

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

Wednesday, July 26, 2023 ~ 6:30 p.m.

1. Roll call attendance – [Board members present and absent
When opening the meeting, please state the time the meeting opened for the record.
Alternates should be included in the roll call but will not vote unless a regular member is absent.]
Members for roll call: Linda Lawton, Rachel Hillegas, Carla Hellinger, Selina Olmstead]
2. Reading and Approval of Minutes
June 28, 2023 [Ask if there are questions, additions and/or deletions. Request a motion, request a second and take a roll call vote of all members present.]
3. Communications and reports:
None
4. Unfinished business:
 - a. The public hearing is for **Application ZV2023-2**, submitted by **George Russell** requesting an area variance to allow construction of a carport 2 feet from the rear property line and 14 inches from the western property line on a non-conforming lot per 201-1220 which does not comply with Village of Lowville Zoning Law, Chapter 201, side and rear yard setbacks of 63”. The parcel is owned by George Russell, located at 5371 Waters Terrace, Village of Lowville, New York, tax parcel 212.07-08-13.000.
5. New Business:
None
6. Adjournment – [Requires a motion, second, vote.
[When adjourning the meeting, please state the time for the record.]

Board members should contact Kathy if you are unable to attend this meeting.
Please leave a message if necessary – 315-376-8070 ext 6

Next Scheduled Meeting – August 23, 2023 ~ 6:30 p.m.

Note: Information contained within the brackets [] and the information regarding the “test” is for board reference only and will not appear on the public agenda.

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

Can the application pass the “test” as determined by NYS?

An AREA VARIANCE is a use of land in a manner that 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 the decision to grant or to deny is an Article 78 proceeding.

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