

AREA VARIANCE FINDINGS & DECISION

MIDDLESEX ZONING BOARD OF APPEALS on June 3, 2021

Applicant: Dan Blankenberg

Variance No: #050621-ZBA

Address: 154 Route #245, Rushville NY 14544

Zoning District: (HR)

Telephone: (585) 314-7036

Published Notice on DM 05/26/21

Property Location: same, Tax ID #003.02-1-14

Notice to County sent on N/A

Applicable Section of Town Zoning Code: Sec. #403, Schedule II

County Hearing held on N/A

NATURE OF REQUEST

Applicant is requesting an Area Variance for the purpose of locating a 24 ft. x 24 ft. pole barn for storage - four 4) feet from the side property line; whereas, local zoning requires (15) fifteen feet for a side setback in the Hamlet Residential Zoning District per Section #403, Schedule II of the Town of Middlesex Zoning Code.

FACTORS CONSIDERED:

1. Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties would be created: Yes ___ No X

Reasons: Variance requested brings the storage shed 4 feet from the property line; however the contiguous neighbor is in support of the proposed variance request and there is no other structure in close proximity.

2. Whether the benefit requested by the applicant could be achieved by some method, feasible for the applicant to pursue, other than a variance: Yes ___ No X

Reasons: This location is the best option for all parties without doing a lot of excavation into the hillside. It will also be located at the end of the owner's driveway which is ideal for unloading.

3. Whether the requested variance is substantial: Yes X No ___

Reasons: It is substantial, but at the same time with it within the fifteen feet setback allowance does not change my decision to grant the variance as requested.

4. Whether the variance would have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: Yes ___ No X

Reasons: It is a reasonable request and having a place to put stuff inside a structure will improve the neighborhood.

5. Whether the alleged difficulty was self-created: Yes X No ___

Reasons: It is, by nature of the request, but the nature of the request has no impact on the granting of the variance request in my opinion as the benefits to each of the parcel owners, outweighs the negatives.

