



variance is too substantial but agrees with the 1' side. The Chair stated that he feels it would be a disservice to the neighbors if he supported it. He suggested that Mr. Kistler put up no trespassing signs. The Board then discussed each of the five criteria when considering an area variance and voted as follows:

1. An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties: 5-yes, 0-no
2. The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance: 3-yes, 2-no
3. The requested variance is substantial: 5-yes, 0-no.
4. The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood: 5-yes, 0-no
5. The alleged difficulty was self-created: 5-yes, 0-no

After taking into consideration the five factors, the Chair asked for a motion on the variance. Mr. Aubertine made a motion to deny the 40' front variance. Mr. Stevenson seconded the motion and it carried, unanimously. Mr. Nebbia made a motion to accept the 1' side variance. There was no second, therefore the motion was not accepted. Mr. Aubertine made a motion to deny the 1' side variance. Mr. Stevenson seconded the motion and the motion carried with 4 members voting aye and Mr. Nebbia voting nay. Due to both variances being denied, it was determined that the benefit to the applicant does not outweigh the detriment to the neighborhood or community and the requested variance is denied.

**New Business:** none

**Next Meeting:** The ZBA will meet on Monday, October 2, 2023 at 6 p.m. at Recreation Park.

**Meeting Adjourned:** With no further business, Mr. Aubertine made a motion to adjourn the meeting. Mr. Stevenson seconded the motion and the Chair adjourned the meeting at 6:20 pm.

Respectfully submitted,

Sharon A. Nebbia  
ZBA Secretary