

ZONING BOARD OF APPEALS MINUTES

April 28, 2010

7:00 p.m.

Present: Joel H. Seachrist, Esq.
Michelle McIntyre, Chairwoman
Thomas Danielson
Douglas Hooper
Denise Klizek
Richard Nygren

A public hearing before the Zoning Board of Appeals of the Town of Busti was held on Wednesday, April 28, 2010 at 7:00 p.m. at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York, to consider the following applications:

Application of Ronald and Nancy Hicks, 2403 Keller Road, Ashville, New York 14710, for a variance to install a removable, 4'w x 8'1 x 8'h storage shed on spoils area of said property. Property is owned by them and is known as Section 367.20, Block 1, Lots 53 and 54 of the official tax map of the Town of Busti. Property is in the Multi-Family Residential District.

Mr. Ronald Hicks appeared and indicated that he lives at said property year-round and that he would use the shed for storage. The Board reviewed the balancing test for a variance and determined that the benefit to the applicant outweighed any detriment to the neighborhood. Douglas Hooper made the following motion, which was seconded by Thomas Danielson: "I make a motion to grant the application of Ronald and Nancy Hicks, 2403 Keller Road, Ashville, New York for a variance to install a removable 4' by 8'1" by 8' high storage shed on the spoils area of said property. The shed shall be situated 8' from the south boundary and 4' from the canal." All aye.

Application of James Paul, 4705 Kortwright Road, Jamestown, New York 14701, for a variance to build a 16' x 24' deck on the east front corner of existing home of said property. Property is owned by him and is known as Section 452.00, Block 2, Lot 37 of the official tax map of the Town of Busti. Property is in the Conservation Agricultural District.

Mr. James Paul appeared and advised that the deck will not be covered, will have a railing, and will include two sets of steps: one toward the road and one toward the back lawn. The Board reviewed the balancing test for a variance and determined that the benefit to the applicant outweighed any detriment to the neighborhood. Thomas Danielson made the following motion, which was seconded by Richard Nygren: "I make a motion to grant the application of James Paul, 4705 Kortwright Road, Jamestown, New York, for a variance to build a 16' by 24' deck at the east front corner of existing home." All aye.

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Application of Steven Davis, 78 Creek Road, Jamestown, New York 14701, for a variance to build a 20' x 40' lean-to 25' from the north property line of said property. Property is owned by him and is known as Section 454.00, Block 1, Lot 18 of the official tax map of the Town of Busti. Property is in the Conservation Agricultural District.

Mr. Steven Davis appeared and the need for a variance was discussed. Following due deliberation, the Board reviewed the balancing test for a variance and determined that the benefit to the applicant outweighed any detriment to the neighborhood. Thomas Danielson made the following motion, which was seconded by Doug Hooper: "I make a motion to grant the application of Steven Davis, 78 Creek Road, Jamestown, New York 14701, for a variance to build a 20' x 40' lean-to 25' from the north property line of said property." Michelle McIntyre, Richard Nygren, Thomas Danielson, Douglas Hooper, aye; Denise Klizek opposed.

Upon motion made by Michelle McIntyre the meeting was adjourned at 8:00 p.m.

Respectfully given,

Dena Hirliman
Deputy Town Clerk