

Chairperson Michael Kunzer called the regular meeting of the Zoning Board of Appeals of the Town of Walworth to order at 6:30 PM. The members present were Michael Kunzer, Christine Kubida, and Becky Appleman. Charles Buss and Tiffany Paine-Cirincione, Zoning Board members, were not present.

Chairperson Kunzer asked if there were any corrections to the minutes of December 2, 2024. Christine Kubida made a motion, seconded by Becky Appleman, to approve the minutes of December 2, 2024. All members were in favor. Motion carried.

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. Property is zoned PD-Planned Development. (Public Hearing)**

Chairperson Kunzer said Mr. Gotschall is seeking relief from the front setbacks in Section 2 map G80, Waterford Road Subdivision which is 36 feet.

Christina Kubida made a motion, seconded by Becky Appleman to open the public hearing. All members were in favor. Chairperson Kunzer opened the public hearing at 6:32 PM.

Adam Bulbulian of AB Custom Creations and Robert Gotschall came forward to speak before the Board. Mr. Bulbulian said the proposal is to expand the garage forward, similar to a previous variance on this property and no further from the road than what already exists. Chairperson Kunzer said it looks like you want to bring the garage to the same frontage of the porch that was approved.

Ms. Appleman asked how many feet the garage would be extended. Mr. Bulbulian said that it will be 8 feet to match the existing porch.

Chairperson Kunzer said the driveway will be shortened by the proposed garage. Mr. Gotschall said the garage will be expanded.

Ms. Kubida asked if the neighbors had expressed any concerns. Mr. Bulbulian said not that he is aware of. Mr. Gotschall said the proposed garage extension shouldn't affect neighbors' view because the houses are parallel.

Chairperson Kunzer asked the Board if they had any more questions for the applicant. No issues were brought forward.

Becky Appleman made a motion, seconded by Christine Kubida, to adjourn the public comment. All members were in favor. Chairperson Kunzer closed the public hearing at 6:35PM.

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

With regard to the Application at 1731 Waterford Road for an area variance requesting setback relief from Section 2, Waterford Road Subdivision map G-80 34-foot setback requirement

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** substantial since the house is already two feet further back than the required setback
2. The purpose of the variance **cannot** be achieved by some other feasible alternative because a variance would be required to be larger
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.

5. The difficulty relating to the variance **was** self-created.

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

AND, BE IT FURTHER, RESOLVED, that consistent with Town Law, this approval is limited to only the specific area and minimum relief necessary to accommodate the particular development proposed in the subject application.

Becky Appleman made a motion, seconded by Christine Kubida, to grant Mr. Gotschall the requested area variance.

Christine Kubida	Aye
Chairperson Kunzer	Aye
Becky Appleman	Aye

Motion carried.

Chairperson Kunzer addressed the second item on the agenda:

**2. Application of Yuri Zdunek of 4345 County Line Road seeking an area variance at 4345 County Line Road that does not comply with the required setback. Property is zoned RR1-Rural Residential. (Public Hearing)**

Chairperson Kunzer said Mr. Zdunek is seeking relief from Walworth Town Code 180-10F.

Christina Kubida made a motion, seconded by Becky Appleman to open the public hearing. All members were in favor. Chairperson Kunzer opened the public hearing at 6:43PM.

Yuri Zdunek of 4345 County Line Road came forward to speak before the Board. Mr. Zdunek said they are hoping to build an addition off the master bedroom for additional storage. Mr. Zdunek explained that there is a pool on one side and the septic is on the other, so the proposed location is the only option.

Chairperson Kunzer asked if the area being added on to was an addition in 2003. Mr. Zdunek explained that the house was originally a single room schoolhouse that has had many additions.

Chairperson Kunzer asked if the property was located on a corner lot. Mr. Zdunek said the property is a corner lot and the side of the house will have a frontage setback. Ms. Appleman asked how many feet from the proposed addition to the road. Mr. Zdunek said 33.7 feet to the right of way. Chairperson said the setback is 60 feet and the property is already 45 feet and close to the road, so would be considered a pre-existing non-conforming house.

Chairperson Kunzer asked if the garage is on the line that you are looking to extend into. Mr. Zdunek said it is. Ms. Kubida asked if any trees would need to be taken down. Mr. Zdunek said one pine tree will be removed, but the rest will stay. Chairperson Kunzer asked if there would be a full foundation. Mr. Zdunek said there will be a full basement because they are very limited in storage.

Chairperson Kunzer said there was a condition placed on the previous area variance for the property that limits setbacks to 45 feet from the road. Mr., Kunzer said he feels that conditions can be changed.

Ms. Appleman said 33 feet is pretty close when the setback is supposed to be 60 feet. Chairperson Kunzer said it is, but the area is very rural. Ms. Kubida said he has few neighbors and it is not located on a main road.

Chairperson Kunzer asked the Board if they had any more questions for the applicant. No issues were brought forward.

Christine Kubida made a motion, seconded by Becky Appleman, to close the public hearing. All members were in favor. Chairperson Kunzer closed the public hearing at 6:49PM.

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

With regard to the Application at 4345 County Line Road for an area variance requesting relief from 180-10F

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 the house is preexisting and already closer than the setback.
2. The purpose of the variance **cannot** be achieved by some other feasible alternative.
3. The variance **will not** have a negative effect on physical or environmental conditions in the neighborhood or district since it is very rural.
4. The variance **will not** result in an undesirable change to the character of the neighborhood or a detriment to nearby properties since it will match the existing architecture.
5. The difficulty relating to the variance **was** self-created.

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

Christine Kubida made a motion, seconded by Becky Appleman, to grant Mr. Zdunek the requested area variance.

Christine Kubida	Aye
Chairperson Kunzer	Aye
Becky Appleman	Aye

Motion carried.

Becky Appleman made a motion, seconded by Christine Kubida, to adjourn the meeting. Chairperson Kunzer adjourned the meeting at 6:56 PM.

Respectfully submitted,  
Heather Behrendt, Clerk