**CAROSA AREA VARIANCE DETERMINATION**

Mr. Maxon moved, seconded by Mr. Tudhope, that the area variance requested by Christopher Carosa, 2 Lantern Lane, Honeoye Falls, consisting of 0.84 acres, bearing Tax Account No. 215.02-1-50, located in an RA-1 zone, to construct a 28’ by 48’detached garage at said property, which exceeds the allowed lot coverage by approximately 612 square feet and therefore requires an area variance, be approved based on the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1. Christopher Carosa, the property owner appeared before the Zoning Board of Appeals at the public hearings on February 27, 2020 and March 12, 2020.
2. This property is located in the Skyview Estates subdivision, which was approved in 1978 as a cluster development pursuant to Town Code Section 226. Town Code Section 226-8(D)(1)(3) states that minimum lot sizes in RA-1 Zoning Districts shall be 0.75 acres. As such, the property is properly sized.
3. Section 260-8C(3) of the Town Code states the total area of all accessory buildings shall not exceed 2% of the lot area. The lot size is approximately 0.84 acres, or 36590 square feet. 2% of that, the allowed area for accessory buildings, is 732 square feet.
4. The applicant has requested a variance to construct a detached garage with dimensions of approximately 28’ x 48’, or 1344 square feet. Per the map provided to the Board, dated July 29, 1986, the applicant intends to position the garage along the northern end of their driveway.
5. There is an existing accessory structure on the lot, which the applicant intends to demolish. The items in the existing structure will be relocated to the new structure.
6. The applicant intends to use this detached garage primarily for storage.
7. The existing residence includes an attached garage.
8. There are similarly sized accessory structures on some of the nearby properties.
9. There is a leech field directly north of the residence, preventing construction in that area.
10. No members of the public commented during the public hearing.
11. 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 size of the lot and existing usage of land prevent alternatives.
2. The request **is** substantial, as it is nearly double the allowed coverage.
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 impacts such a small portion of land.
4. The request will **not** have an undesirable change in the neighborhood, as similarly sized accessory structures already exist in the neighborhood.
5. The difficulty **was** self-created, as the applicants desire for additional space is of his own making.
6. This is a Type II action under SEQR

**CONDITIONS OF APPROVAL**

1. The existing accessory structure be demolished and removed within 60 days of the issuance of the Certificate of Compliance.