

12 Colabaugh Pond Road

The five factors

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties:

There will be no undesirable change to the neighborhood.

The Shed has been there since approximately 1986 and has not produced any changes over that time period of the last 35 years.

The shed is attractive and fits with the house.

The shed is not visible from the road.

2. Whether the benefit sought by the application can be achieved by some method, feasible for the applicant to pursue, other than a variance.

The shed is placed in the most logical area.

The sanitary system is located on the right side of the house and would not be a feasible location for the shed.

On the left side of the home, where the shed is located, right behind the shed is a stone wall and behind the stone wall is an embankment. These physical characters have always existed on the property. As a matter of fact, the stone wall dates back to the construction of the dam, and on top of the embankment is old foundation from an inn that served the dam builders at the turn of the 19th century.

Because of the stone wall and the embankment, the shed has been pushed slightly forward to accommodate these existing physical conditions/characteristics and it cannot be pushed back.

3. Whether the requested variance is substantial

The variance is not substantial. The shed is placed on a slant and looks good with the house. It cannot be seen from the road.

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4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

If the variance is granted, it will have no adverse effect on the neighborhood, but would cause a considerable hardship for the owner. The shed cannot be pushed back and removing it would be a financial hardship.

5. Whether the alleged difficulty was self-created.

The need for a variance was not self-created. The shed is placed in the most logical and feasible location. At the time the shed was constructed, prior to ZORP (1992), the shed in its present location would have been allowed.