

**Town/Village of Lowville Zoning Board of Appeals**  
**Regular Meeting**  
**AGENDA**

**Wednesday, June 26, 2019 ~ 6:30 p.m.**

1. Roll call attendance – Board members present and absent  
Members: Brian Bush, Linda Lawton, Joseph Zehr, Rachel Hillegas  
Alternates: Carla Hellinger
2. Reading and Approval of Minutes  
April 24, 2019
3. Communications and reports
  - a. Draft “Rules of Conduct” are attached.
4. Unfinished business:  
None
5. New Business:
  - a. **Application ZV2019-3**, submitted by **Brian & Jacqueline Bush**, requesting an area variance to construct an addition to an existing storage building no more than 5 feet from the edge of Rice Road which does not comply with Village of Lowville Zoning Law §201, Schedule B, Dimensional Requirements in a R Zone. The property is owned by Brian & Jacqueline Bush, located at 5208 Hillcrest Circle, Village of Lowville, New York and is tax parcel number 212.06-01-34.000.
6. Adjournment – Motion, second, vote.

**Next Scheduled Meeting – July 24, 2019 ~ 6:30 p.m.**

***Be sure to consider ALL these items when making a decision.***

Can the application can pass the “test” as set by NYS.

An AREA VARIANCE is a use of land in a manner which is not allowed by the dimensional or topographical requirements of the zoning regulations.

Take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

Also consider whether:

1. An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance;
2. The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance;
3. The requested variance is substantial;
4. The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; AND
5. If the alleged difficulty was self-created, which consideration that be relevant to the decision, but shall not necessarily preclude granting the variance.

**Grant the MINIMUM variance deemed necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community.**

**This test is put in place by NYS and the reason you, as a board, must be specific about your reasoning behind your decision to grant or to deny is an Article 78 proceeding.**

**Please keep in mind that the municipalities have a “vision” which is why the zoning laws are imposed.**

**NOTE: A variance stays with the property forever. Please be specific when granting requests.**