TOWN OF CHENANGO
ZONING BOARD OF APPEALS APPLICATION
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REQUEST FOR: ___ USE VARIANCE ___ AREA VARIANCE ___ SPECIAL PERMIT ___ INTERPRETATION

Applicant's Name _____ Phone _____

Address _____

A. STATEMENT OF OWNERSHIP OR INTEREST Application Fee $90.00 cash __ check# _____
I, _____ am the owner, lessee,
_____of property located at _____

Bearing Broome County Tax Map#_____ Present Zoning _____

Owner if different from Applicant

_____

Sign Requirements Given _____

B. REQUEST Requires (18) COPIES - If Environmental Review is necessary an additional (8) COPIES are required

1. VARIANCE

(a) AREA VARIANCE
Section _____ Concerning _____ From _____ to ____
Section _____ Concerning _____ From _____ to ____

(b) USE VARIANCE
Section _____ Concerning _____ From _____ to ____
Section _____ Concerning _____ From _____ to ____

2. SPECIAL PERMIT

Section _____ Concerning _____ From _____ to ____

C. REASON FOR REQUEST
Please note: The criteria established by law for the granting of Use and Area Variance is printed on the back of this form. These criteria should be addressed by the applicant and included in the "Letter of Intent" to be submitted to the Zoning Board of Appeals

D. REQUIRED EXHIBITS
1. Site Plan – drawn to scale 1:20 or as determined by the Town Engineer) showing: lot size, buildings, parking, ingress, egress and landscaping.
2. Evidence of interest in property & "letter of intent" to the ZBA.
3. Photographs
4. Misc._____

Form 2014

CRITERIA FOR GRANTING AN AREA VARIANCE

In making its determination, the Zoning Board shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall consider:

(1). Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by the granting of the area variance

(2). Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

(3). Whether the requested area variance is substantial.

(4). Whether the proposed variance will have an adverse effect, or impact on the physical or environmental conditions in the neighborhood or district.

(5). Whether the alleged difficulty was self- created which consideration shall be relevant to the decision of the Zoning Board, but shall not necessarily preclude the granting of the area variance.

CRITERIA FOR GRANTING A USE VARIANCE

No such use variance shall be granted by the Zoning Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship, In order to prove such unnecessary hardship the applicant shall demonstrate to the Zoning Board that for each and every permitted use under the zoning regulations for the particular district where the property is located:

(1). The applicant cannot realize a reasonable return; provide that lack of return is substantial as demonstrated by competent financial evidence.

(2). That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.

(3). That the requested use variance, if granted will not alter the essential character of the neighborhood.

(4). That the alleged hardship has not been self-created.

PROCEEDURE FOR A VARIANCE REQUEST

REQUIRED SUBMISSIONS – Complete Sections A, C and D of the information

A "Letter of Intent" to the Zoning Board explaining exactly what you are requesting, specific details on how you plan to accomplish your project, and what hardship prompts this request. For requests involving Home Occupations or Non-Residential uses, include hours of operation, number of employees, entrances, available parking spaces, signage, etc. in your letter.

Submit an engineer/architect stamped site plan illustrating existing structures on the property as well as the proposed location of any new structures, additions, etc. and what distances they will be from the property lines. PLEASE NOTE: All Non-Residential uses are also required to appear before the Planning Board for site plan review. (separate application).

If the applicant is the prospective buyer of subject property, a copy of the purchase Agreement must also be submitted.

A $90.00 filing fee and all of the above information must be submitted to the Ordinance Office one (1) week prior to a scheduled Zoning Board meeting to insure placement on the Boards agenda.

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The Zoning Board of Appeals meets regularly on the 4th Tuesday of every month at 7:00 p.m.

Upon acceptance of your application, the Zoning Board schedules your variance request for a Public Hearing at their next monthly meeting and in the meantime, refers your request to the Town Planning Board for their review and recommendations.

The Planning Board meets regularly on the 2nd Monday of every month at 7:00 p.m.

Therefore, the entire variance process requires your attendance at three (3) meetings within a 30 day period.

_____ Submitted information requires (18) copies. If Environmental Review is necessary additional (8) copies will be required.

_____ The initial presentation for your variance request to the Zoning Board of Appeals.

_____ The Planning Board's review of your variance application.

_____ Planning Board site plan review for non-residential uses only, please note agenda closes three (3) weeks prior to a scheduled meeting. Submit information by _____.

_____ The Zoning Board's Public Hearing at which time the Board will answer your variance request.