

ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION

Applicant: William Lewandowski

Application No. AV- **15-01**

Appeal Concerns Property at the following address:

Date of Application: **04-22-15**

5022 Salt Works Rd Medina

(Postmarked or Hand Delivered)

County Tax Map Section: 100 **Block** 1 **Lot** 12.11

Date of Public Hearing: **05-05-15**

Zoning District Classification: Ag-Res

Date of County Referral: **N/A**

Date of Final Action: **05-05-15**

Date of Filing Decision with the

Municipal Clerk: **05-06-15**

Requirements for which Variance is Requested:

25': Front Setback From Property Line

Applicable Section of Town Zoning Code: 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
Reasons: **The New Garage Will Change The Site Line.**
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance:
YES NO
Reasons: **The Garage Can Not Be Moved Back Because of the Septic System.**
3. Whether the requested variance is substantial: YES NO
Reasons: **25' is not over 50% of Required Front Setback of 75'**
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: YES NO
Reasons: **No Change Will Occur There are Other Garages in the Neighborhood**
5. Whether the alleged difficulty was self-created: YES NO
Reasons: **There is a Need for Vehicle and Boat Storage**

DETERMINATIONS OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, find that:

_____ the benefit to the Applicant DOESNOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

___**X**___ the benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

Reasons: **No Detriment is Foreseen**

The ZBA further finds that a variance of **25'** from section **510 E** of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because.

A Variance of 25' Will Present No Change or Detriment to the Community

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impact upon the neighborhood or community, for the reasons following:

Condition NO. 1: **All Applicable Building Codes be Adhered to**

Adverse impact to be minimized: **Shoddy Construction, Unsafe Construction**

Condition No. 2: **Variance Will Run Concurrent With the Building Permit a 12 Month Time Period.**

Adverse impact to be minimized: **Possible Changes in Zoning Regs**

Patti Bushover
Secretary Zoning Board of Appeals

05/05/15
Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY	NOT PRESENT
Chair	Craig Lacy			X
Secretary	Patti Bushover	X		
Member	Linda Fuller	X		
Member	Larry Szatkowski	X		
Member	Thurston Dale	X		