

AREA VARIANCE FINDINGS & DECISION

Applicant: Denvers & Kelly Gsiniski

Appeal Concerns Property at the following address: _____

13583 Schaug Rd.
EA, NY

OFFICE USE ONLY:

Application No. AV - 7-2026
Date of Application: 9/17/26
(Postmarked or Hand Delivered)
Date of Public Hearing: 10/17/26
Date Notice Published: 9/25/26
Date of County Referral: no
Date of Final Action: _____
Date or Filing of Decision with the Municipal Clerk: 10/8/26County Tax Map (S.B.L.) - Section: 178 Block: 2 Lot: 61.2Zoning District Classification: 210-1 Family Res.Requirements for which Variance is Requested: Barn Build size
property side setbackApplicable 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: Little to no wave 400' back of adjacent
neighbor as support.

- 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: GAS & Electric Lines make the location
alternative difficult

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: only 5' setback from edge & only
on 1 side

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 _____

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: Little to no issue. _____

The ZBA further finds that a variance of setback from Section 200-22 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:

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: N/A

Adverse impact to be minimized: _____

Zoning Board of Appeals Chairman: Solkohsh Date: 7-Oct-26

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RECORD OF VOTE

<u>MEMBER NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>SIGNATURE</u>
ZBA Chair <u>Solkohsh</u>	<u>X</u>		<u>Solkohsh</u>
ZBA Member <u>Mark Gerber</u>	<u>+</u>		<u>Mark Gerber</u>
ZBA Member <u>Jim Cornell</u>	<u>X</u>		<u>Jim Cornell</u>
ZBA Member <u>Russ Clothier</u>	<u>X</u>		<u>Russ T. Clothier</u>
ZBA Member _____			

TOWN OF WALES - ZONING BOARD OF APPEALS

AREA VARIANCE FINDINGS & DECISION

Applicant: Dennis & Kelly Osinski

Appeal Concerns Property at the following address: _____

13543 Schang Rd.

E.A. NY.

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: 178.00-2-61.2 Block: _____ Lot: _____

Zoning District Classification: 210-1 Family Res.

Requirements for which Variance is Requested: _____

200.22 7-2026

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: All neighbors support it. Very in
character to 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 x

Reason: Due to existing utilities

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: 5' variance is substantial Distance from
Roof. Also has letter from neighbors giving OK.

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: Not even noticable

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 _____

TOWN OF WALES - ZONING BOARD OF APPEALS

AREA VARIANCE FINDINGS & DECISION

Reason: All Are

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: so minimal but so far off Road

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: _____

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: _____ Date: 10-7-26

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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>+</u>	_____	<u>[Signature]</u>
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____

AREA VARIANCE FINDINGS & DECISION

Applicant: Douglas Kelly Dinsley

Appeal Concerns Property at the following address: _____

17509 SHADOCK
SHADOCK 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: 22 Lot: _____Zoning District Classification: 210 - 1 Family Resid.Requirements for which Variance is Requested: 7 - 2026Applicable Section of Zoning Code(s): R20.22

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: _____

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

TOWN OF WALKER 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 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: _____

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 <u><i>[Signature]</i></u> _____	<u><i>X</i></u> _____	_____	<u><i>[Signature]</i></u> _____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____

AREA VARIANCE FINDINGS & DECISION

Applicant: DENNIS + KELLY OSINSKIAppeal 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: 210- 1 Family Res.
_____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 XReason: BUILDING IS OVER 400' FROM ROAD.

- 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 X No _____

Reason: OPTIONS WOULD INVOLVE CUTTING MATURE TREES
OR MOVING UTILITIES

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: SET BACK FROM ROAD AND NEIGHBORS APPROVAL
MAKE IT MINIMAL

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 _____

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: 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 <u>RUSS CLOTHIER</u>	<u>X</u>	_____	<u>[Signature]</u>
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____
ZBA Member _____	_____	_____	_____