

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS

RESOLUTION of Variance Determination upon Application
of EMILY ENDERES AND MATTHEW MORALES

Decision and Order

23 Wheeler Avenue
Tax Map SBL 207-5-8.2

At a meeting of the Village of Warwick Zoning Board of
Appeals duly convened on December 23, 2025 at 7:00 p.m.

Present: John Graney, Chairman
Nikki Delille, Member
Margaret Politoski, Member
John Prego, Member

MOTION made by J. Graney, seconded by J. Prego, and the following voting in favor:

ALL members present, and the following voting in opposition: NONE, to open the public
hearing in the above-referenced matter:

This is an application filed by Emily Enderes and Matthew Morales (“Applicants”) for
area variances from the Village Zoning Code with respect to the property located at 23 Wheeler
Avenue, Warwick, New York, designated on the Village tax map as Section 207, Block 5, Lot
8.2, and located in the R (Residential) Zoning District to:

- A. Reduce the side setback from 20 feet to 5.08 feet requiring a variance of 14.92 feet;
- B. Reduce the total side setback from 50 feet to 31.78 feet requiring a variance of 18.22 feet;
- C. Reduce the side yard from 10 feet to 5.08 feet requiring a variance of 4.92 feet;

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- D. Reduce the distance between the principal building and accessory structure from 15 feet to 6.2 feet requiring a variance of 8.8 feet

The variances are sought for the purpose of constructing an addition on Applicants' existing single-family residence.

Matthew Morales appeared on behalf of both Applicants and presented their proposal for construction of the home addition to the side, rear, and second story of the existing residence to provide additional living space in order to care for the applicant's mother. The proposed work would expand the home to a five-bedroom residence, including a first-floor bedroom intended for the mother and additional bedrooms on the second floor. The applicant stated that no trees are proposed to be removed. The Board and attendees were invited to ask further questions or share comments, and no objections or comments were made by the public. A neighbor residing at 45 Wheeler Avenue appeared before the Board and spoke in favor of the proposed variances. No correspondence was received by the Board in connection with the instant application.

MOTION made by J. Graney, seconded by J. Prego, and the following voting in favor: ALL members present, and the following voting in opposition: NONE, to close the public hearing.

Following the conclusion of the public hearing, the Board makes the following findings:

RESOLVED, that this application has previously been designated as a Type II under the State Environmental Quality Review Act and no further environmental review is necessary; and it is further

RESOLVED, that with regard to the requested area variances the following findings are hereby made:

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A. Pursuant to proper notice, a public hearing was convened at the Warwick Village Hall on the 23rd day of December, 2025 at 7:00 p.m. Kristin Bialosky, Secretary of the Zoning Board of Appeals, confirmed that she had received proof that the necessary notices of the public hearing had been mailed to the neighboring property owners, and that the required newspaper publications and conspicuous postings of the notice had timely occurred.

B. Following the motion to close the public hearing, the Board proceeded to deliberate in open session on the Application.

C. Based upon the oral testimony and evidence in the record, the Board renders the following conclusions with respect to the area variance sought in the instant application:

- i. that the benefit to the Applicants cannot be achieved by other means feasible to the Applicants due to the layout of the Property;
- ii. that there will be no undesirable change in neighborhood character or detriment to nearby properties;
- iii. that the requested area variances are substantial;
- iv. that the request does not have any adverse physical or environmental effects;
- v. that the alleged difficulty to the Applicants is self-created; and
- vi. that the benefit of the requested relief to the Applicants would outweigh the potential detriment, if any, to the health, safety, and general welfare of the community.

Based on the foregoing, the Board makes the following findings:

- A. Reduce the side setback from 20 feet to 5.08 feet requiring a variance of 14.92 feet;

MOTION made by J. Graney, seconded by J. Prego, and the following voting in favor: ALL members, and the following voting in opposition: NONE-Variance approved.

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- B. Reduce the total side setback from 50 feet to 31.78 feet requiring a variance of 18.22 feet;

MOTION made by J. Prego, seconded by J. Graney, and the following voting in favor: ALL members, and the following voting in opposition: NONE-Variance approved.

- C. Reduce the side yard from 10 feet to 5.08 feet requiring a variance of 4.92 feet;

MOTION made by J. Prego, seconded by J. Delille, and the following voting in favor: ALL members, and the following voting in opposition: NONE-Variance approved.

- D. Reduce the distance between the principal building and accessory structure from 15 feet to 6.2 feet requiring a variance of 8.8 feet

MOTION made by J. Prego, seconded by J. Graney, and the following voting in favor: ALL members, and the following voting in opposition: NONE-Variance approved.

Based on the foregoing, it is hereby

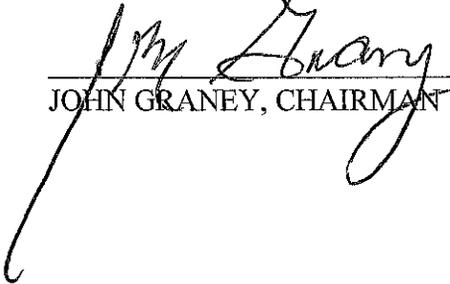
RESOLVED, that Area Variances are hereby **GRANTED**.

The foregoing is the Decision and Order of the Zoning Board of Appeals.

Dated: January 9, 2025

Resolution Approved:

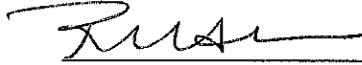
BY ORDER OF THE ZONING
BOARD OF APPEALS OF THE
VILLAGE OF WARWICK



JOHN GRANEY, CHAIRMAN

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I, Raina Abramson, Village Clerk, do hereby certify that the foregoing Determination was filed in the Office of the Village Clerk on January 13, 2026 and copies provided to the Building Inspector and emailed to the Applicant.



RAINA ABRAMSON, CLERK
VILLAGE OF WARWICK, NEW YORK