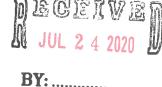
Regular Meeting Town/Village of Lowville **Zoning Board of Appeals**

Wednesday, July 22, 2020 6:30 P.M.



BY:

The meeting was called to order by the Vice Chair Linda Lawton at 6:30 p.m.

1. The Town/Village of Lowville Zoning Board of Appeals met on this date and a roll call showed the following members present:

Linda Lawton

Rachel Hillegas

Joseph Zehr

Carla Hellinger

Kyle Logan

Absent: Brian Bush; Kyle Logan

Others present: Kathy Manning, Administrative Assistant

2. Reading and Approval of Minutes:

June 24, 2020 –A MOTION was made by Joe to approve the minutes as written. The motion was seconded by Carla. All members present in favor. Motion carried.

3. Communications and reports.

None

4. Unfinished business:

> The public hearing is for Application ZV2020-1, submitted by Daniel and Melinda Blair, requesting an area variance to install a pool and deck, the deck to be no closer than 3' to the side property line and correct an error in allowing the construction of a barn 20' to the rear property line which does not comply with Town of Lowville Zoning, Chapter 250, Dimensional Requirements in a R-40 Zone. The property is owned by Daniel and Melinda Blair, located at 4866 Gardner Road, Town of Lowville, New York and is tax parcel number 212.00-01-48.000.

The public hearing was opened at 6:32 p.m.

There we no members of the public present.

The board reviewed the five part test to justify granting the variance request. The justification is included on the resolution. There was discussion that this variance should be granted only for the current pool and deck as issued with permit number SWIM2020-1 and for the barn with permit number ZP2008-5.

The public hearing was closed at 6:35 p.m.

A MOTION was made by Rachel to approve Resolution ZV2020-1 with conditions to include the side yard variance is only for permit SWIM2020-1 the deck of which is to be no closer than three (3) feet to the property line and the barn which was issued with permit number ZP2008-5 allowing continued use of it 20 feet to the rear property line. The motion was seconded by Joe. All members present in favor. Motion carried. A copy of the resolution is attached to these minutes and included in the original record.

5. New Business None

6. Adjournment

A MOTION was made by Joe to adjourn the meeting. The motion was seconded by Carla. All members present in favor. Motion carried. The meeting was adjourned at 6:37 p.m.

Submitted by,

Katharine B. Manning

Kalharine B. E

July 23, 2020

Note: These minutes have been transcribed from a recording. The minutes are not a verbatim, quoted version they are rather a documentation of the meeting with motions and resolutions included.

Town and Village of Lowville Zoning Board of Appeals

5533 Bostwick Street Lowville, New York 13367 (315) 376-8070 ext. 6



RESOLUTION <u>ZV2020-1</u> 212.00-01-48.000

At a regular meeting of the Town/Village Zoning Board of Appeals of the Town/Village			
of Lowville, Lewis County, New York, held at the Town Offices, in said Town, on the			
24th day of July , 2020. The meeting was called to order by Linda			
and upon roll being called, the following were:			
PRESENT:			
Brian Bush Rachel Hillegas Linda Lawton Joseph Zehr Carla Hellinger Kyle Logon			
ABSENT:			
hrian			
Brian Kyle Logan			
The following resolution was offered by Board Member Roche , who			
moved its adoption, seconded by Board Member, to wit:			
WHEREAS, the Zoning Board of Appeals of the Town of Lowville has received an			
application fromDaniel and Melinda Blairfor approval ofan area			
variance to permit installation of a pool with a deck a minimum of three (3) feet to the			
side property line and to correct the rear setback for a barn which was previously			
constructed 20 feet to the rear property line			
and			
WHEREAS, in connection with such application, the Zoning Board of Appeals has			
received and reviewed an application (and Environmental Assessment Form, if required), held a			
public hearing and received comments thereat, and			
WHEREAS, after review the Zoning Board of Appeals has weighed the affects the			
requested application on health, safety and welfare of the neighborhood and community, and			

made the following findings:

A. The requested variance (will not) create an undesireable change in the character of
the neighborhood or detriment to nearby properties in that: the property is
Surrounded by Farmbard; the prol will be obscured from view
From the closest neighbor due to existing transand other vegetation
on the neighboring property
B. The benefits sought by the applicant (cannot) be achieved by any
other feasible method because: The property has no other open area large
crough behind the base to accommodate the back and pool-
The barn is existing.
C. The requested variance (isxis not) substantial in that: the applicant agreed to reduce the requested side up at settock to 3' from the 20'
required (non-conforming bt); the applicant was given approval to
install the prol prior to review for zoning
The requested for the bourn is not & substantia
D. The proposed variance (will not have an adverse effect of impact on the physical
and environmental conditions of the neighborhood or district because: The neighborhood
is rwant; survounded by farmland
and
E. The alleged difficulty (was was not) self-created because the applicant Could
have purchised a similar pool and/or installed a smallerateck
but is reasonable brownse there is not a better area on the bot
to accomprodate the pooledack
The difficulty For the born was not self-created as the previous owner
was provided approval for the location.

NOW, THEREFORE, BE IT RESOLVED	that application ZV2020-1 submitted by
Daniel and Melinda Blair for a	pproval of an area variance_ in the
Town/Village of Lowville is hereby (GRANTED/	DENIED/GRANTED WITH CONDITIONS)
for the reasons stated above. Conditions placed with	ill be provided below.
The question of the foregoing resolution was duly	put to a vote as follows:
Yes No Recused	Yes No Recused
Brian Bush VI DONG R	Rachel Hillegas (Y) N R .
Linda Lawton	Joe Zehr NR.
Carla Hellinger, Alt Y N R	Kyle Logan A.H. Arbonk.
7	
Date: 22-144, 2020	
Lowville, New York	
	BY ORDER OF THE ZONING BOARD
	OF APPEALS OF THE TOWN OF LOWVILLE
	Binda M. Lawton
	Signature
Conditions: This variance is granted for	the existing barn (zpace-5)
22	ulso and alast (SUIMONIA)
and installation (construction of	The two contractors
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