

**TOWN OF WALES
ZONING BOARD OF APPEALS
PUBLIC HEARING MEETING MINUTES
June 17, 2026**

The meeting of the Zoning Board of Appeals of the Town of Wales was held on the 17th day of June 2026 at the Wales Town Courthouse, 11006 Emery Road, South Wales, New York.

CALL TO ORDER

Chairman Edward Wilkolaski called the meeting to order at 6:11 p.m. EST

ROLL CALL

Chairman Edward Wilkolaski – present

Board Member Mark Gietler - present

Board Member Russ Clothier Jr. - present

Board Member Kevin Ingraham – present

Board Member James Cornell – present

OTHERS PRESENT

Applicants – Andrew and Loren Pudlewski

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MOTION # __ By Zoning Board of Appeals Member Mark Geitler, second by Zoning Board of Appeals Member Russell Clothier Jr., to accept the Zoning Board of Appeals Agenda of June 17, 2026. Carried ayes-5 nays-0

ACCEPTANCE OF MINUTES OF PRIOR MEETING

MOTION # __ By Zoning Board of Appeals Member Mark Geitler, second by Zoning Board of Appeals Member Kevin Ingraham, to accept the Zoning Board of Appeals Workshop meeting minutes of June 2, 2026. Carried ayes-5 nays-0

OLD BUSINESS – none.

NEW BUSINESS

CASE#1 Applicants: Andrew and Loren Pudlewski SBL# 202.00-2-57.1

The applicants at 6113 Vermont Hill Road, South Wales, New York would like to appeal the allowance for a detached accessory building located in front of the primary building: *Wales Code Section 200-22* - Area Variance. 4-2026

Public Hearing:

The Chairman invited the Applicants to present the proposed project. The Board confirmed that there have been no significant changes to the proposal since the previous workshop meeting.

The Applicants stated they sent out all the certified neighbor notification letters were sent out.

No objections or negative feedback were received. There was one neighbor that inquired about the project but none that objected to the project. There is landscaping in the plans for the future.

It was suggested by the Board that landscaping would better screen the structure from the road.

No additional public comments or questions were raised.

Board Discussion:

The structure will be approximately 25' x 50'. The placement and orientation were reviewed and the Chairman asked if any of the Board Members drove by and saw the proposed project area which was in the affirmative. It was stated that the location is set back from the road and positioned near existing trees. There were questions raised about the exterior aesthetics of the project. The Applicants explained that the exterior color, which is named clay, will match the house. A future roof plan will also align with the home. Setback from property line confirmed to be approximately 20+ feet. The removal of some trees was discussed, and no major concerns were raised. The proposed structure is consistent with similar accessory buildings in the area.

Board Deliberation:

The Chairman explained the Board deliberation process. He stated that the questions asked can be all Aye or Nay and still have an opinion of opposing or granting a variance. He stated the Board will need a few minutes to go over the five questions then we will deliberate.

The Board reviewed the application according to the required five factors:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties.

ZBA Chairman Edward Wilkowlaski - No

ZBA Board Member Mark Geitler - No

ZBA Board Member Russell Clothier, Jr. - No

ZBA Board Member Kevin Ingraham – No

ZBA Board Member James Cornell – No

Reasoning: There are many properties with barns in front of the house. In line with the area. It fits the character of the area. The accessory building is far from the road and no neighbors complained. There are many examples of buildings located in front of the main home. Also, size, color all matches the home.

2. Whether benefit sought by applicants can be achieved by a feasible alternative to the variance.

ZBA Chairman Edward Wilkowlaski - Yes

ZBA Board Member Mark Geitler - No

ZBA Board Member Russell Clothier, Jr. - No

ZBA Board Member Kevin Ingraham – No

ZBA Board Member James Cornell – No

Reasoning: Not realistic and would be cost prohibitive, other option would be over septic. The site does not permit. Due to the topography of the land this would be the feasible location. While they could place the building in a different location, this would be very cost prohibitive.

3. Whether the requested variance is substantial:

ZBA Chairman Edward Wilkowlaski - No

ZBA Board Member Mark Geitler - Yes

ZBA Board Member Russell Clothier, Jr. - Yes

ZBA Board Member Kevin Ingraham – No

ZBA Board Member James Cornell – No

Reasoning: It is less than 300 feet from the road, but not super close, closer to 100 feet. The only issue is from the road, not from property line. All variances are substantial. This variance will not impact the character of the neighborhood in a substantial way. Yes and no, while the request is straight against code, it is a very well thought out plan and the reasons to support it are in the Applicants favor.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood:

ZBA Chairman Edward Wilkowlaski - No

ZBA Board Member Mark Geitler - No

ZBA Board Member Russell Clothier, Jr. - No

ZBA Board Member Kevin Ingraham – No

ZBA Board Member James Cornell – No

Reasoning: No traffic impact and inline with area. Did not hear anything from neighbors. Private use. This building and use are common in the area. Project will blend in very well with character at the area.

