

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Bader pointed out that the applicant is permitted two, 165 square foot structures; however, this would not be a feasible option.

Regarding question #3: *Show that the requested variance is not substantial.*

Chairman Bader recognized that two sheds at the permitted size, would total 330 square feet. The proposed structure is smaller, and more practical. Therefore, it is not a substantial request.

Mr. Wilmer agreed.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Mr. Wilmer said it will be an improvement.

Chairman Bader noted that a smaller square footage has a positive effect. It reduces the impervious surface.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Ms. Harris believes this is not a self-created hardship.

Chairman Bader noted the dilapidated condition of the previous structure. This is more of an environmentally created hardship than self-created.

Chairman Bader asked if there were any additional comments or questions. Hearing none, he called for a motion.

Mr. Wilmer moved that the board Approve the application as submitted and presented for the following reasons:

- #1. The granting of the variance will not produce an undesirable change in the character of the neighborhood create a detriment to nearby properties.
- #2. The benefit sought by the applicant cannot be achieved by some other feasible means that would not require a variance.
- #3. The variance is not substantial.
- #4. The proposed variance will not have an adverse impact on the environmental conditions in the neighborhood.
- #5. The hardship is not self-created.

Mr. Roberts seconded the motion, which *carried* with a roll call vote of (6-0):

Ryan Wilmer	Voting	YES
John Roberts	Voting	YES
Roger Brazill	Voting	YES
Julie Harris	Voting	YES
Susan Haller	Absent	
Carol Henshaw	Voting	YES

Joseph Bader Voting YES

ITEM 02 **Application #23-175: 114 Canandaigua Avenue, SHEILA DICKINSON, requesting an Area Variance necessary to construct an attached garage resulting in a 3-foot side yard setback. In accordance with Schedule 1 of Zoning Ordinance, the minimum side yard setback is 8 feet.**

Jim Spellman, the applicant's contractor, presented the application. The proposed garage will be attached to the east side of the home. The roofing and siding will match existing. A majority of the homes on the street have attached garages.

Chairman Bader opened the Public Hearing. No one came forward.

Mr. Brown mentioned one written comment was received from the neighbor most impacted. Glenn Woodard, of 118 Canandaigua Avenue, has no objection to the proposal.

Chairman Bader closed the Public Hearing.

Mr. Roberts asked for confirmation that the garage would not extend any further than the existing driveway. Mr. Spellman confirmed.

Chairman Bader directed the board to the five-part test.

This is a request for an Area Variance and the board will be weighing the benefit of the variance to the applicant against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Mr. Roberts recognized that most of the neighbors have attached garages.

Mr. Brazill mentioned the support from the impacted neighbor.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Bader said a smaller garage would not require a variance, but is not feasible.

Mr. Brazill agreed. The existing driveway would need to be moved.

Regarding question #3: *Show that the requested variance is not substantial.*

Mr. Wilmer believes it is not substantial, noting that it will be in line with the existing driveway.

Chairman Bader said the appearance of the home, with an attached garage, will fit in well with the neighborhood.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Mr. Brazill confirmed that the garage roof will slope toward the driveway and follow the roof line of the house. It will not create run off toward the neighbor's property.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Ms. Harris said the lot is rather small.

Chairman Bader recognized the changing needs of homeowners since the home was built.

Chairman Bader asked if there were any additional comments or questions. Hearing none, he called for a motion.

Mr. Roberts moved that the board Approve the application as submitted and presented for the following reasons:

- #1. The granting of the variance will not produce an undesirable change in the character of the neighborhood create a detriment to nearby properties.
- #2. The benefit sought by the applicant cannot be achieved by some other feasible means that would not require a variance.
- #3. The variance is not substantial.
- #4. The proposed variance will not have an adverse impact on the environmental conditions in the neighborhood.
- #5. The hardship is not self-created.

Ms. Harris seconded the motion, which *carried* with a roll call vote of (6-0):

Ryan Wilmer	Voting	YES
John Roberts	Voting	YES
Roger Brazill	Voting	YES
Julie Harris	Voting	YES
Susan Haller	Absent	
Carol Henshaw	Voting	YES
Joseph Bader	Voting	YES

MISCELLANEOUS

ITEM 01 Continued discussion about maximum size of accessory storage structures (sheds)

Mr. Brown spoke about the area variances that have been granted for larger accessory storage structures over the pasts 10 years. All but one was approved.

There was discussion about increasing the maximum size to 240, 288 or 300 square feet. The board voted to recommend to City Council, an amendment to the ordinance to increase the maximum square footage for accessory storage structures from 165 to 240 square feet, with a maximum of 340 square feet total for two permitted structures.

ADJOURNMENT

Mr. Roberts moved to adjourn the meeting at 7:37, seconded by Ms. Harris and carried by unanimous voice vote (6-0).