

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, Tiffany Paine-Cirincione, Christine Kubida, and Becky Appleman. Brett Malafeew, Code Enforcement Officer was also present. Charles Buss, Zoning Board member, was not present. 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 March 6, 2023. Tiffany Paine-Cirincione made a motion, seconded by Christine Kubida, to approve the minutes of March 6, 2023. All members were in favor. Motion carried.

Chairperson Kunzer addressed the first item on the agenda.

1. Application of Norman Druschel of 4122 Canandaigua Road seeking an area variance at 4122 Canandaigua Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Chairperson Kunzer opened the public hearing at 7:03 PM.

Norman Druschel of 4122 Canandaigua Road came forward to speak before the Board. Mr. Druschel said he proposes to put a shed on his property for storage while an addition is being put on his residence. Mr. Druschel said it will be located behind the front line of the house so it will comply with the front setback requirement, but it will not comply with the 15-foot side setback since the 10-foot by 14-foot shed will be 7 feet from the side property line. Mr. Druschel said the shed can not be placed in the backyard because the yard drops off behind the house, and the septic is in the backyard. Ms. Appleman asked how far it is from the garage to the proposed shed. Mr. Druschel said it is about 8 feet. Ms. Kubida asked if the shed location meets the required distance from the garage. Mr. Malafeew said the garage is not the primary structure and the accessory structure is not in front of the house front line, so it meets the required distance from the garage.

Chairperson Kunzer asked if there were any comments from the public. Nobody was present from the public. Chairperson Kunzer closed the public hearing at 7:09 PM. Chairperson Kunzer asked if there were any more comments from the Board. No more issues were brought forward.

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

With regard to Application at 4122 Canandaigua Road for an area variance requesting relief from 180-21(B) Accessory buildings.

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 5 feet of the required 15-foot setback.
2. The purpose of the variance **cannot** be achieved by some other feasible alternative because the land slopes in the rear and there is a leach field in the rear.
3. The variance **will not** have a negative effect on physical or environmental conditions in the neighborhood or district since it will have no impact.
4. The variance **will not** result in an undesirable change to the character of the neighborhood or a detriment to nearby properties.
5. The difficulty relating to the variance **was** self-created since the owner wants a shed.

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

Tiffany Paine-Cirincione made a motion, seconded by Christine Kubida, to grant Norman Druschel the requested area variance. All members were in favor. Motion carried.

Becky Appleman made a motion, seconded by Tiffany Paine-Cirincione, to adjourn the meeting. Chairperson Kunzer adjourned the meeting at 7:13 PM.

Respectfully submitted,
Barbara Goulette, Clerk