5. Whether the alleged difficulty was self-created:

ZBA Chairman Edward Wilkowlaski - Yes

ZBA Board Member Mark Geitler - Yes

ZBA Board Member Russell Clothier, Jr. - Yes

ZBA Board Member Kevin Ingraham – Yes

ZBA Board Member James Cornell – Yes

Reasoning: Applicants could choose not to build a barn. Majority of variances are self-created. Due to the location, use of desired location by the Applicants, this is self-created.

ROLL CALL VOTE ON Case#4-2026:

Chairman Edward Wilkowlaski – Aye

Board Member Mark Geitler - Aye

Board Member Russell Clothier Jr. – Aye

Board Member Kevin Ingraham – Aye
Board Member James Cornell – Aye
The motion to grant the variance is passed.

ADJOURNMENT MOTION#__ by Zoning Board of Appeals Member Mark Geitler and seconded by Zoning Board of Appeals Member Kevin Ingraham to adjourn the meeting at 7:29 p.m. Carried ayes-5 nays-0

Respectfully submitted, Michelle Homac, Zoning Board of Appeals Clerk

Town of Wales Zoning Board of Appeals

RESOLUTION NO. 4-2026

IN THE MATTER OF THE APPLICATION OF ANDREW & LOREN PUDLEWSKI FOR AN AREA VARIANCE

PROPERTY ADDRESS: , NY

TAX MAP NUMBER OR SBL#: 202.00-2-57.1

DATE: June 17, 2026

WHEREAS, an application was filed with the Zoning Board of Appeals of the Town of Wales by Andrew and Loren Pudlewski for an area variance for the property located at 6113 Vermont Hill Road, South Wales, NY. SBL# 202.00-2-57.1; and

WHEREAS, the application requests an area variance from Section 200-22 of the Town of Wales Zoning Code to appeal the allowance for a detached accessory building located in front of the primary building; and

WHEREAS, the Board received a referral from the Building Inspector/Code Enforcement Officer Dan Whitehead indicating that the project is not in compliance with the zoning law and requires an area variance; and

WHEREAS, a public hearing on the application was held on June 17, 2026, at which the Board heard testimony and received comments from the Applicants, neighbors, and other interested parties; and

WHEREAS, the Board has reviewed all applicable materials, including a Short Environmental Assessment Form, photos, and deed and has duly considered the standards for an area variance as set forth in New York State Town Law § 267-b, weighing the benefit to the Applicants against any detriment to the health, safety, and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals, having considered the entire record of the proceedings, made the following findings and hereby approves the application:

1. Undesirable Change or Detriment to Properties: The Board finds that the granting of this variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

Reasoning: There are many properties with barns in front of the house. In line with the area. It fits the character of the area. The accessory building is far from the road and no neighbors complained. There are many examples of buildings located in front of the main home. Also, size, color all matches the home.

2. Feasible Alternative: The Board finds that the benefit sought by the Applicants cannot be achieved by some other feasible method.

Reasoning: Not realistic and would be cost prohibitive, other option would be over septic. The site does not permit. Due to the topography of the land this would be the feasible location. While they could place the building in a different location, this would be very cost prohibitive.

3. Substantiality of Variance: The Board finds that the requested area variance is not substantial.

Reasoning: It is less than 300 feet from the road, but not super close, closer to 100 feet. The only issue is from the road, not from property line. All variances are substantial. This variance will not impact the character of the neighborhood in a substantial way. Yes and no, while the request is straight against code, it is a very well thought out plan and the reasons to support it are in the Applicants favor.

4. Adverse Environmental/Physical Impact: The Board finds that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

Reasoning: No traffic impact and in line with the area. Did not hear anything from neighbors. Private use. This building and use are common in the area. Project will blend in very well with character at the area.

5. Self-Created Difficulty: The Board finds that the alleged difficulty was self-created.

Reasoning: Applicants could choose not to build a barn. Majority of variances are self-created. Due to the location, use of desired location by the Applicants, this is self-created.

BE IT FURTHER RESOLVED, that the variance is granted.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be filed in the office of the Town of Wales Town Clerk and the Town of Wales Building Department.

