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April 22 2025

TOWN OF MOREAU  
BUILDING DEPARTMENT

APPLICATION FOR AREA VARIANCE

50.-2-62.2

FOR INTERNAL USE ONLY	
APPLICANT: <u>Vicky Lynch</u> <u>Area Variance</u>	APPEAL #: <u>885</u>
	ZONING DISTRICT: <u>R2</u>
	DATE SUBMITTED: <u>4/22/25</u>
	DATE ACCEPTED: _____
	HEARING DATE: <u>5/28/25</u>
<input type="checkbox"/> SEQR Type 1 <input type="checkbox"/> SEQR Type 2 <input type="checkbox"/> Unlisted	

APPLICANT INFORMATION:

- Applicant(s):** Leo & Vicky Lynch  
**Street Address:** 127 Fort Edward Rd.  
**City, State, Zip:** Fort Edward, NY 12828  
**Telephone #:** \_\_\_\_\_ **Fax #:** \_\_\_\_\_  
**E-mail Address:** \_\_\_\_\_
- Agent:** N/A  
**Street Address:** \_\_\_\_\_  
**City, State, Zip:** \_\_\_\_\_  
**Telephone #:** \_\_\_\_\_ **Fax #:** \_\_\_\_\_  
**E-mail Address:** \_\_\_\_\_
- Owner:** Leo & Vicky Lynch  
**Street Address:** 127 Fort Edward Rd.  
**City, State, Zip:** Fort Edward, NY 12828  
**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.

TOWN OF MOREAU  
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

**GENERAL PROJECT INFORMATION:**

ADDRESS: 127 Fort Edward Rd TAX MAP #: \_\_\_\_\_  
CURRENT USE: none ZONING DISTRICT: \_\_\_\_\_  
LENGTH OF TIME OF USE: forever PROPOSED USE: privacy  
RELIEF SOUGHT: allow 6' instead of 4' privacy fence

**AREA VARIANCE REQUEST:**

	Required Dimension	Proposed Dimension	Difference	%
Front Yard Setback	_____	_____	_____	_____
Side Yard Setback	_____	_____	_____	_____
Rear Yard Setback	_____	_____	_____	_____
Lot Area	_____	_____	_____	_____

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

To allow a privacy fence height of 6' instead of 4'.

**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.

- (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 <sup>5</sup> criteria (please attach additional pages as necessary):

- (1) The dimension we are seeking is a 6' privacy fence.  
The current 4' requirement in height wouldn't give us the needed privacy we are asking for.
- (2) The difference requested is 2' in height variance.
- (3) There is no other option available to get the privacy needed.
- (4) The 2' difference in height will enhance the neighborhood as it will be brand new fencing installed by a professional. It will be no detriment to other properties as it will be solid.
- (5) We are requesting a minimal variance allowance in 2' in height to obtain privacy we need. It will be a brand new wooden stockade type fence.

Thank you !!

**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](mailto: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**

Leo Lynch Vicky Lynch  
Applicant (print)

Leo Lynch Vicky H. Lynch  
Applicant (sign)

April 21, 2025  
Date