

FILE COPY

RECEIVED

AUG 25 2025

TOWN OF MOREAU
BUILDING DEPARTMENT

APPLICATION FOR USE VARIANCE

FOR INTERNAL USE ONLY

APPLICANT: <u>Dana Rohne</u>	APPEAL #: <u>898</u>
<u>260 Clark Rd</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): Dana Rohne
Street Address: 260 Clark Rd
City, State, Zip: Gansevoort NY 12831
Telephone #: _____ Fax #: _____
E-mail Address: _____
- Agent: _____
Street Address: _____
City, State, Zip: _____
Telephone #: _____ Fax #: _____
E-mail Address: _____
- 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.

GENERAL PROJECT INFORMATION:

ADDRESS: 260 Clark Rd Concord TAX MAP #: 90. -1 -20.21
CURRENT USE: empty-Pole Barn ZONING DISTRICT: R5
LENGTH OF TIME OF USE: 2020-current PROPOSED USE:
RELIEF SOUGHT: Change of use of Pole Barn

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

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.

• • •

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

[illegible]

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

Dana Rohne

Applicant (print)

[Signature]

Applicant (sign)

8/18/25

Date

Application For Use Variance

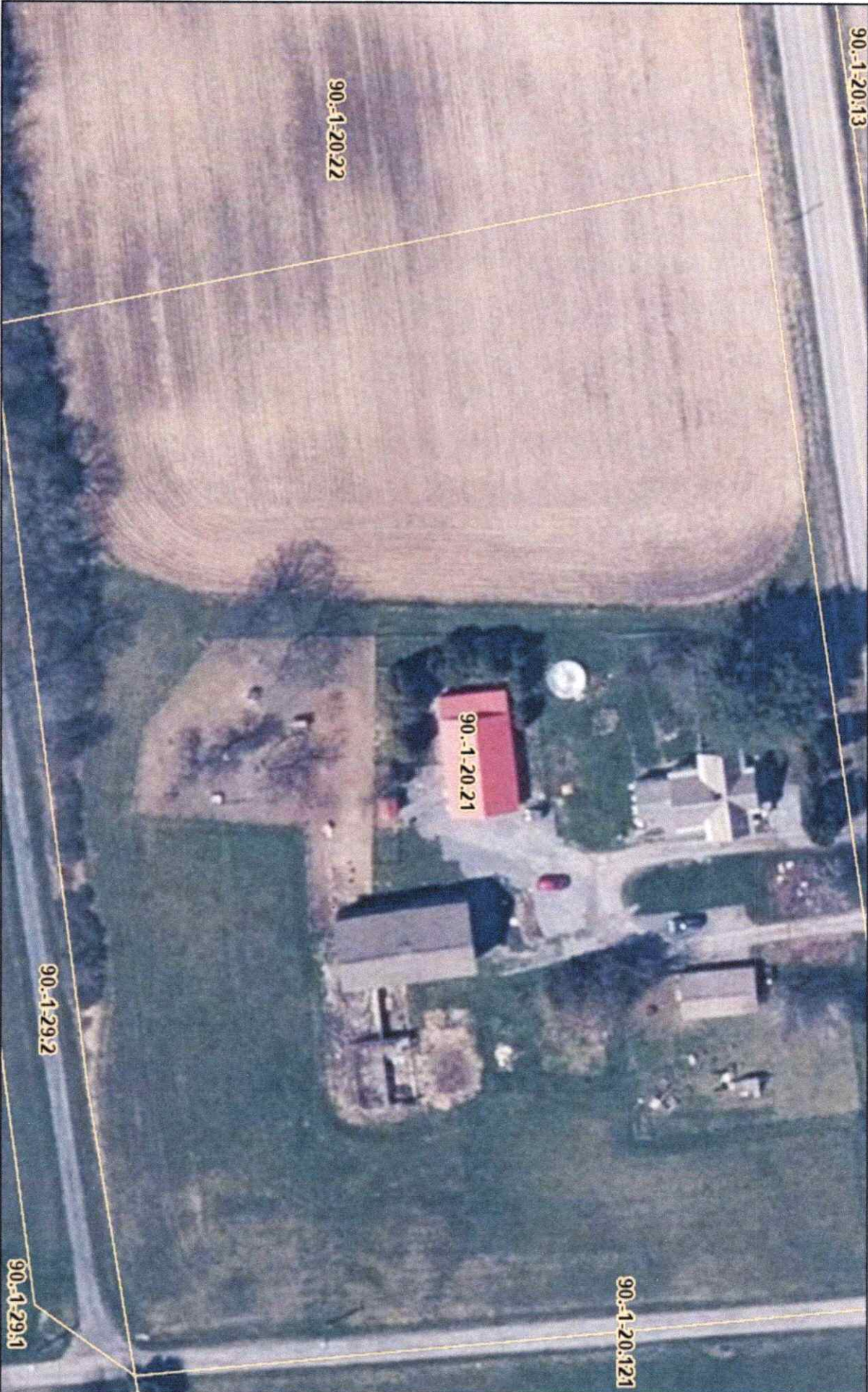
Circumstances for criteria:

1. The property as it exists cannot yield income on its own. The current property lot size is five acres, with multiple existing buildings on the property, does not provide adequate space to yield a viable profit that agricultural zoning allows. The property has been reduced and sold off by past owners, therefore reducing the viability of the property relative to its size as it relates to agricultural use.
2. The stated property has currently committed to a lease to the dairy farm located on the corner of Clark Road and Selfridge Road, specifically at 172 Selfridge Road, owned and operated by Eddie Smith, who is a lessee of approximately 1.4 acres of field on the west side of the property. The field of 1.07 acres on the east side of the property is currently used for growing hay to feed livestock on the property. The livestock occupies two areas, the first a goat pen at 0.14 acre and the second 0.26-acre barn yard on the property totaling 0.40 of an acre. The four buildings (house, garage, barn, pole-barn) on the property occupy approximately 0.97 of an acre. There is not sufficient space remaining to grow an amount of produce to yield a reasonable return. The amount of open space remaining is approximately the size of a standard homeowners' garden. That same remainder of space does not provide sufficient space for the sale of farm implements.
3. A precedent has been set as to the usage, status and character of the area as well as the properties in the area, which include multiple horse boarding facilities, a horse competition ring (with a high traffic volume), a tack and feed shop, dog boarding facility, cabinet maker/contractor, and a substantial landscaping contractor within three miles of the stated property as a few examples. Therefore, any impact resulting in the addition of a small business being operated on the

stated property in the application would seemingly not have any more impact on the area, above and beyond the impact of the existing businesses that are currently being operated in the area. Seeking to offer the stated building on the subject property as office space/ operating space for a small business, i.e. hair salon, art studio, dog grooming, small event venue (max 40 persons) would not be out of line with current offerings in the area. It is not in our interest or the interest of the area to attract a high traffic volume.

4. No impact is expected.

Letter ANSI A Landscape



- August 11, 2025
- ☐ Counties
 - ☐ Towns
- 2025
- 2025 Labels

