

TOWN OF MOREAU
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

(R)

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TOWN OF MOREAU
BUILDING DEPARTMENT

FILE COPY

APPLICATION FOR AREA VARIANCE

FOR INTERNAL USE ONLY	
APPLICANT: <u>Mike Greenough</u> <u>1720 Rt 9</u> <u>Mr. Bill's</u>	APPEAL #: <u>881</u> 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:

- Applicant(s):** Mr. Bill's
 Street Address: 1720 Route 9
 City, State, Zip: South Glens Falls, NY 12803
 Telephone #: _____ Fax #: _____
 E-mail Address: _____
- Agent:** _____
 Street Address: _____
 City, State, Zip: _____
 Telephone #: _____ Fax #: _____
 E-mail Address: _____
- Owner:** Michael & Beatrice Greenough
 Street Address: 17 Kenmore Drive Queensbury NY 12804
 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: 1720 Rte 9 TAX MAP #: _____
CURRENT USE: Restaurant ZONING DISTRICT: Moreau
LENGTH OF TIME OF USE: 70 years PROPOSED USE: Add Drive Thru Addition
RELIEF SOUGHT: Set back variance for less than 50' from the road for "drive thru" addition

AREA VARIANCE REQUEST:

	Required Dimension	Proposed Dimension	Difference	%
Front Yard Setback	<u>50'</u>	<u>42.5'</u>	<u>7.5'</u>	<u>15</u>
Side Yard Setback	_____	_____	_____	_____
Rear Yard Setback	_____	_____	_____	_____
Lot Area	_____	_____	_____	_____

GENERAL DESCRIPTION OF THE ACTION FOR WHICH AN AREA VARIANCE IS SOUGHT:

We are requesting a variance to allow a drive-through addition that will encroach 7 1/2 feet into the required setback.
The variance is needed due to site constraints, and the addition is essential for improving business operations
while maintaining the properties functionality.

CRITERIA: An area variance may be granted only in the event that **ALL five (5)** of the circumstances listed in § 179-59A are specifically found to exist by the Zoning Board of Appeals and are each so stated in the findings.

- (1) That the strict application of said dimensional requirements would result in a specified practical difficulty to the applicant.
- (2) How substantial the requested variance is in relation to the requirements.
- (3) That the difficulty cannot be alleviated by some practical method feasible for the applicant to pursue.
- (4) That there will be no substantial change in the character of the neighborhood or a detriment to the adjoining properties.

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- (5) 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 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 practical difficulty found by the Zoning Board of Appeals to affect the applicant.

Please describe how your circumstance meets ALL five (5) criteria (please attach additional pages as necessary):

The strict application of the setback requirements would create a practical difficulty by limiting the

functional expansion of my business. The addition is necessary to improve operations and efficiency,

and without the variance, the available space would be insufficient to meet these needs.

The requested variance is minimal, and only 7.5 feet, and does not significantly alter the intent of the

zoning regulations. It represents a small percentage of the total setback requirement and is reasonable

given the layout of the property. There is no practical alternative to achieve the necessary expansion

without the variance. Adjusting the design or relocating the addition elsewhere on the property is

not feasible due to existing site constraints and operational requirements. The proposed addition

will not change the character of the neighborhood or negatively impact adjoining properties. The

design will be consistent with surrounding buildings, and the use of the property will remain the same.

The variance will not be detrimental to zoning objectives, as it aligns with the intended use of the district.

It is the minimum variance necessary to alleviate the practical difficulty while ensuring the business

remains viable and continues to serve the community effectively.

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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

Michael Greenough

Applicant (print)

Michael Greenough

Applicant (sign)

3/10/2025

Date