

# **ZONING BOARD OF APPEALS**

## ***Minutes***

**Thursday, January 25, 2018**

**6:00 pm**

**Council Board Room**

**One Batavia City Centre, Batavia, NY**

Members present: *Bill Cox, Nick Harris, Paul McCarthy, Leslie Moma*

Members absent: Deborah Kerr-Rosenbeck, Jim Russell

Others present: Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

### **I. Roll Call**

Roll call of the members was conducted. Four members were present and Chairman McCarthy declared a quorum.

### **II. Call to Order**

Mr. McCarthy called the meeting to order at 6:01 pm.

### **III. Pledge of Allegiance**

### **IV. Approval of Minutes**

There were no corrections to the minutes. Mr. McCarthy assumed the motion and the minutes were approved by unanimous consent.

**RESULT: Approval of November 16, 2017 minutes.**

### **V. Zoning Board of Appeals statement**

Mr. McCarthy explained the role of the Zoning Board of Appeals and the procedures it follows.

### **VI. Variance Request**

Area Variance: placement of a 10' x 16' one story wood frame shed in the east side yard

Address: 25 Verona Ave.

Applicant: Carol Mooney, owner

Actions: 1. Review application  
2. Public hearing and discussion  
3. Action by the board

#### **1. Review Application**

Acting Vice Chair Bill Cox read the summary of the proposal.

## 2. Public Hearing and Discussion

**MOTION:** Mr. McCarthy moved to open the public hearing; the motion was seconded by Mr. Harris, and on roll call, was approved 4-0.

**RESULT: Public hearing opened at 6:05 pm.**

The applicant, Ms. Mooney, said that there is already a concrete pad in place next to the house where the previous shed was located. They would like to place the new shed on the existing pad.

There was no one present who wished to speak, and no calls, letters, or email concerning the proposal.

**MOTION:** Mr. McCarthy moved to close the public hearing; the motion was seconded by Mr. Cox, and on roll call, was approved 4-0.

**RESULT: Public hearing closed at 6:06 pm.**

## 3. Action by the Board

Mr. Cox asked about the color of the shed. Ms. Mooney explained that the shed will be constructed of cedar.

Ms. Moma asked if the shed will face the street, and Ms. Mooney answered yes.

Ms. Moma asked what happened to the previous shed. Ms. Mooney responded that it had been dilapidated, so they hired someone to demolish it and take it away.

Mr. McCarthy went through the list of supporting criteria for the variances:

- Undesirable change in neighborhood character: no
- Alternative cure sought: no
- Substantiality: not substantial
- Adverse effect or impact on neighborhood/community: no
- Self-created: no, it's just a replacement

**MOTION:** Mr. McCarthy moved to approve the variances as submitted, with 60 days to obtain the permit; the motion was seconded by Mr. Harris, and on roll call, was approved 4-0.

**RESULT: Approval of Area Variance.**

## VII. Setting of Next Meeting: February 22, 2017

## VIII. Adjournment

Mr. McCarthy moved to adjourn the meeting at 6:12 pm; Mr. Harris seconded. All voted in favor.



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Meg Chilano

Bureau of Inspection Secretary