

Town of Shelby Zoning Board of Appeals
Public Hearing
Shelby Town hall
4062 Salt Works Rd
Medina, NY 14103
December 8, 2015

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

Others Present: The Applicant Scott Gonzales 10887 West Shelby Rd Medina NY 14103

Brian Murry 10899 West Shelby Rd Medina NY 14103 Neighbor to the East.

Dan Wolf Code Enforcement Officer Town of Shelby

Call to Order: Chairman C. Lacy called the Public Hearing to order at 7:00 p.m.

Voice roll call was taken by P Bushover. P Bushover reported that there was a quorum present.

Old Business: C. Lacy called for Old Business:

No old Business.

New Business: C. Lacy called for New Business:

First Order of New Business: Public Hearing for variance 15-03. To construct a 12' by 18' Amish Style Shed 24' side set back is needed from the 30' that is required by Zoning Code 510 (E)

Secretary P. Bushover read the Legal Notice (see attachment 1) which had been published in the *The Daily News* Batavia NY December 3, 2015.

The ZBA Board Members had viewed the area and had received a site plan.

Secretary P. Bushover reported that the board had received no comments regarding this Application from the public.

Chairman Lacy asked Mr. Gonzales about the location of the building and the need for it.

Mr. Gonzales replied that his lot is bi-sected by two drainage ditches and the lower part of lot is wet and the shed cannot be placed in back of house because of the septic and leach lines. Mr. Gonzales also stated that he is currently storing tool in the house and he has a snowmobile in the front yard. Mr. Gonzales also said that he had asked the neighbor to the West Arnold Mahnke 10845 W. Shelby Rd Medina NY 14103 if there would be a problem with the shed 6' from the line. Mr. Gonzales said Mr. Mahnke had no problem with the location of the shed and it was a empty lot.

The meeting was open to questions from the floor and board members.

Mr. Murry said that the requested variance of 19' was incorrect and it had been published in the paper that way and it should be corrected to 24' and republished and another Public Hearing scheduled. Chair Lacy stated that 24' was the correct amount to request. Board members suggested that the Town of Shelby's Attorney Bethany Centrona be consulted. Dan Wolf asked the Attorney to join the meeting. The Attorney stated that as long as the building is the same distance from the property line it was alright to proceed with the Hearing. Hearing no more questions or comments the Public Hearing was closed at 7:25.