VOTE:

Chairman Edward Wilkolaski voted AYE

ZBA Member Mark Geitler voted AYE

ZBA Member Russell Clothier Jr voted AYE

ZBA Member Kevin Ingraham voted AYE

ZBA Member James Cornell voted AYE

Dated: June 17, 2026

By Order of the Zoning Board of Appeals Chairperson:

Edward Wilkolaski

Clerk:

Michelle Homac

AREA VARIANCE FINDINGS & DECISION

Applicant: Andrew Podlewski

Appeal Concerns Property at the following address: _____

6113 Vermont Hill Road
South Wales NY 14139_____

OFFICE USE ONLY:	
Application No. AV -	<u>4-2026</u>
Date of Application:	<u>4/22/26</u> (Postmarked or Hand Delivered)
Date of Public Hearing:	<u>6/17/26</u>
Date Notice Published:	<u>6/3/26</u>
Date of County Referral:	<u>N/A</u>
Date of Final Action:	<u>N/A</u>
Date or Filing of Decision with the Municipal Clerk:	<u>6/18/26</u>

County Tax Map (S.B.L.) - Section: 200.08 Block: 2-20.112 Lot: _____

Zoning District Classification: _____

Requirements for which Variance is Requested: 200-22Accessory Building shall not be in front of
dwellingApplicable Section of Zoning Code(s): 200-22

TEST: No area variance will be granted without a consideration by the board of the following factors:

- 1) Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties:

*(Will this change make the neighborhood look or feel worse, or hurt nearby homes or properties?)*Yes _____ No XReason: many properties w/ barns in front of
house. In line w/ area.

- 2) Whether benefit sought by applicant can be achieved by a feasible alternative to the variance.

TOWN OF WALES - ZONING BOARD OF APPEALS

AREA VARIANCE FINDINGS & DECISION

(Is there a realistic alternative (like changing the design, moving the building, making it smaller, or using a different layout) that would follow the current code?)

Yes ☒ No ☐

Reason: Not Realistic AND would be cost
prohibitive other option would be over
septic.

3) Whether the requested variance is substantial.

(Is the change the applicant is asking for significant? How far are you trying to bend the zoning limits?)

Yes ☐ No ☒

Reason: < 300' from road ... but not super close
to 100'. Only issue is from road ... not from
property line.

4) Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

(Will this change negatively impact the environment or damage the physical conditions in the area...such as traffic, drainage, noise, air, or natural features?)

Yes ☐ No ☒

Reason: No traffic impact & inline w/ area.
Did not hear anything from neighbors.

5) Whether the alleged difficulty was self-created?

(Did the applicant cause the issue? The issue is a result of action(s) by the applicant, not a result of something beyond the applicant's control.)

Yes ☒ No ☐

TOWN OF WALES - ZONING BOARD OF APPEALS

AREA VARIANCE FINDINGS & DECISION

Reason: Applicant could choose to not to build
A barn.

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: many similar instances in area...
no issue.

The ZBA further finds that a variance of 22 from Section 200 of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

Benefit to the customer is not a detriment
to the surrounding area!

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: N
A

TOWN OF WALES - ZONING BOARD OF APPEALS

AREA VARIANCE FINDINGS & DECISION

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

Zoning Board of Appeals Chairman: Edward W. Nicholas Date: 17 JUN 26
Edw

RECORD OF VOTE

<u>MEMBER NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>SIGNATURE</u>
ZBA Chair <u>Edward</u>	<u>✓</u>	_____	<u>Edw</u>
ZBA Member <u>Russ</u>	<u>✓</u>	_____	<u>Frank T. Webb</u>
ZBA Member <u>Kevin</u>	<u>✓</u>	_____	<u>Kevin</u>
ZBA Member <u>Mark</u>	<u>✓</u>	_____	<u>Mark</u>
ZBA Member <u>Jim</u>	<u>✓</u>	_____	<u>Jim</u>

APPROVE
EAW
17 JUN 26

AREA VARIANCE FINDINGS & DECISION

RUSS CLOTHIER

Applicant: ANDREW + LOREN PUDLEWSKIAppeal Concerns Property at the following address: _____

OFFICE USE ONLY:

Application No. AV - _____
 Date of Application: _____
 (Postmarked or Hand Delivered)
 Date of Public Hearing: _____
 Date Notice Published: _____
 Date of County Referral: _____
 Date of Final Action: _____
 Date or Filing of Decision with the Municipal Clerk: _____

County Tax Map (S.B.L.) - Section: _____ Block: _____ Lot: _____

Zoning District Classification: _____
_____Requirements for which Variance is Requested: _____

_____Applicable Section of Zoning Code(s): _____

TEST: No area variance will be granted without a consideration by the board of the following factors:

- 1) Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties:

(Will this change make the neighborhood look or feel worse, or hurt nearby homes or properties?)

