

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

Wednesday, November 20, 2019 ~ 6:30 p.m.

NOTE: This meeting is the 3rd Thursday

1. Roll call attendance
2. Reading and Approval of Minutes
August 28, 2019
3. Communications and reports
 - a. Draft “Rules of Conduct” – Tabled
 - b. Proposed meeting dates for 2020.
4. Unfinished business:
None
5. New Business:
 - a. **Application ZV2019-5**, submitted by **Roger L. Vary**, requesting an area variance to allow construction of an addition 3 feet from the northern side yard line which does not comply with Village of Lowville Zoning Law §201, Schedule B, Dimensional Requirements in a R Zone. The property is owned by Roger L. Vary, located at 7608 East State Street, Village of Lowville, New York and is tax parcel number 212.08-04-27.000.
6. Adjournment – Motion, second, vote.

Next Scheduled Meeting – December 18, 2019 ~ 6:30 p.m.

NOTE: The December meeting is again the 3rd Wednesday of the month.

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.