

A Meeting of the Zoning Board of Appeals for the Town of Moreau, Saratoga County, State of New York was held at the Moreau Town Hall, 351 Reynolds Road, Moreau, NY 12828 on the 23rd day of September, 2020 at 7:00 PM.

ZONING BOARD MEMBERS PRESENT:

Gerhard Endal, Chair

Kevin Elms

Scott Fitzsimmons

Justin Farrell

Matthew Manning

Also present: Jim Martin, Zoning Administrator; Tricia Andrews, Recording Secretary

Board Members absent: None

Chairman Endal called the meeting to order at 7:00 pm. The Board reviewed the minutes of the August 26, 2020 meeting. Motion was made by Mr. Fitzsimmons and seconded by Mr. Farrell to approve the minutes of the August 26, 2020 meeting. All in favor, motion carried.

Appeal No. 832

A request of Jordan T. Monroe of 5 Aster Court, South Glens Falls, NY 12803 for an Area Variance pursuant to Chapter 149, Article V, Section 149-59 (A) and Town Law 267-b. Applicant is proposing to construct a front porch that will not meet the required front yard setback in an R-2, One and Two Family Residential District. This property is designated as 49.15-3-16 on the Town Assessment Map.

Mr. Monroe was present virtually and explained that he wants to extend his current porch by 4 feet which puts it three feet into the setback. The porch is currently four feet deep, and it isn't enough to fit the family.

Mr. Martin stated that per the survey it is actually 3.5 ft relief needed from the setback.

Chairman Endal stated that is about 9% relief which is not substantial.

Mr. Martin stated that noticed had gone out and the neighbors had gotten letters, and there was no response to the Board.

Mr. Fitzsimmons observed that the shape of the lot hides the changes and Mr. Martin stated that since it is on a cul d' sac that disguises it somewhat. He recommended 4 ft of relief. This is a Type II action not subject to SEQR.

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The public hearing was closed.

The Board reviewed the criteria for granting an Area Variance and found as follows:

1. That the strict application of said dimensional requirements would result in a specified practical difficulty to the applicant.
2. That the variance is not substantial, around 9%.
3. That the difficulty cannot be alleviated by some practical method feasible for the applicant to pursue.
4. That granting the variance would not cause substantial change in the character of the neighborhood or a detriment to the adjoining properties.
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. As it is a front porch there is really no other location or method.

Motion was made by Chairman Endal to grant relief of approximately 9% up to 4 ft from the required front yard setback. Mr. Elms seconded. Roll call vote resulted as follows: Mr. Elms, Yes; Mr. Fitzsimmons, Yes; Mr. Farrell, Yes; Mr. Manning, Yes; Chairman Endal, Yes.

Mr. Elms motioned to adjourn the meeting at 7:08 pm and Mr. Manning seconded. All in favor, motion carried.

Respectfully Submitted,

Tricia S. Andrews