

Chairperson Michael Kunzer called the regular meeting of the Zoning Board of Appeals of the Town of Walworth to order at 7:00 PM. The members present were Michael Kunzer, Christine Kubida, Charles Buss, and Becky Appleman. Phil Williamson, Code Enforcement Officer was also present. Tiffany Paine-Cirincione, Zoning Board member, was absent from the meeting. Due to the COVID-19 pandemic and to comply with CDC social distancing, the meeting was held at the Walworth Town Hall, accessible live to the public.

Chairperson Kunzer asked if there were any corrections to the minutes of October 5, 2020. Chairperson Kunzer said a correction needed to be made since Becky Appleman was written as being present at the meeting on one line, which is correct, but she was written as absent on another line. Becky Appleman made a motion, seconded by Christine Kubida, to approve the minutes of October 5, 2020 as corrected. Charles Buss abstained since she was not present at the October meeting. All other members were in favor. Motion carried.

Chairperson Kunzer addressed the first item on the Agenda.

1. Application of Glen Smits seeking an area variance for the property located at 409 Everwild Lane that does not comply with the required setback. The applicant seeks relief from Section 180-12 (G) (2) Yard Requirements. Property is zoned R- Residential. (Public Hearing)

Glen Smits of 409 Everwild Lane came forward to speak before the Board. Mr. Smits would like to have a shed on his property away from his pool and a tree in his yard by placing it 5 feet from his side property line and on his rear lot line. Mr. Smits said the 12' x 16' shed has already been placed behind the tree and is not visible from the road. Mr. Smits said he has an open swale on the back line of his property, and he borders Town of Walworth property. Ms. Kubida asked if the shed will be entirely on Mr. Smits property. Mr. Smits said it would. Mr. Smits said Norman Druschel, Walworth Building Inspector, ran a tape from the back of the house and referred to the instrument survey of the property to determine the rear property line and used the application OnX Hunt to determine the side lot line. Chairperson Kunzer asked if Mr. Smits was requesting a 9-foot variance of the required 10' setback requirement from the side property line. Mr. Smits said he is asking for a 9-foot variance. Ms. Kubida asked if there is another area on the property where he can place the shed. Mr. Smits said there is a playground and down spouts in the yard, and he does not want the shed in the middle of the yard. Mr. Smits said it would cost \$200 to move the shed, and he would have it moved if he needed to relocate the shed. Chairperson Kunzer said the shed would be in a 100-year flood plain, but Mr. Druschel advised him that the shed can be in this flood plain. Mr. Williamson said he is concerned the property line was located by running a tape from the back of the house and may not be accurate enough for this substantial variance. Mr. Williamson suggested that a survey needs to be done to determine if the shed is on Mr. Smits' property. Mr. Williamson said the Board can hold this application open until Mr. Smits is able to get a survey and ensure the shed is on his property. Chairperson Kunzer asked Mr. Smits if he would be willing to get a survey and get the property staked. Mr. Smits said he would. Becky Appleman made a motion, seconded by Christine Kubida, to table this application. All members were in favor.

Chairperson Kunzer adjourned the meeting at 7:27 PM.

Respectfully submitted,

Barbara Goulette, Clerk