

TOWN OF MOREAU
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

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APPLICATION FOR AREA VARIANCE

TOWN OF MOREAU
BUILDING DEPARTMENT

49.42-1-30

FOR INTERNAL USE ONLY

APPLICANT:

David Zack

APPEAL #:

886

ZONING DISTRICT:

R1

DATE SUBMITTED:

5/5/25

DATE ACCEPTED:

5/5/25

HEARING DATE:

5/28/25

Area Variance
12 West Road

☐ SEQR Type 1

☐ SEQR Type 2

☐ Unlisted

APPLICANT INFORMATION:

1. Applicant(s): David Zack

Street Address: 12 West Road

City, State, Zip: South Glens Falls, New York 12803

Telephone #:

Fax #:

E-mail Address:

2. Agent:

Street Address:

City, State, Zip:

Telephone #:

Fax #:

E-mail Address:

3. Owner:

David Zack

Street Address: 12 West Road

City, State, Zip: South Glens Falls, New York 12803

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: 12 West Road South Glens Falls TAX MAP #: _____
CURRENT USE: Residential ZONING DISTRICT: R1
LENGTH OF TIME OF USE: 29Y PROPOSED USE: shed
RELIEF SOUGHT: Setback

AREA VARIANCE REQUEST:

	Required Dimension	Proposed Dimension	Difference	%
Front Yard Setback	<u>30'</u>	<u>144'</u>	<u>+114'</u>	<u>+2190 480%</u>
Side Yard Setback	<u>12'</u>	<u>8'</u>	<u>-4'</u>	<u>67%</u>
Rear Yard Setback	<u>30'</u>	<u>8'</u>	<u>-22'</u>	<u>27%</u>
Lot Area	<u>0.34 Acres</u>	<u>0.34 Acres</u>	<u>—</u>	<u>—</u>

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

I would like to build a 10'x16' garden shed on the rear southwest
corner of my back yard 8' off side property line + 8' off rear
property line

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.

TOWN OF MOREAU
NEW YORK

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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) The dimensional requirements would put the proposed garden shed in the middle of the back yard over part of septic system
- 2) The south-west left corner of back yard is the farthest I can get from the septic system
- 3) I can't put proposed garden shed in the north-west right corner because the Leach Field ends too close to corner
- 4) The aerial photo shows 3 adjoining properties with sheds built at the back of their property. The rear of property is the power pole easement.
- 5) The location that I am asking for a variance for is the only location in my back yard that would not interfere with my septic system nor interfere with the ability to gain access to service the septic system in the future.

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

David Zack

Applicant (print)



Applicant (sign)

5-5-25

Date