

TOWN OF MOREAU
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

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MAY 06 2024

APPLICATION FOR USE VARIANCE

TOWN OF MOREAU
BUILDING DEPARTMENT

FOR INTERNAL USE ONLY

APPLICANT:	APPEAL #:	#803
_____	ZONING DISTRICT:	_____
_____	DATE SUBMITTED:	_____
	DATE ACCEPTED:	_____
	HEARING DATE:	_____
<input type="checkbox"/> SEQR Type 1 <input type="checkbox"/> SEQR Type 2 <input type="checkbox"/> Unlisted		

APPLICANT INFORMATION:

1. Applicant(s): ERIK & HOLLY AYERS

Street Address: 57 OAK VIEW DR

City, State, Zip: FT EDWARD N.Y. 12828

Telephone #: _____ Fax #: _____

E-mail Address: _____

2. Agent:

Street Address: _____

City, State, Zip: _____

Telephone #: _____ Fax #: _____

E-mail Address: _____

3. Owner: SAME

Street Address: _____

City, State, Zip: _____

Telephone #: _____ Fax #: _____

E-mail Address: _____

RELATIONSHIP TO THE PROPERTY:

OWNER: Yes No LESSEE: Yes No AGENT: Yes No

If an agent, please attach an Agent Authorization Form.

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GENERAL PROJECT INFORMATION:

ADDRESS: _____ TAX MAP #: _____

CURRENT USE: _____ ZONING DISTRICT: _____

LENGTH OF TIME OF USE: _____ PROPOSED USE: _____

RELIEF SOUGHT: _____

GENERAL DESCRIPTION OF THE ACTION FOR WHICH A USE VARIANCE IS SOUGHT:

WE ARE ASKING TO BUILD A STAND ALONE SINGLE PITCHED
ROOF CAR PORT WITH SIDING ON THE 24' SIDE OF THE
BUILDING. WE WOULD LIKE TO PUT THE BUILDING ON THE EAST
SIDE OF THE EXISTING DETACHED GARAGE. THIS METAL
STRUCTURE 24' x 10' WILL HOPEFULLY MATCH GARAGE IN
COLOR. THE STRUCTURE WILL ONLY BE ONE FOOT FROM PROPERTY
LINE.

CRITERIA FOR DECISION:

A use variance may be granted only if **ALL four (4)** of the circumstances listed in § 179-59(B) are specifically found to exist by the Zoning Board of Appeals and are each so stated in the findings. The four circumstances that must be demonstrated are as follows:

- (1) That the strict application of said use provisions of this chapter would result in a specified unnecessary hardship to the applicant which arises because of exceptional or extraordinary circumstances applying to the property and not applying generally to other properties in the same district or which results from a lot size or shape legally existing prior to the date of this chapter or topography or other circumstances over which the applicant has had no control.
- (2) That the property in question cannot yield a reasonable financial return if used for any permissible use, special permit use or site plan review use applicable to the zoning district in which the property is located. NOTE: Supporting financial documentation demonstrating investments in the property and property valuation are required to properly address this finding.
- (3) That the variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same district possess without such a variance.

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- (4) That the variance would not be materially detrimental to the purpose of this chapter or to property in the district in which the property is located or otherwise conflict with the description or purpose in which the property is located or otherwise conflict with the description or purpose of the district or the objectives of any plan or policy of the town and that the variance requested is the minimum variance which would alleviate the specific unnecessary hardship found by the Zoning Board of Appeals to affect the applicant.

Please describe how your circumstance meets ALL four (4) criteria (please attach additional pages as necessary):

OUR DETACHED GARAGE IS ALREADY CLOSER THAN 15 FEET
SO IT NEEDED A VARIANCE PERMIT. THIS GARAGE WAS
EXISTING BEFORE WE PURCHASED THIS YR. THE LOCATION
FOR OUR CAR PORT IS THE MOST REASONABLE PLACE
TO BE BUILT. INCREASING PROPERTY VALUE AND LOOKS.
CLEANING UP TO ONE FOOT FROM PROPERTY LINE
WITH A CLOSED IN SIDE LIKE A FENCE TO
GIVE A CLEAN FINISHED LOOK TO NEIGHBORS.

WE ARE GOING ABOUT THIS THE CORRECT WAY
AND ASKING FOR A VARIANCE FROM THE TOWN OF
MOREAU. THERE ARE DEFINITELY OTHER STRUCTURES IN TOWN
THAT MAY OR MAY NOT HAVE GOTTEN A PERMIT TO
BE NEAR PROPERTY LINES.

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35' RLYNGLDS ROAD • MOREAU NY

CHECKLIST OF VARIANCE APPLICATION COMPLETENESS:

As per §149-57 of the Zoning Chapter of the Town Code, the following information shall be supplied by the applicant with any variance application:

Please complete the checklist of required application elements:

- 1. Map of the property with a scaled site plan and/or elevations necessary to show the proposed project for which the variance is sought.
- 2. Complete narrative response addressing each of the criteria as specified in this application.
- 3. Financial documentation demonstrating the reasonableness of financial return on the property.
- 4. Completed and signed Part 1 of the appropriate Environmental Assessment Form. Paper copies are available at the Building Department in Town Hall or electronically at <https://www.dec.ny.gov/permits/6191.html>.
- 5. Additional information requested by the Zoning Board of Appeals.

Please return the original application, with all four pages intact, along with ten (10) paper copies and an electronic copy, including required information and documentation. The electronic copy may be submitted on a flash drive or emailed to biclerk@townofmoreau.org.

NOTE: The application will not be scheduled on the Zoning Board of Appeals agenda until all paper and electronic copies have been received by the Town Building Department.

Also note that the information to be provided is not limited to the space on this form. If additional space is needed, please use separate sheets and indicate the enclosure number or page number for the attached sheets in the related space provided on this application.

Signature

ERIK J. AYERS

Applicant (print)

SB 7/15

Applicant (sign)

5.5.24

Date