

**TOWN OF ONEONTA
CODE ENFORCEMENT OFFICE
3966 St Hwy 23, PO Box A
West Oneonta, NY 13861
Phone: (607)432-8606 Fax: (607)432-3135
Web site: www.townofoneonta.org**

Items to be included with Variance submittal

1. Application containing statement of development intent with the ☐ names of owners and developers, ☐ Environmental Assessment Form (EAF) and ☐ disclosure statement

2. Site Plan Showing:

- ☐ a. Property boundaries
- ☐ b. Building location & setbacks
- ☐ c. Parking areas (refer to 103-49) & lighting
- ☐ d. Loading areas (refer to 103-51 if required)
- ☐ e. Drives, ingress and egress points (refer to 103-52)
- ☐ f. Sign location and illumination
- ☐ g. Existing land use for a distance of 200' from lot
- ☐ h. Buffering (if abutting a residential use)
- ☐ i. Building permit application and fee
- ☐ j. Variance application and fee
- ☐ k. Owners within 200 feet
- ☐ l. Short EAF
- ☐ m. Sketch plan
- ☐ n. Copy of tax map

Reviewed date: _____ by: _____
Code Enforcement Officer

APPLICATION TO ZONING BOARD OF APPEALS
Town of Oneonta 3966 St Hwy 23, PO Box A, West Oneonta, NY 13861
www.townofoneonta.org

Application Purpose:

_____ Interpretation
_____ Variance: ☐ use ☐ area
_____ Special Extension

Case No. _____
Date Rec'd CEO _____
Fee Rec'd CEO _____
Date Rec'd ZBA _____
Date Referred to
Town Planning Board _____
Public Hearing _____
Action _____
Date Referred to
County Planning Board _____

Date: _____

To the Zoning Board of Appeals:

I/We _____ hereby request
(name of applicant) (address)
that the Zoning Board of Appeals grant a(n) _____
(interpretation, variance, or special extension)
of Section _____ of the Zoning Ordinance (Section 103) from the Code of the Town
of Oneonta.

Signature: _____

Mailing Address: _____

E-Mail: _____

Phone: _____

Cell Phone: _____

COMPLETE RELEVANT SECTION

A. Interpretation:

1. Section of Ordinance or Map: _____
2. Specific Language (or property description of section): _____

3. Interpretation of the Ordinance intent with regard to: _____

B. Use Variance (attach site plan):

1. Property Description (attach copy of tax map):
Tax Map Section: _____ Block _____ Lot _____
Location of property(address): _____
2. A use variance to the Ordinance is requested for these reasons:
 - a. There are specific problems with the size and shape of lot or structures or the features of the land. Describe: _____

 - b. The granting of a variance will relieve a hardship which is peculiar to the subject property (not a personal monetary hardship). Describe hardship: _____

 - c. The granting of the variance will not be detrimental to the surrounding neighborhood because: _____

C. Area Variance (Applicants need only complete section's B-1, B-2a and E)

1. Attach a sketch plan.

D. Special Extension

1. Property Description (attach copy of tax map):
Tax Map Section: _____ Block _____ Lot _____
Location of property(address): _____
2. Attach a sketch plan indicating the non-conforming use and proposed changes to it.
3. Complete sections B-1 and B-2a.
4. Attach an affidavit indicating that subject non-conforming use existed prior to the adoption of the relevant section of the Zoning Ordinance.

E. List the name and addresses of ALL property owners within 200 feet.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2.			YES
			☐
			☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐
			☐
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned _____ acres			
or controlled by the applicant or project sponsor?			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify:	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year or 500-year flood plain?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES
	☐	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☐	☐
21. Is the project located within, or within ½ mile of, a disadvantaged community? If No, could impacts from the project affect a disadvantaged community? If Yes to either question in 21, answer the following question. a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):	NO	YES
	☐	☐
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

DISCLOSURE STATEMENT

Pursuant to the requirements of General Municipal Law Article 5-K, Section 809, an applicant seeking local approval for a planning or zoning action is obligated to disclose the name, residence and the nature and extent of the interest that any officer or employee of the municipality may have with the applicant.

An officer or employee of the municipality is deemed to have an interest in the applicant, when he/she, his/her spouse, their brothers, sisters, parents, children, grandchildren or the spouse of any of them

- a) is the applicant, or
- b) is an officer, director, partner or employee of the applicant, or
- c) legally or beneficially owns or controls stock of a corporate, applicant or is a member of a partnership applicant or association applicant, or
- d) is a party to an agreement with such an applicant, express or implied, whereby he/she may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

I, _____, the applicant for local approval of a planning or zoning action in the Town/Village of _____, hereby disclose one of the following (check one):

___ 1. No officer or employee of the local agency from which approval is sought has an interest in the applicant.

___ 2. There exists an interest in the applicant by at least one officer or employee of the local agency from which approval is sought. These interests are as follows:

NAME	RESIDENCE	NATURE OF INTEREST
a.		
b.		
c.		

TOWN OF ONEONTA
ZONING BOARD OF APPEALS
Town Hall, 3966 St Hwy 23, PO Box A, West Oneonta, NY 13861

To: ALL PROPERTY OWNERS WITHIN 200 FT OF:

(Property address, & tax map number, also property owner's name if not same as applicant)

Please take notice that the Zoning Board of Appeals, Town of Oneonta will hold a public hearing for a use variance ☐ / area variance ☐ on the ____ day of _____, 20____ at or about _____ p.m./ a.m. in the Town Hall 3966 St Hwy 23, West Oneonta, pursuant to an application from:

(applicant's name & address)

for: _____
(describe purpose in detail)

Copies of the complete text are on file in the Code Enforcement Office in the Town Hall in West Oneonta.

All interest persons will be given an opportunity to be heard.

Dated: _____

Applicant's Signature: _____