**SAUR AREA VARIANCE DETERMINATION**

Mr. Lacey moved, seconded by Ms. Sciortino, that the area variance requested by Drew Saur and Charles Woolever, 6 Bull Saw Mill Road, Honeoye Falls, NY, for an area variance at said property located at the intersection of Mendon Center and Bull Saw Mill Road, consisting of 1.01 acres, bearing Tax Account No.215.01-2-1, located in an RA-1 zone, to build a 10’ by 16’ storage shed approximately 10 feet from the rear property line, 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. Drew Saur and Charles Woolever, the property owners appeared before the Zoning Board of Appeals at the public hearing on June 27, 2019.
2. The applicant is requesting to place a storage shed 10 feet from their rear lot line. Section 260-106 of the Mendon Zoning Code states RA-1 districts have a side and rear setback of 20 feet.
3. The property is a corner lot, and as both the side and rear setbacks are the same, ‘side’ and ‘rear’ can be used interchangeable in this case.
4. There is a leach field in the open area to the north of the house.
5. There is existing foliage along the north and west sides of the property, facing the street and nearest neighbor respectively. The applicant has stated their intent to retain this screening, as well as add additional around the shed.
6. The applicant stated they intend to primarily use the shed for storage. No electric or water will 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 relocating the shed would deny the usage of other portions of the property.
2. The request is **not** substantial, as existing foliage will adequately screen the shed neighboring properties.
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 existing foliage will adequately screen the shed from neighboring properties.
5. The difficulty **was** self-created, as the applicant chose to have sufficient possessions to warrant a shed for storage.
6. This is a Type II action under SEQR