

ZONING BOARD OF APPEALS
Minutes
Thursday, July 23, 2015
6:00 pm
Council Board Room
One Batavia City Centre, Batavia, NY

Members present: *Jeffrey Gillard, Lee Hyatt, Paul McCarthy*

Members absent: William Hayes, Sandra Licata

Others present: Doug Randall - Code Enforcement Officer, Janice Smith - Recording Secretary

I. Roll Call

Roll call of the members was conducted. Three members were present and Chairman Gillard declared a quorum.

II. Call to Order

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

III. Pledge of Allegiance

IV. Approval of Minutes from June 25, 2015 Meeting

MOTION: Mr. Hyatt moved to approve the minutes; the motion was seconded by Mr. McCarthy, and on roll call, was approved 3-0.

Result: Approval of June 25, 2015 minutes.

V. Zoning Board of Appeals statement

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

VI. Variance Request

Placement of a 4' tall, metal wire and T-post fence within the required 15' set back along the west property line

Address: *1 Prospect Avenue*

Applicant: Frank Zinni, owner

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

1. Review Application

Acting Vice Chairman Hyatt read the proposal summary for the board.

2. Public Hearing and Discussion

Mr. Gillard opened the public hearing at 6:06 pm. Mr. Gillard closed the public hearing at 6:06 pm.

Mr. Zinni said that the tenant has small children and because the yard slopes away to the west, a fence would provide some security. According to Mr. Zinni, the fence should not interfere with any line of sight.

Mr. Gillard asked if it would be possible to run the fence from the corner of the house rather than the corner of the porch. He pointed out that it would square off the yard and make it easier to mow the grass. Mr. Zinni suggested that having the fence go up to the porch may be safer because it would prevent the children jumping off the porch.

Mr. Gillard reported that the Genesee County Planning Board recommended approval.

3. Action by the Board

Mr. Gillard went through the list of supporting criteria for the variance:

- Undesirable change in neighborhood character: no
- Alternative cure sought: no
- Substantiality: not substantial
- Adverse effect or impact on neighborhood/community: no
- Self-created: no

MOTION: Mr. McCarthy moved to approve the application as written, with 60 days to obtain the permit. The motion was seconded by Mr. Hyatt, and on roll call, was approved 3-0.

Result: Approval of Area Variance

VII. New Business

VIII. Setting of Next Meeting: August 27, 2015

IX. Adjournment

Mr. McCarthy moved to adjourn the meeting at 6:15 pm. The motion was seconded by Mr. Gillard. All voted in favor.



Meg Chilano

Bureau of Inspection Clerk