**FERNANDES AREA VARIANCE DETERMINATION**

Mr. Peckham moved, seconded by Mr. Lacey, that the area variance requested by Leonie Fernandes, 385 Boughton Hill Road, Honeoye Falls, NY, consisting of 11.83 acres, bearing Tax Account No.222.04-1-5, located in an RA-5 zone, to construct a 16’ x 24’ garage which, when added to the existing accessory structures, will exceed the 2% lot coverage allowed, by Code by 0.7%, be approved based on the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1. Ms. Leonie Fernandes appeared before the Town of Mendon Zoning Board of appeals at a public hearing on July 13, 2017.
2. The applicant wishes to construct a 16’ by 34’ (544 square foot) garage to be principally used for the storage of equipment needed for the maintenance of the property.
3. On November 2, 2006, the ZBA granted an area variance to allow the construction of a 64’ by 184’ riding arena
4. The property is substantially set back from Boughton Hill Road. Extensive shrubbery and trees along the southern, western and northern lot lines shield the property from the highway and the neighboring properties.
5. A rendering of the proposed structure is submitted with the application. Materials will include metal siding and roof colored to match the existing accessory buildings.

**CONCLUSIONS OF LAW**

* 1. The granting of this variance will not create an undesirable change in the neighborhood or to nearby properties. The property is naturally shielded from view. The immediate neighborhood has other facilities involved in keeping and boarding of horses.
  2. The request will not have adverse physical or environmental effects. This conclusion is borne out by review of the 617.20 Appendix B Short Environmental Assessment Form submitted with the application.
  3. The benefit the applicant is trying to achieve cannot be achieved by other means.
  4. The request is substantial. The difficulty is self-created.
  5. This is a type II action under SEQR.

APPROVED 7/13/17