

TOWN OF LOCKPORT
ZONING BOARD OF APPEALS
March 24, 2015

PRESENT: Donald Jablonski
Kevin McCabe
Will Collins, Appointed Alternate
Kevin Roth
Tim Lederhaus, Chairman

ALSO PRESENT: Brian Belson, Senior Building Inspector
Jane Trombley, Secretary
Michael Norris, Town Attorney

ABSENT: Elaine Sobieraski

The March 24, 2015 Zoning Board of Appeals meeting was called to order at 6:00 pm by Chairman Lederhaus, who then led the Pledge of Allegiance.

Chairman Lederhaus appointed Alternate Collins a full voting member due to the absence of Member Sobieraski.

MOTION made by Member McCabe, seconded by Member Collins to approve the February 24, 2015 minutes. 5 Ayes, 0 Nays, Carried.

CASE #1 **6445 Rapids Road – 152.01-1-10 – Robert A. Daeschler** - Requesting an area variance to install an 18' above ground swimming pool closer than the 10' setback requirement. Mr. Daeschler presenting.

Chairman Lederhaus opened the Public Hearing and asked Mr. Daeschler why he needs the variance. Mr. Daeschler stated due to the fence around the property and the addition to the home, it's the only way he can fit the pool.

Member Jablonski asked if it would be the same anywhere else on the property and Mr. Daeschler stated yes. Member Jablonski asked if there are any easements and Mr. Daeschler stated no, it's an open field behind the fence.

Hearing no other comments, Chairman Lederhaus closed the Public Hearing.

MOTION made by Member Jablonski, seconded by Member Collins to grant Robert A. Daeschler an area variance at 6445 Rapids Road to install an 18' above ground swimming pool closer than the 10' setback based on:

1. The requested change will not produce an undesirable change in the character of the neighborhood, or be a detriment to nearby properties,
 2. The benefit sought by the applicant cannot be achieved by any other feasible method;
 3. The requested area variance is not substantial;
 4. The proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood,
 5. The difficulty was self-created, but the benefit outweighs that.
- 5 Ayes, 0 Nays, Carried.

MOTION made by Member Collins, seconded by Member Roth to approve tonight's decisions. 5 Ayes, 0 Nays, Carried.

MOTION made by Member McCabe, seconded by Member Roth to adjourn. 5 Ayes, 0 Nays, Carried.

The next Zoning Board of Appeals meeting will be April 28, 2015 at 6:00 pm.

**BY ORDER OF THE TOWN OF LOCKPORT
ZONING BOARD OF APPEALS**