

TOWN OF ALMOND

Municipal Building
P.O. Box K
Almond, New York 14804-0511
607-276-6665

Application to the Zoning Board of Appeals Request for a *USE VARIANCE*

"Use variance" shall mean the authorization by the zoning board of appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations.

I. Date of this application _____

II. Information about the Property

Address (including fire number) _____

Location (in relation to some landmark) _____

Tax map number _____

Size (in acres or square feet) _____

Present zoning _____

III. Information about the Owner

Name(s)..... _____

Mailing address _____

Telephone number(s) _____

Email _____

IV. Information about the Applicant (if different from the owner)

Name

Mailing address

Telephone number(s)

Email

Interest in Property (Agent, Purchaser, etc) ...

Attach a letter of authorization signed by the owner.

V. Decision being appealed

Attach a copy of the form or letter you received showing this decision

VI. Requested action by the Zoning Board of Appeals

State law requires that the board of appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community. The ZBA may impose reasonable conditions on granting any variances.

VII. Supporting information

When applying for a use variance the applicant is asking for permission to establish a use of the property not otherwise permitted in the zoning district. The applicant must prove "unnecessary hardship". State law requires the applicant to show all of the following:

1. **That the applicant cannot realize a reasonable return, provided 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.**

VIII. Attachments

a. Proof of the each of the four items in Part VII

If any one or more of the above factors is not proven, State law requires the ZBA deny the variance.

b. Site or plot plan drawn to scale (must include the following)

- Name of Owner
- Address of Property
- Tax Map Number
- Size (acres or square feet)
- Dimensions
- Compass orientation
- Existing structures, driveways, etc. (dotted or light lines)
- Proposed structures, driveways, etc. (solid or dark lines)
- Area (square feet) of all structures
- Distance from all structures to lot lines
- Identification of adjoining property owners
- Adjacent or nearby streets, roads, streams etc.

c. Copy of the document which resulted in this application

This is usually a building permit that has been denied by the Code Enforcement Officer

d. List of abutting property owners

These property owners will have to be notified at least 7 days before the public hearing.

e. SEQRA Environmental Assessment Form (Short Form or Full Form as applicable)

f. Letter of owner consenting to application (if applicant is not the owner)

g. Other attachments deemed pertinent by the applicant

IX. Signature and verification

Please be advised that no application can be deemed complete unless signed and dated.

I hereby certify that the information enclosed herewith and on the attachments is accurate and factual:

Signature(s) of Applicant(s): _____ **Date:** _____

_____ **Date:** _____

X. Submission

Submit this application to the Almond Town Clerk.