

APPEAL TO BOARD OF APPEALS

STEP 1. Request for Building Permit made to Administrative Enforcement Official

STEP 2. Order, Decision, Interpretation Requirement or Determination made and filed by Enforcement Official

60 days

STEP 3. Notice of Appeal filed by aggrieved person or by officer, department or Village with Enforcement Official and Board of Appeals

STEP 4. Enforcement Official sends notice of appeal and record to Board of Appeals

STEP 5. Board of Appeals has reasonable time for hearing the appeal or other matter referred to it

STEP 6. Posting of Public Notice and compliance with provisions of ordinance or Local Law

Publication of Notice in Newspaper at least five days prior to hearing

At least five days before hearing, notice mailed to regional State Park Commission or to County or regional Planning Department as required by 239m General Municipal Law

STEP 7. Compliance with Open Meetings Law and Environmental Quality Review Act

STEP 8. Public Hearing by Board of Appeals - Determination of Environmental Significance

62 days, unless extended by mutual consent

STEP 9. Decision by Board of Appeals

5 days

STEP 10. Filing of Decision with Village Clerk and copy mailed to applicant

30 days

APPLICATION FOR APPEAL

APPEAL NO. _____

DATE _____

TO THE ZONING BOARD OF APPEALS, TOWN OF VILLAGE OF DEPOSIT, NEW YORK

I (We) _____ of _____
Name of Applicant Street and Number

_____, _____, HEREBY APPEAL
Municipality State

TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE
ENFORCEMENT OFFICER ON APPLICATION FOR BUILDING PERMIT NO.

_____, DATED _____, 20____, WHEREBY
THE ENFORCEMENT OFFICER DID DENY

- () A BUILDING PERMIT
- () A PERMIT FOR USE
- () A CERTIFICATE OF OCCUPANCY
- () A SPECIAL PERMIT OR EXTENSION THEREOF

1. _____
(Location of Property) (Street and Number or other identification)

Tax Map No. _____ Use district on zoning map _____

IS PROPERTY WITHIN 500 FEET OF: (Circle one opposite each)

- | | | |
|--|-----|----|
| (A) Any Village of Deposit Boundary Line? | YES | NO |
| (B) Any existing or proposed county or state
park or other recreation area? | YES | NO |
| (C) Any existing or proposed county road? | YES | NO |
| (D) Any existing or proposed state road? | YES | NO |
| (E) Any existing or proposed county stream
or drainage channel? | YES | NO |

2. TYPE OF APPEAL. Appeal is made herewith for:

- () An area variance
() A use variance
() An interpretation of the Zoning Ordinance or Zoning Map
() A Special Permit to the Zoning Ordinance or Zoning Map
() An extension to a Special Permit

3. PREVIOUS APPEAL. A previous appeal () has
() has not
been made with respect to this decision of the Enforcement Officer or with respect to this property

If so: Such appeal(s) was (were) made in Appeal No. _____
dated _____, 20____.

4. REASON FOR APPEAL. (Complete relevant blank. Use extra sheet if necessary.)

a. INTERPRETATION OF THE ZONING ORDINANCE IS REQUESTED because:

b. A SPECIAL PERMIT IS REQUIRED pursuant to Article _____ of the Zoning Ordinance because:

c. EXTENSION TO A SPECIAL PERMIT IS REQUESTED because:

d. A USE VARIANCE IS REQUESTED for these reasons:
(All reasons must be answered)

(1) Under the zoning regulations, I (we) will be deprived of all economic use or benefit from the property in question because: _____

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

3) The variance will not alter the essential character of the neighborhood

because:

e. AN AREA VARIANCE IS REQUESTED for these reasons:

(1) If the variance is granted, the applicant will have the following benefit:

(2) There will not be an undesirable change in the character of the neighborhood or a detriment to nearby properties, because:

(3) The applicant cannot attain the benefit of having the variance by any other

(4) The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because:

5. PUBLICATION EXPENSE. I (We), the undersigned, understand that a public hearing is required to be held on this request and that notice of such hearing will be advertised in the official Town paper as prescribed by law. I (We) agree to pay the cost of advertising the hearing and any other reasonable expenses billed by the official newspaper and/or by the Village of Deposit.

6. SECTION 809 CERTIFICATION. In accordance with Section 809 of the General Municipal Law of the State of New York, the undersigned certifies in submitting this application that no officer or employee of the State of New York or the County in which the property is situated or Village of Deposit is interested in granting said application. It is understood that:

- (1) A person is "interested" in such an application when he or his spouse or their brothers, sisters, parents, children, grandchildren or 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 or association applicant, or
 - (d) is a party to an agreement with such an applicant, express or implied, whereby he 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.

- (2) Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- (3) Any person who knowingly and intentionally violates the provisions of Section 809 of said General Municipal Law shall be guilty of a misdemeanor.

(NOTE: If in any case the applicant cannot make the foregoing certification, the applicant shall so state and shall furnish with the application a signed statement which sets forth in detail the reason therefor.)

The foregoing certification as well as the contents of this entire application is hereby subscribed by the applicant and is hereby affirmed by the applicant as true under the penalties or perjury.

Applicant

Phone No. _____