

NOTICE OF DECISION

AREA VARIANCE

APPLICANT: Matthew Haney

DATE: Jan. 8, 2019

NOTICE that the Zoning Board of Appeals of the Town of Dryden will conduct a Public Hearing to consider the application of **Mathew Haney** to **subdivide** property at **257 Virgil Road**, known as Tax map # 37.-1-33.1 and located in a Rural Agricultural (RA) Zoning District. The application is for Lot Frontage Relief for the purpose of subdivision. Applicant seeks to create 2 lots with 224 and 250 feet of frontage where 250 feet is required in this RA District.

SAID HEARING will be held on **Nov. 6, 2018 at 7:15 pm** prevailing time at the Dryden Town Hall, 93 East Main St. Dryden NY, at which time all interested persons will be given an opportunity to be heard.

Individuals with visual, hearing or manual impairments and requiring assistance should contact the Town of Dryden at 607-844-8888 x 216 at least 48 hours prior to the time of the public hearing.

A. IN CONSIDERING WHETHER AN UNDESIRABLE CHANGE WOULD BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD OR DETRIMENT TO NEARBY PROPERTIES WILL BE CREATED BY GRANTING OF THE AREA VARIANCE THE ZONING BOARD OF APPEALS FINDS AS FOLLOWS:

No undesirable change would be produced to the neighborhood consist with the density of the neighborhood and the way its sited, and location to the neighbors

Motion made by: **Graham- Yes**
Second: **Curtis- Yes**
All in favor – **Yes**

B. IN CONSIDERING WHETHER THE BENEFITS SOUGHT BY THE APPLICANT CAN BE ACHIEVED BY SOME OTHER METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, THE ZONING BOARD OF APPEALS FINDS AS FOLLOWS:

No other feasible solution.

Motion made by: **Fearn- Yes**
Second: **Graham- Yes**
All in favor - **Yes**

C. IN CONSIDERING WHETHER THE REQUESTED AREA VARIANCE IS SUBSTANTIAL. THE ZONING BOARD OF APPEALS FINDS AS FOLLOWS:

It's not substantial its 10%, lot is deeper than other lot that is in compliance.

Motion made by: **Fearn- Yes**
Second: **Ward - Yes**
All in favor - **Yes**

D. IN CONSIDERING WHETHER THE PROPOSED VARIANCE WILL HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT. THE ZONING BOARD OF APPEALS FINDS AS FOLLOWS:

See "A" above.

Motion made by: **Graham- Yes**
Second: **Fearn- Yes**
All in favor - **Yes**

E. IN CONSIDERING WHETHER THE ALLEGED DIFFICULTY WAS SELF-CREATED. THE ZONING BOARD OF APPEALS FINDS AS FOLLOWS:

Yes, the original lot frontage is long but not enough for 2 lots, the applicant is not responsible for the size of the original lot beyond that only option is to not subdivide. Also see all above.

Motion made by: **Curtis- Yes**
Second: **Ward Yes**
All in favor - **Yes**

Curtis: this SEQR is non-exempt

Motion made by: **Curtis**
Second: **Fearn- Yes**
All in favor - **Yes**

Congratulations you have your variance!

CERTIFICATION

I, (Chairperson) of the Town of Dryden **ZONING BOARD OF APPEALS**, do hereby certify pursuant to Rule 6 of the Rules of Procedure of such Board, that the foregoing are the findings of fact and decision approved by such Board on:

Dryden, New York

Dated: 16 Jan 2019

A handwritten signature in blue ink, appearing to read "Jeff C. [unclear]", written over a horizontal line.