

**TOWN OF ELSMERE
BOARD OF ADJUSTMENT
MEETING MINUTES**

**August 26, 2025
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

CHAIRMAN	JAMES PERSONTI	PRESENT
BOARD MEMBER	JOHN ACTON	ABSENT
BOARD MEMBER	JOHN SMITH	PRESENT
BOARD MEMBER	KYRAH TATE	PRESENT
BOARD MEMBER	ED ZIELINSKI	PRESENT

Town Manager, Steve Martin
Code Enforcement Officer, Nicole Facciolo – Present
Code Enforcement Officer, Mark Bowers – Present

PUBLIC COMMENT:

APPROVAL OF MINUTES:

Minutes from July 22, 2025, Board of Adjustment Meeting

ACTION: Board Member Zielinski made a motion to approve the minutes from the July 22, 2025, Board of Adjustment meeting with no corrections. Board Member Smith seconded the motion.

VOTE: 4 in favor 1 Absent Motion carried

Acton – Absent, Smith – Yes, Personti – Yes, Tate – Yes, Zielinski – Yes

OLD BUSINESS: None

OPENING STATEMENT:

Administrative Assistant for the Code Department Denise Lardani read the opening statement.

NEW BUSINESS:

- 1. Review Petition 25-12, Tax Parcel # 19-00400-519**

The applicant seeks to add 160 square feet of additional impervious coverage thus bringing his lot coverage to 49% and a variance for a 2' side yard setback in lieu of the required 5' side yard setback. The Board of Adjustment will review and render a decision regarding this petition.

The applicant, John D. Myers, stated he is requesting to build a garage over partially existing impervious coverage and seeks a variance for the 5-foot side yard setback. He let it be known that on his plot plan there is a covered porch that has already been removed but the concrete that was below it is still there, and he will be using it. His reason for the garage is to store his antique cars in the garage.

The applicant supplied a letter from his next-door neighbor Brian Cole, owner of 316 S. Cleveland Avenue, stating that he is in favor of Petition 25-12. Mr. Cole is the neighbor where the 2' side yard setback is. This letter was entered into evidence as Exhibit 25-12U.

Board Member Zielinski asked as to why he is requesting 2'.

Mr. Myers stated he had previously had a shed there that had impervious coverage, and he is using that space. Also, this will free up 3' on the other side of his yard.

Mr. Myers stated all of the debris in his backyard will be cleaned up and be put in storage or just taken away. He has already started cleaning it up.

Code Enforcement Officer Nicole Facciolo read the site analysis for Petition 25-12 from the building official.

Board member Zielinski asked the applicant if he bought and flipped vehicles.

Mr. Myers said absolutely not, he has antique cars that he plans to store in the garage.

ACTION: Board Member Smith made a motion to approve the variance of a 2' side yard setback and to allow for a 49% lot coverage in lieu of the 30% lot coverage in a R1 district for Petition 25-12. Board Member Tate seconded the motion.

VOTE: 4 in favor 1 Absent Motion carried

Acton – Absent, Smith – Yes, Personti – Yes, Tate – Yes, Zielinski – Yes

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS: None

PUBLIC COMMENT: None

ADJOURNMENT:

