

CHILI ZONING BOARD OF APPEALS
January 26, 2021

A meeting of the Chili Zoning Board of Appeals was held on January 26, 2021 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Adam Cummings.

PRESENT: Mark Merry, Fred Trott, Philip Supernault, James Wiesner and Chairperson Adam Cummings.

ALSO PRESENT: Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manger.

Chairperson Adam Cummings declared this to be a legally constituted meeting of the Chili Zoning Board of Appeals. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

ADAM CUMMINGS: Any issues with signs, Board members?

The Board indicated they had no problem with the meeting notification sign.

1. Application of Cindy Marron owner; 15 James Hollow Drive, Churchville, New York 14428 for variance to erect a shed 5.5' from rear and side property lines (8' required) at property located at 15 James Hollow Drive in R-1-20 District.

Cindy Marron was present to represent the application.

MS. MARRON: My name is Cindy Marron. I reside at 15 James Hollow Drive. And we are asking for a variance for a shed to be 5 1/2 feet off our property line instead of the 8 that is required. Just to minimize dead space behind the shed in the location that we're putting it.

ADAM CUMMINGS: I did get it and you should have it in your packet. This was deemed a local matter from the Monroe County Department of Planning and Development.

MARK MERRY: You appear to have a spacious rear yard.

MS. MARRON: Yes.

MARK MERRY: Is there a reason why you couldn't pull that shed away and not have to apply for the variance this evening?

MS. MARRON: "Pull away" meaning?

MARK MERRY: Closer to the home, away from the lot line.

MS. MARRON: You mean the 8 feet? It pulls it more into our property line where we could utilize that space for other activities.

We were planning on putting it in the corner of the back right side, which if we are to come in 8 feet off, we do have a lot of dead space behind that shed. So it is just for esthetic purposes and to be able to maximize the lawn we have in front of the shed.

MARK MERRY: Okay. Thank you.

PHIL SUPERNALT: If I was to have an angle to the corner of the lot, is this what you're proposing, the actual arrangement of the shed on the lot (indicating)?

MS. MARRON: Can I just view that? My boyfriend drew it. I want to make sure. We want to put it on an angle, not straight, just to make it look a little better.

ADAM CUMMINGS: To be clear, if we grant this, you can orient it as you want, but you just can't have it closer to any of those lot lines than 5 1/2 feet. If it is not granted tonight, it has to be 8 feet from the property lines.

MS. MARRON: Okay.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Adam Cummings made a motion to close the Public Hearing portion of this application, and Fred Trott seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: I will place one condition of approval. You will have to get a -- well, hold on.

Let me make sure of the size on this thing. I always skip that stuff. How big is the shed?

PAUL WANZENRIED: 12 by 16.

ADAM CUMMINGS: You're testing my math.

PAUL WANZENRIED: Needs a building permit.

ADAM CUMMINGS: Needs a building permit. Thank you. You started that process with the Building Department and then they denied it to bring it to here, so just continue to -- working with the Building Department.

MS. MARRON: Okay.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type II Action with no significant environmental impact, and James Wiesner seconded the motion. The Board all voted yes on the motion.

Fred Trott made a motion to approve the application with one condition, and Mark Merry seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 5 yes with the following condition:

1. Building permit must be obtained.

The following findings of fact were cited:

1. Location of shed does not adversely encroach neighboring properties.
2. There are numerous surrounding properties with similar structures in the vicinity of this proposed structure.

ADAM CUMMINGS: Now, minutes. Approval of last month's minutes.

Philip Supernault made a motion to accept and adopt the 12/15/21 Zoning Board of Appeals meeting minutes, and James Wiesner seconded the motion. All Board members were in favor of the motion.

Adam Cummings made a motion to adjourn the meeting, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

The meeting ended at 7:08 p.m.