

ZONING BOARD OF APPEALS

March 13, 2023

The Zoning Board of Appeals public hearing and meeting was called to order by Chairman Mr. Steve Lounsberry at 7:00pm.

Members Present: Mr. Steve Lounsberry
Mrs. Amy Moesch
Mrs. Gerri “Lynn” Wagner
Mr. John Kopacko
Mr. Steven Varga
Mrs. Marcy Hill (Secretary)

Also Present: None.

Jessica Woods- Area Variance (Case 1)

The purpose of the permit is to place a mobile home on the property owned by Mrs. Woods at 30 Depot Road, Nichols, NY.

The public hearing portion of the meeting for the Woods application was opened at 7:00pm.

Public Hearing Closed at this point. 7:00PM No public comments.

Discussion held among Board members regarding the zoning regulation as restrictions.

The area variance must meet all four requirements:

1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by granting of the area variance?

The Board discussed this criterion and all stated that this would not cause an undesirable change or detriment to any other properties.

2. Will the proposed variance has an adverse effort or impact on the physical of environmental condition in the neighborhood or district?

The Board discussed this criterion and the all determined there would be no adverse impact.

3. Is the requested area variance substantial?

The Board discussed this criterion and determined this as no.

4. Is there some other method feasible for you to pursue other than an area variance.

The Board discussed this criterion and all agree there is no other method.

5. Is the alleged difficulty self-created?

The Board discussed this criterion and determined that the hardship has been self-created.

Motion by Mrs. Amy Moesch, seconded by Mr. John Kopacko to approve application for area variance.

Roll Call - Vote:

Mr. Steven Varga –Aye; Aye; Mr. John Kopacko-Aye; Mrs. Amy Moesch – Aye; Mr. Steve Lounsberry – Aye; Mrs. Gerri Wagner – Abstained

Motion Approved – Application for Area Variance approved. This closes the Wood variance case.

Scott & Colleen LaPar – Area Variance (Case 2)

The purpose of the permit is for pole barn home and garage on property at 113 Smith Creek Road, Nichols, NY 13812.

The public hearing portion of the meeting was opened at 7:06 pm.

No Public comments.

Public hearing closed at 7:06

The zoning board reviewed the four criteria of the application:

1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by granting of the area variance?

The Board discussed this criterion and all stated that this would not cause an undesirable change or detriment to any other properties.

2. Will the proposed variance has an adverse effort or impact on the physical of environmental condition in the neighborhood or district?

The Board discussed this criterion and the all determined there would be no adverse impact.

3. Is the requested area variance substantial?

The Board discussed this criterion and determined this as no.

4. Is there some other method feasible for you to pursue other than an area variance.

The Board discussed this criterion and all agree there is no other method.

5. Is the alleged difficulty self- created?

The Board discussed this criterion and determined that the hardship has been self-created. However, this is overlooked due to other circumstances.

Motion by Mrs. Gerri “Lynn” Wagner, seconded by Mrs. Amy Moesch to approve the Area Variance application based on the criteria.

Roll Call - Vote:

Mrs. Gerri (Lynne) Wagner –Aye; Aye; Mr. John Kopacko -Aye; Mrs. Amy Moesch – Aye; Mr. Steve Lounsberry – Aye

Motion Approved – Application for Area Variance approved.

Motion by Mr. Stephen Lounsberry, seconded by Mrs. Amy Moesch, to adjourn. Motion carried.

Meeting Adjourned pm 7:12PM

Marcy Hill

Marcy

Acting Secretary,
Zoning Board of Appeals