Yes _____ No X

Reason: FITS THE CHARACTER OF THE AREA

- 2) Whether benefit sought by applicant can be achieved by a feasible alternative to the variance.

AREA VARIANCE FINDINGS & DECISION

(Is there a realistic alternative (like changing the design, moving the building, making it smaller, or using a different layout) that would follow the current code?)

Yes _____ No X

Reason: SITE DOES NOT PERMIT

3) Whether the requested variance is substantial.

(Is the change the applicant is asking for significant? How far are you trying to bend the zoning limits?)

Yes X No _____

Reason: ALL VARIANCES ARE SUBSTANCIAL

4) Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

(Will this change negatively impact the environment or damage the physical conditions in the area...such as traffic, drainage, noise, air, or natural features?)

Yes _____ No X

Reason: PRIVATE USE

5) Whether the alleged difficulty was self-created?

(Did the applicant cause the issue? The issue is a result of action(s) by the applicant, not a result of something beyond the applicant's control.)

Yes X No _____

AREA VARIANCE FINDINGS & DECISION

Reason: MAJORITY OF VARIANCES ARE SELF CREATED

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

- ☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- ☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: MINOR TO NO DETRIMENT

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: _____

AREA VARIANCE FINDINGS & DECISION

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

Zoning Board of Appeals Chairman: _____ Date: _____

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RECORD OF VOTE

<u>MEMBER NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>SIGNATURE</u>
ZBA Chair _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____

AREA VARIANCE FINDINGS & DECISION

Kevin Ingraham

Applicant: Andreas Pudelowski

Appeal Concerns Property at the following address: _____

6113 Vermont Hill RD

OFFICE USE ONLY:	
Application No. AV -	_____
Date of Application:	_____
(Postmarked or Hand Delivered)	
Date of Public Hearing:	_____
Date Notice Published:	_____
Date of County Referral:	_____
Date of Final Action:	_____
Date of Filing of Decision with the Municipal Clerk:	_____

County Tax Map (S.B.L.) - Section: 200 Block: 2 Lot: 20.112

Zoning District Classification: _____

Requirements for which Variance is Requested: 200-22 Accessory building
In front of main structure

Applicable Section of Zoning Code(s): 200-22

TEST: No area variance will be granted without a consideration by the board of the following factors:

- 1) Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties:

(Will this change make the neighborhood look or feel worse, or hurt nearby homes or properties?)

Yes _____ No X

Reason: The Accessory building is far from the
road, and no neighbors complained.

- 2) Whether benefit sought by applicant can be achieved by a feasible alternative to the variance.

AREA VARIANCE FINDINGS & DECISION

(Is there a realistic alternative (like changing the design, moving the building, making it smaller, or using a different layout) that would follow the current code?)

Yes _____ No X

Reason: Due to the topography of the land this
location would be the feasible location

3) Whether the requested variance is substantial.

(Is the change the applicant is asking for significant? How far are you trying to bend the zoning limits?)

Yes _____ No X

Reason: This variance will not impact the character
of the neighborhood in a substantial way

4) Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

(Will this change negatively impact the environment or damage the physical conditions in the area...such as traffic, drainage, noise, air, or natural features?)

Yes _____ No X

Reason: This Building and use are common in the
area

5) Whether the alleged difficulty was self-created?

(Did the applicant cause the issue? The issue is a result of action(s) by the applicant, not a result of something beyond the applicant's control.)

Yes X No _____

AREA VARIANCE FINDINGS & DECISION

Reason: Due to the location use of designed by
the Applicants this is self created

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

- ☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- ☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: This has a large benefit to the applicant
and a large impact to the neighborhood

The ZBA further finds that a variance of 200' from Section 22 of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

This should not effect the character of the
neighborhood

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: _____

AREA VARIANCE FINDINGS & DECISION

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

Zoning Board of Appeals Chairman: _____ Date: _____

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RECORD OF VOTE

<u>MEMBER NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>SIGNATURE</u>
ZBA Chair _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____

AREA VARIANCE FINDINGS & DECISION

Andre Rudlewski

Applicant:

~~CHRIS & CHRISTINE KRAFT~~

Appeal Concerns Property at the following address: _____

1240 COLLEGE ST. WY 59
 6113 Vermont Hill Rd
 South Wales NY 14134
 716 208-4014

OFFICE USE ONLY:

Application No. AV - _____
 Date of Application: _____
 (Postmarked or Hand Delivered)
 Date of Public Hearing: _____
 Date Notice Published: _____
 Date of County Referral: _____
 Date of Final Action: _____
 Date of Filing of Decision with the Municipal Clerk: _____

County Tax Map (S.B.L.) - Section: _____ Block: _____ Lot: _____

Zoning District Classification: _____

Requirements for which Variance is Requested: _____

Applicable Section of Zoning Code(s): _____

TEST: No area variance will be granted without a consideration by the board of the following factors:

- 1) Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties:

(Will this change make the neighborhood look or feel worse, or hurt nearby homes or properties?)

