

TOWN OF MOREAU
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

APPLICATION FOR AREA VARIANCE

FOR INTERNAL USE ONLY	
APPLICANT: <u>Michael Anuszcwski</u>	APPEAL #: <u>884</u>
<u>105 modinger way</u>	ZONING DISTRICT: <u>R3</u>
	DATE SUBMITTED: <u>3/31/25</u>
	DATE ACCEPTED: <u>3/31/25</u>
	HEARING DATE: _____
<input type="checkbox"/> SEQR Type 1 <input type="checkbox"/> SEQR Type 2 <input type="checkbox"/> Unlisted	

APPLICANT INFORMATION:

1. Applicant(s):

Street Address:

City, State, Zip:

Telephone #:

Fax #:

E-mail Address:

2. Agent:

Street Address:

City, State, Zip:

Telephone #:

Fax #:

E-mail Address:

3. Owner:

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: 105 Modine Way TAX MAP #: ~~44489~~ 89.1-1-6.11
CURRENT USE: Tent garage ZONING DISTRICT: R3
LENGTH OF TIME OF USE: _____ PROPOSED USE: Shed/Carport
RELIEF SOUGHT: Distance for front to property line

AREA VARIANCE REQUEST:

	Required Dimension	Proposed Dimension	Difference	%
* Front Yard Setback	<u>40'</u>	<u>21'</u>	<u>19</u>	<u>47.5</u>
Side Yard Setback	<u>20'</u>	<u>22'</u>	_____	_____
Rear Yard Setback	<u>30'</u>	<u>31'</u>	_____	_____
Lot Area	<u>1.70 Acres</u>	_____	_____	_____

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

Asking for variance - shed front proposed to property
line. Cement slab in place with tent garage. Looking
to replace with permanent structure - wood lin - no power.

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):

- (1) Yes - the distance is not practical for where shed (carport) has to go with cement slab in place/existing
- (2) The proposed shed would be 19 feet closer than required by the town setback requirements.
- (3) The proposed shed can not be moved due to existing home / garage on the property site.
- (4) No substantial change - cement slab initially for playing basketball then changed to tent garage for the last 19 years.
- (5) I do not feel the shed (carport) would be detrimental and would allow the space to become a permanent structure with storage purposes. The shed proposed would be 12' x 20' and the carport / lean to would be 8' x 20' to be completed.

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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

Applicant (print)

Applicant (sign)

Date