

A meeting of the Village of Middleport's Zoning Board of Appeals was held on Thursday, May 26, 2022, at 5:30 p.m. in the Village Hall to address an application for an Area Variance permit to build an addition at the residence located at 6 Alfred Street, Middleport, NY.

Present were ZBA members Barbara Albone, Richard Scarborough, and Chairperson Richard Schweigert. Also present were attorney, Anthony Serianni, and Clerk-Treasurer Lisa VanBuren to record the minutes.

Applicant Chad Owen was present, as well.

Chairperson Schweigert led the Pledge of Allegiance.

Chairperson Schweigert opened the Public Hearing at 5:31 pm.

PLEASE TAKE NOTICE that a Public Hearing will be held by the Village of Middleport Zoning Board of Appeals, Niagara County, New York, on the 26th day of May, 2022, commencing at 5:30 p.m., at the Village Hall, 24 Main Street, Middleport, New York, to hear and consider the following property and property owner:

OWNER/APPLICANT: Chad Owen
PROPERTY LOCATION: 6 Alfred Street
(Tax Map No. 86.13-3-70)
Middleport, Niagara County, New York

APPLICATION requesting an area variance to construct an addition approximately 26 feet from the side/rear property line, less than the required 30 foot set back.

All interested parties will be heard by the Village of Middleport Zoning Board of Appeals at said Public Hearing.

At this time Mr. Owen was asked as to why he wanted this area variance and if he had considered other alternatives. Mr. Owen explained that his back porch is in need of repair which led him to designing this addition to his kitchen by adding a breakfast nook with sliding glass door access to the back yard. He was also asked if he had spoken with his neighbors and if they had any concerns. He presented a letter from the neighbors in support of the project. These are also the neighbors that the 4-foot variance is required because their property is adjacent to Mr. Owen's.

A motion was made by Mrs. Albone, and seconded by Mr. Scarborough, to close the Public Hearing at 5:41 pm. Carried, with all present voting aye.

The ZBA reviewed the following criteria:

- The addition cannot be achieved by any other means feasible to the applicant.
- There is no undesirable change to the character of the neighborhood or to nearby properties.
- The request is not substantial since the applicant is only requesting an area variance of 4 feet.
- Mr. Owen's request will not have an adverse physical or environmental impact.
- The reason for the request is because it is a corner lot which is not self-created alleged difficulty.

The ZBA having held a Public Hearing this date in the matter of an application for a Variance, as set forth in the application, and

After review and discussion, and based upon the finding to be set forth in the minutes, this Board hereby:

DENIES the request set forth in the Application.

GRANTS the requested Variance, as set forth in the Application, subject to the following conditions:

Vote: Ayes ____3____

Nays _____

There being no other business, a motion was made by Mr. Scarborough, and seconded by Mrs. Albone, to adjourn. Carried, with all present voting aye.

Meeting adjourned at 5:45 p.m.

Respectfully Submitted,

Lisa M. VanBuren
Clerk-Treasurer