**WRIGHT AREA VARIANCE DETERMINATION**

Ms Sciortino moved, seconded by Mr Maxon , that the area variance requested by Andrew Wright, 37 Drumlin View Drive, Mendon, NY, for an area variance at said property located SW of the Hopper Hills Drive intersection, consisting of 1.3 acres, bearing Tax Account No. 216.12-1-12, located in an RS-30 zone, to build a 12’ by 18’ storage shed approximately 5 feet from the side property line, whereas Town Code requires a 15 foot side setback, be approved based on the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1. Andrew Wright, the property owner appeared before the Zoning Board of Appeals at the public hearing on June 13, 2019.
2. The applicant is requesting to place a storage shed 5 feet from their side lot line. Section 260-106 of the Mendon Zoning Code states RS-30 districts have a side setback of 15 feet.
3. The eastern side of the lot is a hill. The rear of the lot has an easement for a driveway to allow neighbors to the east to reach their houses.
4. The neighbor to the west has their house directly across the lot line from the proposed shed location. There is an existing treeline along the property line in this area. The applicant states this neighbor has no concerns with this variance.
5. The applicant states that placing the shed further from the property line will render the flat portion of the yard unusable for recreational activities.
6. The intended use is for storage, utilities will not be added.
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 terrain and land usage deny the applicant other locations to place a shed.
2. The request **is** substantial, as it is a reduction of 66% of the required setback.
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 the amount of land to be covered by the shed is minuscule.
4. The request will **not** have an undesirable change in the neighborhood, as the shed will be screened by existing trees.
5. The difficulty **was** self-created, as they chose to have sufficient possessions to warrant a shed be needed.
6. This is a Type II action under SEQR