

DRAFT

**ZONING BOARD OF APPEALS  
TOWN OF CANADICE**

Canadice Town Hall

May 11, 2016

Present: Linda Moorhouse, Chairperson  
Diane Horning  
Marty Gascon  
Bob Best, CEO  
Board Member Ed Bott absent

Guest: Steve Engard  
Robert Buhr

**PUBLIC HEARING - BUHR**

Chairperson, Linda Moorhouse called the meeting to order at 7:30 p.m. Chairperson, Linda Moorhouse introduced the Zoning Board of Appeals members and stated that a quorum was present to hear the application. The criteria, which the Zoning Board of Appeals uses to make decisions regarding an area variance, were reviewed.

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
- Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance.
- Whether the requested area variance is substantial.
- Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- Whether the alleged difficulty was self-created, in which consideration shall be relevant to the decision to the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Chairperson, Linda Moorhouse then read permitted action for the Zoning Board of Appeals.

L. Moorhouse - Bob, can you tell us about the variance request.

B. Best - Mr. Buhr needs 50 ft. for the front set back and he only has 44 ft. from Burch Hill Rd.

L. Moorhouse - We are only dealing with the one variance, correct?

B. Best - Yes. At the preliminary hearing it was decided that the side set back was OK. He has 19 ft. from one side and he has 28 ft. from the other. Because it is that triangle parcel that the county owns.

L. Moorhouse - So, we are only concerned with the 44 ft. from Burch Hill Rd.?

B. Best - Yes.

L. Moorhouse - Mr. Buhr, do you have anything else that you want to add at this time?

R. Buhr - No, I don't

L. Moorhouse - Asked the Board Members if they had any questions. They did not.

D. Horning - Motion to close the Public Hearing, seconded by M. Gascon, all in favor.

L. Moorhouse - Asked the secretary to read the Public Hearing notice from the Daily Messenger.

Roll Call Vote to accept or deny:

Chairperson, L. Moorhouse, **YES**, D. Horning, **YES**, M. Gascon, **YES**

Chairperson, L. Moorhouse - 1. No, 2. No, 3. No, 4. No, 5. Yes – **YES**

Diane Horning - 1. No, 2. No, 3. No, 4. No, 5. Yes – **YES**

Marty Gascon – 1. No, 2. No, 3. No, 4. No, 5. Yes – **YES**

The variance was approved with a quorum of 3 ayes. Notification will be sent by letter to the applicant and the Code Enforcement Officer, Bob Best.

**Old Business**

L. Moorhouse made a motion to approve the minutes from the April 13, 2016 meeting, seconded by M. Gascon, all in favor.

L. Moorhouse made a motion to adjourn the meeting, seconded by D. Horning. All in favor and adjourned at 7:47 p.m.

Respectfully,

Stephanie Seeley, Secretary