

VILLAGE OF SPRINGVILLE
MINUTES OF THE MEETING OF ZONING BOARD OF APPEALS

January 11, 2023

7:00 P.M.

A meeting of the Zoning Board of Appeals of the Village of Springville was held virtually at the above date and time.

Present were:

Chairman:	Joe Wolniewicz
Members:	Kate Moody Jamie Raynor Kimberly Krzemien Bob Laskowski
Also Present:	Brittney Rehrauer Dave Call
Building Inspector/CEO:	Mike Kaleta (absent)
Clerk:	Kellie Grube

Chairman Wolniewicz called the meeting to order at 7:03 p.m. to hear the petition of Brittney Rehrauer, 178 East Hill Run, Springville, New York, SBL 336.18-2-15, **File #9727** for an Area Variance for fence height. In a R8.5 no fence or wall within a rear or side yard shall have a height greater than six feet.

Due to the applicant's property being located within a R8.5 District the applicable section for File #9727 of the Village Code is:

§ 200-17 Permitted Fences and walls.

A. In a residence district:

(2) No fence or wall within a rear or side yard shall have a height greater than 6 feet.

C. The height of a fence or wall shall be measured from the ground level at the base of the fence or wall; except that where there is a retaining wall, the height shall be measured from the average of the ground levels at each side of the retaining wall, and except further that any fence or wall on the uphill side of such a retaining wall may be at least four feet high, not withstanding the provisions of Subsections A and B.

At 7:00 pm, Chairman Wolniewicz opened the Public Hearing.

Chairman Wolniewicz asked the applicant to come up and explain why she was seeking an Area Variance.

Ms. Rehrauer explained that due to the contours in her property and with the intention to keep the fence even and esthetically pleasing it had to be extended. Unfortunately on that side of the property the fence was extended to 8 feet in height for approximately 30 feet. Ms. Rehrauer said that she is in talks with the

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next door neighbor on that side to purchase some of their property. If she is able to do this the fence could be moved and reconstructed to code at the 6 feet maximum.

After much discussion, the Zoning Board of Appeals felt that the application request was quite substantial. Ms. Rehrauer asked if she could have some time. She is hoping to come up with an alternative to either cutting the fence or spending a lot more money to grade the landscape. If she could enter into an agreement with the neighbor to purchase the property the Area Variance request wouldn't be needed.

The Zoning Board of Appeals agreed to table any decision to next month. They agreed to reconvene with the applicant at the February 8, 2023 meeting to see if she has found a reasonable alternative.

With there no other applications before them this evening, Chairman Wolniewicz asked if there were any changes or corrections to the September 14, 2022 minutes. With there being none, Chairman Wolniewicz asked for a motion to approve. Member Bob Laskowski made the motion, seconded by Member Moody, all in favor, none opposed.

At 7:43 p.m., Chairman Wolniewicz made a motion to adjourn the meeting, all in favor, none opposed. Meeting adjourned.

Respectfully Submitted,

Kellie R. Grube