**GOODMAN AREA VARIANCE DETERMINATION**

Mr. Lacey moved, seconded by Ms. Sciortino, that the area variance requested by Charles Goodman, 7 Bosworth Field, Mendon, NY consisting of 1.65 acres, bearing Tax Account No. 217.010-1-4.1, located in an RA-1 zone, to build an attached 4 car garage where one corner will be approximately 16 feet from the side setback, whereas town code requires a 20 foot side setback, be approved based on the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1. Charles Goodman, the property owner, appeared before the Zoning Board of Appeals at the public hearing on February 7, 2019.
2. The applicant is requesting to build a 4 car garage, such that one of its corners is approximately 16 feet from the closest property edge. Section 260-106 of the Mendon Zoning Code states RA-1 districts has a side setback of 20 feet.
3. Due to the curve of Bosworth Field, the property lines for this lot are not parallel, and the structure is more aligned with the southern border then the northern. As such, the encroachment into the setback is for a corner of the proposed structure, and not the entire side.
4. The applicant states there is an existing septic tank, which prevents moving the desired structure.
5. The applicant states there are existing multi-car garages in the neighborhood, and as such this usage would not be out of place.
6. Jeff Clark, the neighbor closest to the planned construction, submitted a letter dated February 9th 2019 stating he has no issues with the requested variance.
7. No members of the public commented during the public hearing.
8. This application is exempt from County Planning Board review under General Municipal Law 239-m pursuant to an agreement dated January 24, 1994 between the County and the Town which exempts matters set forth therein from further County review.

**CONCLUSIONS OF LAW**

1. The requested benefit can**not** be achieved by other feasible means, as the existing septic system prevents relocation of the garage.
2. The request is **not** substantial, as it is at most 4 feet of relief.
3. Upon review of Short Environmental Assessment Form (617.20 Appendix B), the board finds the request will **not** have any adverse physical or environmental effects, as it involves such a small section of land.
4. The request will **not** have an undesirable change in the neighborhood, as there are already a number of multi-car attached garages in the area.
5. The difficulty **was** self-created, as the applicant chose to have enough vehicles that they needed the additional space.
6. This is a Type II action under SEQR