

ZONING BOARD OF APPEALS MEETING MINUTES – FINAL  
WEDNESDAY, SEPTEMBER 26, 2018

MEMBERS PRESENT:

Rocco Mancini, Chairman  
Stephanie Fitzpatrick  
John Schneider  
Phillip Zemke

MEMBERS ABSENT:

Ingrid Kulick

ALSO PRESENT:

Chairman Mancini opened the meeting at 7:00 p.m.

**Public Hearings:**

1. **Fowler Area Variance** – Byron Glen Fowler was present for his area variance application to place a 576 square foot detached garage in front of the front building line of the dwelling on property located at 57 Fowler Lane in the A5A zoning district, tax grid number 6470-00-177840. Chairman Mancini read the legal notice that was posted in the paper and sent to neighboring landowners. Chuck Schafer from Country Craftsman was also present. The garage was ordered and built when they found out they needed a variance. The garage is a long way back from Round Lake Road but because this property gains access from Fowler Lane which is a private road, the front property line is calculated from Round Lake Road. There are intervening properties between this garage and Round Lake Road.

Hearing no public comment, Mr. Zemke motioned that the ZBA close the public hearing for the Fowler area variance. Ms. Fitzpatrick seconded.

Chairman Mancini	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Absent		

Motion carried 4-0.

The Board completed the Findings and Decision for the Fowler area variance as follows: an undesirable change will not be produced in the character of the neighborhood; the benefit sought by the applicant cannot be achieved by a feasible alternative to the variance; the requested variance is not substantial; the variance will not have an adverse impact on the physical or environmental conditions in the neighborhood; and the alleged difficulty is not self-created because it was an interpretation by the Building Inspector that the front yard extends through three separate yards to get to the street. The benefit to the applicant does outweigh the detriment to the neighborhood or community. There were no conditions.

Mr. Schneider motioned that the Zoning Board of Appeals approve the Findings and Decision for Byron Glen Fowler to allow the placement of a garage to be located in front of the front building line of the dwelling. Mr. Zemke seconded.

Chairman Mancini	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Absent		

Motion carried 4-0.

The applicant may now file for a building permit for the garage.

- 2. **Minor Area Variance** - Ross Caridi from Valley Pools was present as the authorized representative for Brad Minor for his area variance application to allow the placement of a storage shed approximately 10 feet from the side property line where 35 feet are required in the A3A zoning district. The property is located at 735 Salisbury Turnpike, tax grid number 6471-00-641238. Chairman Mancini read the legal notice that was posted in the paper and sent to neighboring landowners. Mr. Caridi said we installed the pool on this property. There is an existing shed that has been there for many, many years so we just put this shed right behind it towards the back of the yard. There is no other spot to put the shed due to the sloping topography of the property. There is a fence around the yard and the pool. The fence is on the property line.

Hearing no public comment, Ms. Fitzpatrick motioned to close the public hearing for the Minor area variance. Mr. Schneider seconded.

Chairman Mancini	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Absent	Motion carried 4-0.	

The Board completed the Findings and Decision for the Fowler area variance as follows: an undesirable change will not be produced in the character of the neighborhood; the benefit sought by the applicant cannot be achieved by a feasible alternative to the variance; the requested variance is not substantial; the variance will not have an adverse impact on the physical or environmental conditions in the neighborhood; and the alleged difficulty is self-created. The benefit to the applicant does outweigh the detriment to the neighborhood or community. There were no conditions.

Mr. Schneider motioned that the Zoning Board of Appeals approve the Findings and Decision for Brad Minor to allow the placement of a storage shed to be approximately 10 feet from the side property line where 35 feet are required. Ms. Fitzpatrick seconded.

Chairman Mancini	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Absent	Motion carried 4-0.	

This shed does not require a building permit because it is less than 144 square feet.

**Applications:**           None

**Discussion Items/Correspondence:**           None

**Administrative Items:**

Town of Milan Zoning Board of Appeals Meeting Minutes – Final – 09-26-18

- **Approval of Minutes:** A motion was made by Mr. Zemke that the Zoning Board of Appeals accepts the minutes of the August 29, 2018 meeting as amended. Ms. Fitzpatrick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	A	Phillip Zemke	Aye
Ingrid Kulick	Absent		

Motion carried 4-0.

A motion was made by Ms. Fitzpatrick and seconded by Mr. Zemke to adjourn the meeting at 7:18 p.m.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Absent		

Motion carried 4-0.

The next regular meeting will be held on Wednesday, October 24, 2018 at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk  
Planning and Zoning

cc: Catherine Gill, Town Clerk  
Town Board