

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, Becky Appleman, and Charles Buss. Phil Williamson, Code Enforcement Officer, and Norman Druschel, Building Inspector, were also present. Christine Kubida and Tiffany Paine-Cirincione, Zoning Board members, were not present. 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 November 1, 2021. Charles Buss made a motion, seconded by Chairperson Kunzer, to approve the minutes of November 1, 2021. Becky Appleman abstained since she was not present at the November meeting. All other members were in favor. Motion carried.

Chairperson Kunzer addressed the item on the agenda.

**1. Application of Joseph Monopoli seeking an area variance for the property located at 1307 Fairway 7 that does not comply with the required side setback. The applicant seeks relief from Section 180-17 PD Districts: Planned Development. Property is zoned PD-Planned Development. (Public Hearing)**

Joseph Monopoli came forward to speak before the Board. Mr. Monopoli said he is requesting a variance to place his generator close to the 7.5-foot required setback since he does not have any place else to put it. Mr. Monopoli said the neighbor's house sets back farther than his on the property, so the generator won't be close to their house. Mr. Monopoli said it would be too close to the neighbor's house on the other side of his property, and he can not place the generator in the back of the property because of the slope and the deck that runs the full length of the house. Mr. Druschel said that the slope drops 20 feet in the back of the property. Mr. Monopoli said it would be difficult to keep the generator clear of snow in the back yard, and there are 3 generators on Fairway 7. Mr. Monopoli said they have had multiple power outages in the past and it has damaged his electrical equipment. Ms. Appleman asked how close the generator will be to the property line. Mr. Druschel said the generator needs to be 18 inches from the house and the unit is 36 inches wide so he will need 40 inches for the generator, and it will be 3 feet from the property line. Mr. Monopoli said he did speak with the neighbors in regard to the generator.

Chairperson Kunzer asked if there were any more comments from the Board. No more issues were brought forward. Chairperson Kunzer closed the public hearing at 7:15 PM.

Chairperson Kunzer read the Town of Walworth Zoning Board of Appeals Variance Determination Resolution:

With regard to Application at 1307 Fairway 7 for an area variance requesting relief from 180-17 PD Districts: Planned Development.

WHEREAS, the Zoning Board has 1) duly advertised and held a public hearing, 2) has considered all relevant information, and 3) has considered the potential benefit to the applicant versus the potential detriment to the neighborhood or community in relation to such Variance(s).

NOW, THEREFORE, BE IT, RESOLVED, that the Zoning Board of Appeals makes the following findings of fact:

1. The variance requested **is** substantial since it is 36 inches from the property line.
2. The purpose of the variance **cannot** be achieved by some other feasible alternative since there is limited area for placement of the generator.
3. The variance **will not** have a negative effect on physical or environmental conditions in the neighborhood or district.
4. The variance **will not** result in an undesirable change to the character of the neighborhood or a detriment to nearby properties since others have generators.
5. The difficulty relating to the variance **was** self-created because the applicant wants a generator.

AND, BE IT FURTHER, RESOLVED, that based upon the above findings, the Zoning Board of Appeals hereby **approve** the variance.

Charles Buss made a motion, seconded by Becky Appleman, to grant Joseph Monopoli the requested area variance.

Roll Vote:	Chairperson Kunzer	Aye
	Charles Buss	Aye
	Becky Appleman	Aye

Motion carried.

Charles Buss made a motion, seconded by Becky Appleman, to adjourn the meeting. Chairperson Kunzer adjourned the meeting at 7:23 PM.

Respectfully submitted,

Barbara Goulette, Clerk