

APPLICATION FOR AREA OR USE VARIANCE

Town of Yates
8 South Main Street
P.O. Box 484
Lyndonville, NY 14098

File No.
Applicant Name:
Applicant Address:
Date Received:
Date of Final Decision:
Final Decision:

Zoning Board meetings are held on demand at 7:00 p.m.

Instructions:

The following application must be completed and filed with the Town Clerk or the Code Enforcement Officer. Applications for Area or Use Variances must be submitted and deemed complete for review by the Code Enforcement Officer at least ten (10) working days prior to the next scheduled Zoning Board meeting. The fee is \$50.00.

Variance Requested: ☐ Area ☐ Use

Please submit one (1) copy of the following application package:

- ☐ This application form.
- ☐ Existing and proposed site plan in accordance with the *Area or Use Variance Checklist* (attached).
- ☐ **Short or Long Environmental Assessment Form** pursuant to the N.Y. State Environmental Quality Review Act (SEQRA). Whether a short or long form is required is dependent upon whether the application is classified as "Type 1" or "Unlisted." These forms are available from the Code Enforcement Officer or the Town Clerk.

The Applicant's appeal from a decision of the Zoning Enforcement Officer, or on direct appeal from the Planning Board as permitted by State Law, concerns the following:

- ☐ Denial of an Application for a Building Permit (Attach to Application)
- ☐ Denial of an Application for a Certificate of Occupancy (Attach to Application)

A mandatory Public Hearing will be held for all Area and Use Variance applications.

Part I: General Information

1. Owner's Name: _____

Street Address: _____

City, State, Zip: _____

Telephone No. : _____

2. Agent's Name: _____

Street Address: _____

City, State, Zip: _____

Telephone No. _____

3. Tax Map Number: Section _____ Block _____ Lot _____

4. Location of the Property:

5. Zoning District Classification:

Present: _____

Proposed: _____

6. Denial was made because of a violation or conflict with the Zoning Code(s):

7. Provide a brief description of the proposed activity, the reason you are applying for the Area/Use Variance and demonstrate the unnecessary hardships that have been caused to you by the current regulations and restrictions of the Town's Zoning. (Add additional sheets if necessary)

8. Describe the character of the neighborhood and how it will be altered if a variance is granted:

Part II: Site and Setback Data

Instructions:

Please complete the site development data, setback requirements, and parking information with respect to the subject parcel.

Site Development Data			
Area/Type	Existing (sq.ft.)	Proposed New or Addition (sq.ft.)	Total (sq.ft.)
Building Footprint			
Detached Garage			
Accessory Structure(s)			
Paved, gravel, or other hard surface areas			
Porches/Decks			
Other			
Lot Coverage (%)	%	%	%

Setback Requirements			
Location	Required	Existing	Proposed
Front			
Side Yard			
Rear Yard			

Parking			
	Required	Existing	Proposed
Spaces			

Part III: Area or Use Variance Checklist

Instructions:

Please prepare a site plan depicting existing and proposed conditions for the following items. The Board may, at its discretion, waive any of these requirements or require the submission of additional information. The Applicant should make a request for waiver(s) when the application is filed. It is the responsibility of the Applicant to provide all pertinent information required by the Town Zoning Law.

- ☐ Title of drawing, date, north arrow, scale, name, address of Applicant, and person responsible for preparation of such drawing.
 - ☐ Boundaries of the property plotted to scale.
 - ☐ Existing watercourses, wetlands, FEMA flood plains, landscaping, and vegetative cover.
 - ☐ Grading and drainage plan showing existing and proposed contours with intervals of five (5) feet or less.
 - ☐ Location, use, and height of all existing and proposed buildings.
 - ☐ Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, alignment, grade, pavement-surfaces, channelization structures, visibility, and traffic controls shall be considered.
 - ☐ Design and construction materials of all parking and truck loading areas.
 - ☐ Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic, and overall pedestrian convenience shall be considered.
 - ☐ Location of outdoor storage, if applicable.
 - ☐ Location, design, and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls, and fences.
 - ☐ Description of the method of sewage disposal and location, design, and construction materials of such facilities, as well as the location of water supply hook-ups if from a municipal system or from wells.
 - ☐ Location of fire and other emergency zones, including the location of fire hydrants.
 - ☐ Location, size, design, and construction materials of all proposed signage.
 - ☐ Provide a photometric plan for the proposed location, direction, power, and hours of operation of proposed outdoor lighting. Horizontal illumination levels, foot-candles, shall be designed and located as to prevent objectionable light, brightness, and glare to the surrounding properties.
 - ☐ Designation of the amount of building area proposed for each use.
 - ☐ Landscaping plan and planting schedule.
 - ☐ Location and proposed development of all buffer areas, including indication of existing vegetative cover.
 - ☐ Other elements integral to the proposed development, as considered necessary by the Zoning Board, including identification of any required County, State, or Federal permits.
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Part IV: Signatures*Signature of Owner:*

The information provided in this application and on the attached site plan is true and accurate to the best of my knowledge. I acknowledge that the Zoning Board will not review my plan unless all information requested has been submitted.

Signature of Owner

Date*Authorization to Act as Agent For:*

In the event that the Owner of the property desires to have another individual act as his/her authorized representative in support of this application the following statement must be completed and signed:

I, _____, owner of the premises located
(Name of Owner)

at _____ with Tax Map No., _____
(Location)

hereby designate _____ as my agent regarding an
(Agent)

application for Area or Use Variance.

Signature of Owner

Date

Part VI: Decision of the Zoning Board☐ Permit Granted

Conditions:

☐ Permit Denied

Conditions:

Signature of Chairperson

Date

Record of Vote**Date:** _____

	Member Name	Aye	Nay
Chair	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____