

**Town of Schaghticoke
Zoning Board of Appeals
290 Northline Drive Melrose, NY 12121**

**Application for a Variance, Special Permit,
and/or Appeal**

Application Number_____
Date Application Received_____
Hearing Scheduled Date_____
Application Fee_____
Approved Date_____ Conditions (y/n)____
Denial Date_____ Withdrawn Date_____
Zoning Chairperson_____

Instructions for completion:

For applications which follow a referral or denial by the Town Building Inspector or the Town Planning Board, please attach a copy of any written determination or referral. All appeals from a Town determination must be made within 60 days of receipt of such determination and should be filed with *both* the Board of Appeals and either the Building Inspector or the Planning Board, whichever is responsible for the decision you are appealing. If applicable, please attach a copy of your appeal application that you made to either the Building Inspector or the Planning Board. Also include all pertinent information that was attached to that first application (i.e. plans, drawings, maps, survey, etc.).

The Board of Appeals is also vested with the authority to: (1) issue area and use variances; (2) issue determinations as to the meaning of the text of the Zoning Code or of any conditions or requirements specified or made under the provisions of the Zoning Code; and (3) determine the exact location of any district boundary shown on the Zoning Map.

The Board of Appeals will fix a reasonable time for the hearing of your application and give public notice of such hearing by publication in a paper of general circulation in the town at least five days prior to the date of the hearing and by other means required in the Zoning Law. It is recommended that the applicant or a representative be present at the hearing.

Zoning Board Fees:

Commercial/ Industrial/Manufacturing:	\$ 300.00
Residential:	\$ 150.00

General Information

<u>Applicant:</u>	<u>Property Owner:</u>
Name: _____	Name: _____
Company: _____	Company: _____
Address: _____	Address: _____
Phone: _____	Phone: _____

Applicant is: Owner____ Builder____ Lessee____ Architect/Engineer____ Agent____ Other____
If Other, Explain: _____

Lot Information

Street Address of Lot: _____

Tax ID Number: _____ Zoning District: _____

Irregular Shape of Lot (y or n) _____ Corner Lot (y or n) _____

Existing: Lot Area _____ Frontage _____ Depth _____

Set Backs: Front _____ Rear _____ Left _____ Right _____

Proposed: Lot Area _____ Frontage _____ Depth _____

Setbacks: Front _____ Rear _____ Left _____ Right _____

Type of Water Service: _____ Type of Sanitary Disposal _____

Describe Existing Use: _____

Type of Request: _____ Area Variance _____ Use Variance
_____ Special Permit _____ Code Interpretation

Briefly describe the proposal: _____

Abutters- Adjacent Property Owners

List the name and address for each adjacent property owner. Use additional paper if needed.

Name:	Address:	Property Use:
Front _____	_____	_____
Rear _____	_____	_____
Left _____	_____	_____
Right _____	_____	_____

Required Submittals

***Please submit an electronic copy of this form and application materials listed below to EMcDonough@renesco.com and submit 7 hard copies. If submission of application materials electronically would constitute a hardship, the Zoning Board of Appeals may waive this requirement. In addition to this form, the following application materials are required for all applications:**

- _____ A plot plan showing: lot size, all property lines, dimensions, adjacent streets, existing and proposed structures, setback distances, parking and driveways, compass points, location of water system, location of septic/sewage disposal system and location of proposed changes
- _____ Part 1 of the State Environmental Quality Review (SEQR) Short Environmental Form (available at <http://townofschaghticoke.org/content/Boards/View/4>)
- _____ Appropriate fee, as identified above
- _____ Application materials submitted for any previous applications
- _____ Previous decisions/determinations made by Town Building Inspector, Town Planning Board or Town Zoning Board of Appeals

Have there been any other variances issued for this property? (y or n) ____

If yes explain: _____

**NOTE: Additional submittals may be required by the Zoning Board of Appeals.
Failure to submit all required documents may result in a delay
in the processing or denial of the application.**

For any Area Variance Request, please complete the following:

Proposed use/construction: _____
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:		
Front Setback:		
Rear Setback:		
Left Side Setback:		
Right Side Setback:		
Maximum Lot Coverage:		
Maximum Height:		

For Multi-family Residential / Non- Residential Area Variances, please complete the following:

	REQUIRED	PROPOSED
Number of Parking Spaces		
Buffer:		
Units per Acre:		

Area Variance Continued

1. Explain how no undesirable change will be produced in the character of the neighborhood; nor a detriment to nearby properties created by granting the area variance.

2. Explain why the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

3. Describe whether the requested Area Variance is substantial.

4. Explain how the proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district.

5. Explain whether the difficulty is self- created. (Consideration is relevant, but shall not necessarily preclude the granting of the Area Variance).

For Use Variance Applications, please complete the following:

Describe the requested use: _____

1. Explain why the applicant cannot realize a reasonable return without the Use Variance, as demonstrated by competent financial evidence.

2. Explain how the alleged hardship relating to the property is unique, and does not apply to a substantial portion of the district or neighborhood.

3. Describe why granting the requested use variance will not alter the essential character of the neighborhood.

4. Explain whether the alleged hardships have been self- created.

Describe in Detail your request:

Explain why granting the request is consistent with the public health, safety, and general welfare of the community, including the public or commercial inconvenience of the applicant.

Appeal Criteria

Explain the nature of the requested appeal, including Town Code Section, Building Department decision, and your objections.

Certification and Authorization

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of Schaghticoke to process this application as provided by law.

I authorize the members of the Zoning Board of Appeals and designed Town of Schaghticoke staff to enter the property associated with this application for purposes of conducting any necessary site inspections related to this appeal.

Applicant:

Property owner:

Name: _____

Signature: _____

Date: _____

Sworn to before me this
_____ day of _____

Notary Public