**TOWN OF NIAGARA**

 COUNTY OF NIAGARA, STATE OF NEW YORK

 NIAGARA FALLS, N.Y.



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**AGENDA**

**TOWN OF NIAGARA**

**ZONING BOARD OF APPEALS**

**December 10, 2024**

The meeting opens at 6:30 P.M. with the Pledge of Allegiance.

**PRESENTATIONS – As of 11/19/2024**

**Charles Dahlke, RA. / Agent**

Use Variance

5797 Divide Rd.

Tax Map# 131.11-1-2

Applicant seeks relief of 3 Town of Niagara Zoning Ordinances:

1. Chapter 245 Zoning, Article III. Classes of districts, Section 245-15 compliance with code requirements, subsection 245-15 appendix A part 2. The existing Structure is defined as a legal non-conforming structure. The incorporation of the existing accessory detached garage into the proposed principal building’s design, by definition is no longer accessory but the principal use structure. As a principal use (single family dwelling) located on a corner lot the required minimum front yard setback is 40 linear feet per attachment.
2. The Existing detached Garage carries a legal non-conforming status, as its location on the corner lot does not comply with the minimum 40 linear feet setback requirement. Per chapter 245 Zoning Article VII. Nonconforming use section 245-35. General, subsection 345-35 A(2). No nonconforming building shall be enlarged, extended or increased unless such enlargement, approved by the Zoning Board of Appeals, would tend to reduce the degree of nonconformity.
3. The proposed structural alteration/reconstruction costs of the nonconforming detached garage will exceed 50% of its assessed value and do to its design will not change the structure to become in compliance with the applicable code. Chapter 245. Zoning Article VII. Nonconforming uses section 245-35. General, subsection 245-35. Disallows such alterations / reconstruction

**PUBLIC HEARING**

**Charles Dahlke, RA. / Agent**

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**REGULAR MEETING**

# MINUTES

Meeting minutes of the Zoning Board of Appeals October 8, 2024.

Next meeting of the Town of Niagara zoning Board of Appeals

January 14, 2025 at 6:30 pm