

TOWN OF MOREAU
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

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JUN 27 2025

APPLICATION FOR AREA VARIANCE

TOWN OF MOREAU
BUILDING DEPARTMENT

FOR INTERNAL USE ONLY

APPLICANT:

APPEAL #:

ZONING DISTRICT:

DATE SUBMITTED:

DATE ACCEPTED:

HEARING DATE:

☐ SEQR Type 1

☐ SEQR Type 2

☐ Unlisted

APPLICANT INFORMATION:

1. Applicant(s):

Street Address:

City, State, Zip:

Telephone #:

E-mail Address:

2. Agent:

Street Address:

City, State, Zip:

Telephone #:

E-mail Address:

3. Owner:

Street Address:

City, State, Zip:

Telephone #:

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: 6 Pheasant Way SGF NY ¹²⁸⁰³ TAX MAP #: 50.6-1-27
CURRENT USE: Residence / Daycare ZONING DISTRICT: R-1
LENGTH OF TIME OF USE: 2 years PROPOSED USE: Residence / Daycare
RELIEF SOUGHT: Lot Area Requirements

AREA VARIANCE REQUEST:

	Required Dimension	Proposed Dimension	Difference	%
Front Yard Setback				
Side Yard Setback				
Rear Yard Setback				
Lot Area	30,000	22,600	7,400	24.6%

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

I am asking for a variance because my current lot size of 22,600 does not meet the required minimum lot size of 30,000 for a daycare.

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 ⁵ criteria (please attach additional pages as necessary):

① I would like to operate a daycare here but I am unable to in this zone due to minimum lot size requirements. The daycare was established 2 years ago and I was unaware of the lot requirement. I'd like to maintain use at home as this is my primary job, and several parents rely on childcare.

② The requested variance in relation to the requirements is not substantial. The required lot size is 30,000 sq/ft and my current lot size is 22,600 sq/ft which is only a difference of 7,400 sq/ft or 24.6%.

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

Shawna Breault

Applicant (print)

Shawna R Breault

Applicant (sign)

6/26/25

Date

③ A practical method would be to move to a zone that this is allowed or purchase land. However NYS licensing regulations state you must live ^{IN} the home in which you are operating the licensed home daycare so buying land for the daycare is NOT an option and due to affordability and the current housing market we are unable to purchase a new home and start over.

④ There will be no substantial change in character of the neighborhood or detriment to adjoining properties. I have been successfully running this state licensed daycare here for 2 years now with no changes to the property.

⑤ The variance would not be materially detrimental to the purpose of this chapter because I am not making any changes to the property and this is a permitted special use.

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