

Town of Shelby Zoning Board of Appeals  
Board Meeting  
Shelby Town hall  
4062 Salt Works Rd  
Medina, NY 14103  
August 22, 2017

Board Members Present:      Craig Lacy                      Chairman  
   Patti Bushover                Secretary  
   Thurston Dale  
   Larry Szatkowski

**Others Present:** None

**Call to Order:** Chairman C. Lacy called the Business Meeting to order at 7:14 p.m.  
Voice roll call was taken by P Bushover. P Bushover reported that there was a quorum present. Linda Fuller were excused.

**Old Business:** Chairman C. Lacy Called for Old business:  
**First Order of Old Business:** No Old Business

**New Business:** Called for New business:

**First Order of New Business:** is to consider the application for variance 17-04 to allow a 23' side set back to allow for the placement of a metal care port  
C. Lacy asked the ZBA to consider the five factors and state their findings.  
(See Attachment #1)

After considering the Five Factors C. Lacy called for a motion. Thurston Dale made a motion to grant the variance the side set back of 30' for the placement of a metal carport Larry Szatkowski seconded the motion. The motion passed by a unanimous roll call vote.

Reasons being: it will cause no detriment to the health, safety, and welfare of the area. The ZBA farther finds, 30' variance from Town Zone Code 510 (E) is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health and safety of the community.

No SEQAR was needed because this request is a Type 2, variance request.  
Meeting adjourned at 7:30.

**Next Meeting:**            As Needed Chairman Lacy will notify ZBA members.  
**Respectfully Submitted**  
**Patti Bushover Secretary ZBA**  
**September 13, 2017 Variance 17-04**

ZONING BOARD OF APPEALS  
AREA VARIANCE FINDINGS & DECISION

**Applicant:** Ronald D. Houseman

Application No. AV- 17-04

Date of Application: 7-28-17

**Appeal Concerns Property at the following address:**

(Postmarked or Hand Delivered)

10796 West Shelby Rd Medina, NY

Date of Public Hearing: 8-22-17

**County Tax Map Section: 112. Block:-1 Lot : 49.1**

Date notice Published: 8-15-17

**Zoning District Classification: A/R**

Date of County Referral: N/A

Date of Final Action: 8-22-17

Date of Filing Decision with the  
Municipal Clerk: 8-23-17

Requirements for which Variance is Requested: **23'**

Applicable Section of Town Zoning Code: **Section 510 E**

TEST: No area variance will be granted without a consideration by the board of the following factors:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: YES NO **X**  
Reasons: **Rural setting car port is within character of area.**
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: YES NO **X**  
Reasons: **Car port will be located on current driveway.**
3. Whether the requested variance is substantial: YES **X** NO  
Reasons: **23' Requested**
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: YES NO **X**  
Reasons: **A line of pine trees now separate the applicant's property with that of his neighbors and his driveway is currently already there.**
5. Whether the alleged difficulty was self-created: YES **X** NO  
Reasons:

