

Town of Murray
Zoning Board of Appeals
3840 Fancher Road, Holley, NY 14470

MEETING DATE: October 2, 2023

BOARD MEMBERS PRESENT: Eric Collyer - Chair
William Silpoch
David Leach
Adam Moore

APPLICANT PRESENT: Ms. Daryl Chrisley

OTHERS IN ATTENDANCE: Joanne Maclarty, Steve Gonyo

RE: Area Variance
16817 Ridge Road
Tax id# 54.-2-30.13

Pledge of Allegiance

Mr. Silpoch made a motion to start the meeting at 7:00 pm; Seconded by Mr. Collyer. All “Ayes” motion approved.

Mr. Collyer made a motion to approve the minutes from August 28, 2023; Seconded by Mr. Leach. All “Ayes” motion approved.

LEGAL NOTICE - TOWN OF MURRAY

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of Murray will hold a public hearing on Monday, October 2, 2023 at 7:00 P.M. at the Murray Town Hall, 3840 Fancher Road, Holley, New York for an Area Variance application of Mr. & Mrs. Daryl Chrisley (“Applicant”) 16817 Ridge Road Holley, NY, tax map parcel 54.-2-30.13. Pursuant to the Town of Murray Zoning Ordinance Section 430; Business (B) District Section 436 Minimum Specifications – Side Setback: 30 feet. The proposed project does not meet the Murray Zoning Ordinance. The applicant is requesting a 10-foot side setback. All persons desiring to be heard in favor of or in opposition to this application will be heard at this public hearing. A copy of the application and supporting materials is on file and available for inspection at the Murray Town Clerk’s office during regular business hours.

Mr. Collyer asked the applicant why they are requesting an appeal for an Area Variance.

Mr. Gonyo replied that they would like to build a pole barn for storage and with the placement of the septic system and leech field this is the best location for it. They are not compliant with the side setback’s according to the Town Zoning Ordinance and need an area variance in order to get a building permit.

Mr. Collyer then read the five (5) questions required by the applicant to answer.

Answers in italics

1. Explain why the area variance, if granted, will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties.
There are homes along our road with barns. This will be in the back yard.
2. Explain why the benefit sought cannot be achieved by some feasible method other than an area variance.
There is no place to put it because of angle of property line and septic system and unkept trees lining back of property that is someone else's property.
3. Explain why the magnitude of the area variance requested is not substantial. ***Because, there are many along the road that aren't 30' of property.***
4. Explain why the area variance will not have an adverse impact on the physical or environmental conditions in the neighborhood or zoning district. ***This pole barn is for storage.***
5. Explain why the need for the area variance is not self-created. ***Property lines and septic lines were not under my control.***

Mr. Collyer asked if anyone present had any comments or questions.

Ms. Maclarty said that she is the next- door neighbor and she has no problem with the building.

Mr. Moore and members discussed the applicant having a legal document to address the placement of the building 10' from the neighboring property that they are in agreement with it. Also, having a survey to verify the property lines so that the placement of the building will be in compliance with that of the Area Variance if approved. Question's also rose about how far the setbacks are from the leech field to be in legal compliance with the County Health Department.

Mr. Collyer made a motion to table the hearing until the applicant can produce documents that will be required for an Area Variance approval. A Survey of the property and Legal Agreement of placement of the pole barn from neighbor. Seconded by Mr. Silpoch; All "Ayes" motion approved.

Mr. Silpoch made a motion to adjourn the meeting at 7:20pm. Seconded by Mr. Leach; All "Ayes" motion approved.

Respectfully submitted
Diane Herzog, Clerk Zoning Board of Appeals
October 3, 2023