

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, Charles Buss, Christine Kubida, and Becky Appleman. Brett Malafeew, Code Enforcement Officer was also present. Tiffany Paine-Cirincione, Zoning Board member, was not present. The meeting was held at the Walworth Town Hall.

Chairperson Kunzer addressed the first item on the agenda:

**1. Application of Robert Gotschall of 1731 Waterford Road seeking an area variance at 1731 Waterford Road that does not comply with the required setback. The applicant seeks relief from Section 2, Waterford Road Subdivision Approved Plans for required front setbacks. Property is zoned PD-Planned Development. (Public Hearing)**

Chairperson Kunzer said since this property is in a Planned Development, the restrictions are on Map G80 of the Waterford Road Subdivision Section 2 which states the setback requirement on this lot is 34 feet.

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

Adam Bulbulian of AB Custom Creations Inc. came forward to speak before the Board on behalf of Robert Gotschall. Mr. Bulbulian said the applicant is requesting a 6.02-foot variance. Chairperson Kunzer asked if there is an existing porch. Mr. Bulbulian said there is an existing porch that does not extend out as far as the proposed porch. Chairperson Kunzer said the application states that a neighboring house has the same porch. Mr. Gotschall said the porch will be an open porch.

Chairperson Kunzer asked if there were any comments from the Board. No issues were brought forward. Chairperson Kunzer asked if there were any comments from the public. No issues were brought forward. Chairperson Kunzer closed the public hearing at 7:06 PM.

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

With regard to Application at 1731 Waterford Road for an area variance requesting relief from Section 2, Waterford Road Subdivision Approved Plans for required front setbacks.

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 not very substantial since it is roughly 6 feet.
2. The purpose of the variance cannot be achieved by some other feasible alternative because there was already a front porch there.
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 other homes in the area have the same thing.
5. The difficulty relating to the variance was self-created in their wish to have a front porch.

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 Christine Kubida, to grant Robert Gotschall the requested area variance of 7 feet. All members were in favor. Motion carried.

Chairperson Kunzer asked if there were any corrections to the minutes of November 6, 2023. Charles Buss made a motion, seconded by Becky Appleman, to approve the minutes of November 6, 2023. All members were in favor. Motion carried.

Charles Buss made a motion, seconded by Becky Appleman, to accept the 2024 Zoning Board calendar. All members were in favor. Motion carried.

Charles Buss made a motion, seconded by Becky Appleman, to accept the 6:30 PM meeting time on the 2024 Zoning Board calendar. All members were in favor. Motion carried.

Becky Appleman made a motion, seconded by Charles Buss, to adjourn the meeting. Chairperson Kunzer adjourned the meeting at 7:12 PM.

Respectfully submitted,

Barbara Goulette, Clerk

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