

**TOWN OF CAMPBELL**  
**ZONING BOARD OF APPEALS**  
**PUBLIC HEARING AND MINUTES OF**  
**SPECIAL MEETING OF March 18, 2019**

**PRESENT:** Board Members: Chairman David Swan; Albert Johnson II, Joe-Sue Nash, and Secretary to the ZBA: Michelle L. Seeley.

**ABSENT:** Darwin "Fritz" Mettler

**GUESTS:** Joseph Seeley, Michelle Johnson, Michael Kenyon

**Call to Order.**

At 6:00 p.m., Chairman Swan called the meeting to order at the meeting room of the Campbell Town Hall, 8529 Main Street, Campbell, New York.

**Prior Minutes.**

The minutes of the prior meeting of August 8, 2018 were approved and accepted by motion of Albert Johnson II seconded by Josue Nash. The motion passed by unanimous vote.

Appeal #1 of 2019 is an application from Michael Kenyon for an area variance at 8394 County Rte. 4 Campbell, NY, to allow a setback reduction from the 20' requirement to 10' from the E. edge of the property and a reduction in the rear yard setback from 80' to 10' under Article 5 Area Bulk Regulations Density Control; Section 5.1 Sub Section D of the Town of Campbell Zoning Law.

Public Hearing Notices had been sent by the Town Clerk to owners of 2 neighboring properties.

Chairman Swan declared the public hearing open at 6:04 p.m. with the following persons speaking: Michael Kenyon

Mr. Kenyon explained the reason for his request and closed his comments.

There was no other public comment and the public hearing was declared closed at 6:05 p.m.

Discussion was had among the Board.

## **FINDINGS:**

The Board discussed the evidence received and made the following findings with unanimous agreement:

1. **Change Character of the Neighborhood.** It does not create a detriment to nearby properties; the appearance should not be a problem, and in fact should improve the appearance of the property.
2. **Other Feasible Methods.** It appears that there are other feasible methods, but no other feasible ways to accomplish applicant's current objectives, without considerable cost and time added to the project.
3. **Is the Request Substantial?** The Board agreed that it is a substantial request but it was justifiable.
4. **Effect on Physical or Environmental Conditions.** The Board agreed unanimously on the following: There is nothing to indicate an undesirable effect on the physical or environmental conditions in the neighborhood or district. There appears to be no health or safety issues.
5. **Self-created Issue.** This is relevant to the decision but doesn't necessarily preclude the granting of the variance. The Board said it was self-created.

## **DECISION:**

Based on these findings documented in the record, the Zoning Board of Appeals decides as follows:

A motion was made by Josue Nash, seconded by Albert Johnson that the Board hereby grants the variance as requested by Michael Kenyon for an area variance at 8394 County Rte. 4 Campbell, NY, to allow a setback reduction from the 20' requirement to 10' from the E. edge of the property and a reduction in the rear yard setback from 80' to 10' under Article 5 Area Bulk Regulations Density Control; Section 5.1 Sub Section D of the Town of Campbell Zoning Law.

## **Adjournment.**

There being no further business before the Board, the meeting was adjourned at 6:13 p.m., by motion of Calum Lewis and seconded by Jo Sue Nash.

Respectfully submitted,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Michelle Seeley, Secretary to  
Town of Campbell Zoning Board of  
Appeals

**Dated:** March 19, 2019.