this will be connected to city water and sewer?** *I answered that question incorrectly as we already have a connection to water through Erie County.*
- **Will you have electricity in garage?** *Yes*
- **Will the garage be slab on grade?** *Yes, no basement or crawl space.*
- **Will the garage be sided?** *Yes, it will be vinyl siding.*

Ms. Kent made a motion to grant Mr. Preischel permission to construct a garage addition under code 225-36(B)(3) which will intensify his residential property use in the Local Business Zone; Seconded by Mr. Winiecki; all “Ayes” motion approved. Ms. Kent –Aye, Mr. Neureuter –Aye, Mr. Muck –Aye, Mr. Winiecki – Aye, Mr. Reidel – Aye.

Respectfully submitted,
Diane Herzog, Secretary
April 19, 2018

The above minutes were reviewed and approved on _____, 2018 by
