

Village of Youngstown

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Tuesday, May 9, 2023

Present: Chairperson Thomas Murphy, Member Keith Hartloff, Member William Lolo, Zoning Board of Appeals Clerk Amy Beaudreau

Absent: Member Tyler Finkle, Member James Carminati, Building Inspector John Stevens

The meeting of the Village of Youngstown Zoning Board of Appeals for the application of Gary and Andrea Ireland for property located at 534 Northfield Drive, Youngstown was called to order at 7:05 p.m. by Chairperson Murphy.

The following notice was mailed to all residents within 500 feet of the property line (of the applicant) on May 1, 2023. It was also published in the Niagara Gazette on May 3, 2023.

VILLAGE OF YOUNGSTOWN ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

NOTICE IS HEARBY GIVEN THAT, pursuant to Village Law and the Zoning Ordinances of the Village of Youngstown, a public hearing will be held by the Zoning Board of Appeals, at the Village Center, in the Board Room at 240 Lockport St., Youngstown, NY on Tuesday, May 9, 2023 at 7:05 p.m. for the purpose of hearing and considering the following application for a variance:

Appeal by Gary and Andrea Ireland, for property located at 534 Northfield Drive, Tax Map ID: 45.19-1-35 from denial of building permit #005-2023 for a proposed addition. The requested setback for the addition would be 22.75' requiring a variance of 17.25'.

On-site inspection at 534 Northfield Drive will take place at 6:30 p.m. Applicant or representative must be present. Complete application is available for viewing at the Village Clerk's office during normal business hours.

*Amy L. Beaudreau
Zoning Board of Appeals Clerk*

Chairperson Murphy explained that the building permit for a proposed front entrance addition was denied due to setback requirements as per Chapter 250 of the Village Code.

Gary and Andrea Ireland were present and stated they would like to update their front stoop for multiple reasons, with the most important being safety. Mr. Ireland stated while driving around the Village he noticed at least 30 homes with an updated front entrance.

Chairperson Murphy stated that there is a 40-foot setback for homes in R11 zoning. He continued that many of the homes in the Ireland's neighborhood were actually built prior to that code and many don't have 40 feet setbacks to begin with. Using Chapter 250 section 28B, the average of the Ireland's home and neighboring properties would probably require a variance of 15 or 16 feet rather than 17 feet.

Drawings of the proposed addition were submitted with the building permit application showing a wood frame deck, house roof extension, concrete step – a sheltered entry deck to the home without walls or changes to the entrance door.

Chairperson Murphy stated that 2 other homes on the same street have front entrance extensions with similar dimensions.

Chairperson Murphy explained that the Board considers the following five questions prior to granting a variance and stated that after the question is read, he wanted each member to agree or disagree.

1. *Will the requested variance result in an undesirable change to the character of the neighborhood or be a detriment to nearby properties?*

Each Member stated no.

2. *Could the benefit sought by the applicant be achieved by a feasible alternative to the requested variance?*

The Members agreed the answer was no.

3. *Is the requested variance substantial?*

The Members agreed it was not a substantial variance.

4. *Will the requested variance have an adverse impact on the physical or environmental conditions in the neighborhood?*

The Members agreed that there would be no adverse impact.

5. *Is the need for the requested variance self-created and, if so, does that factor pose a significant obstacle to the requested relief?*

All Members agreed that the home was built with the current front entrance so it is not self-created.

A motion was made to open the public hearing by Chairperson Murphy and seconded by Member Hartloff. All in favor, motion carried.

With no public comment, a motion to close the public hearing was made by Chairperson Murphy and seconded by Member Hartloff. All in favor, motion carried.

With no further discussion, a motion to approve the variance as requested was made by Member Lolo and seconded by Member Hartloff.

Roll was called:

Member Lolo: Yes

Member Hartloff: Yes

Chairperson Murphy: Yes

All in favor, motion carried.

Chairperson Murphy stated “the application was granted on its specific facts, with no objections registered by any neighbors. The granting of the application was based in large part on the previous granting of a larger front-yard setback variance for a nearby home across the street from the subject property with nearly identical setback challenges to those faced by the current Applicant. The granting of this application reflected the existence of other front entry extensions on other nearly identical homes on the same block of Northfield Drive, and the project under consideration was considered to be in visual harmony with those other nearby structures. The Board’s decision was confined in its scope to the specific facts and merits of this particular application, and does not create a general precedent as to future Area Variance applications.”

Chairperson Murphy stated that because this is a Type II action, a SEQR is not required.

With no further discussion, a motion to adjourn the meeting at 7:16 p.m. was made by Member Hartloff and seconded by Member Lolo. All in favor, motion carried.

Respectfully submitted,

Amy L. Beaudreau
Zoning Board of Appeals Clerk
Village of Youngstown