Yes _____ No X

Reason: _____

- 2) Whether benefit sought by applicant can be achieved by a feasible alternative to the variance.

AREA VARIANCE FINDINGS & DECISION

(Is there a realistic alternative (like changing the design, moving the building, making it smaller, or using a different layout) that would follow the current code?)

Yes _____ No X

Reason: _____

3) Whether the requested variance is substantial.

(Is the change the applicant is asking for significant? How far are you trying to bend the zoning limits?)

Yes _____ No X

Reason: _____

4) Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

(Will this change negatively impact the environment or damage the physical conditions in the area...such as traffic, drainage, noise, air, or natural features?)

Yes _____ No X

Reason: _____

5) Whether the alleged difficulty was self-created?

(Did the applicant cause the issue? The issue is a result of action(s) by the applicant, not a result of something beyond the applicant's control.)

Yes X No X

AREA VARIANCE FINDINGS & DECISION

Reason: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

- ☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- ☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: _____

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: None

AREA VARIANCE FINDINGS & DECISION

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

Zoning Board of Appeals Chairman: _____ Date: _____

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RECORD OF VOTE

MEMBER NAMEAYENAYSIGNATURE

ZBA Chair _____

ZBA Member ZIM CORABELL _____

ZBA Member _____

ZBA Member _____

ZBA Member _____

AREA VARIANCE FINDINGS & DECISION

Applicant: ~~Mrs Mrs Krutz~~ And-e Pudlewski

OFFICE USE ONLY:

Application No. AV - _____
 Date of Application: _____
 (Postmarked or Hand Delivered)
 Date of Public Hearing: _____
 Date Notice Published: _____
 Date of County Referral: _____
 Date of Final Action: _____
 Date of Filing of Decision with the Municipal Clerk: _____

Appeal Concerns Property at the following address: _____

~~42116~~
~~South Maple Ave 14139~~
 6113 Vermont Hill Rd. ~~Mt O R~~
 716 208-4014

County Tax Map (S.B.L.) - Section: _____ Block: _____ Lot: _____

Zoning District Classification: _____

Requirements for which Variance is Requested: _____

Applicable Section of Zoning Code(s): _____

TEST: No area variance will be granted without a consideration by the board of the following factors:

- 1) Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties:

(Will this change make the neighborhood look or feel worse, or hurt nearby homes or properties?)

Yes _____ No X

Reason: There are many examples of buildings located in front of the main home. Also size, color ect all match home.

- 2) Whether benefit sought by applicant can be achieved by a feasible alternative to the variance.

AREA VARIANCE FINDINGS & DECISION

(Is there a realistic alternative (like changing the design, moving the building, making it smaller, or using a different layout) that would follow the current code?)

Yes _____ No X

Reason: while they could place building
in different location, this would be very
cost prohibitive.

3) Whether the requested variance is substantial.

(Is the change the applicant is asking for significant? How far are you trying to bend the zoning limits?)

Yes X No _____

Reason: Yes and no - while the request
is straight against code, it is a very
well thought out plan and the reasons to
support it are in the applicant's favor.

4) Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

(Will this change negatively impact the environment or damage the physical conditions in the area...such as traffic, drainage, noise, air, or natural features?)

Yes _____ No X

Reason: project will blend in very well with
character of the area.

5) Whether the alleged difficulty was self-created?

(Did the applicant cause the issue? The issue is a result of action(s) by the applicant, not a result of something beyond the applicant's control.)

Yes X No _____

AREA VARIANCE FINDINGS & DECISION

Reason: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: Project fits very well with
the area

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: None

AREA VARIANCE FINDINGS & DECISION

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

Zoning Board of Appeals Chairman: _____ Date: 6-17-26

RECORD OF VOTE

<u>MEMBER NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>SIGNATURE</u>
ZBA Chair _____	_____	_____	_____
ZBA Member <u>Mark Gietler</u>	<u>X</u>	_____	<u>[Signature]</u>
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____