

TOWN OF CHENANGO
ZONING BOARD OF APPEALS INFORMATION SHEET

(CHECK ONE)

REQUEST FOR: **USE VARIANCE** **AREA VARIANCE** **SPECIAL PERMIT**
 INTERPRETATION

Applicant's Name _____ Phone _____

Address _____

A. STATEMENT OF OWNERSHIP OR INTEREST

I, _____ am the owner, lessee, _____
of property located at _____ and bearing

Broome County Tax Map # _____ Present Zoning _____

Owner if different from Applicant _____

Sign Requirements Given _____.

B. REQUEST Requires (17) COPIES - IF Environmental Review is necessary an additional (8) copies are required

1. VARIANCE

(a) Area Variance

Section _____ Concerning _____ From _____ To _____
Section _____ Concerning _____ From _____ To _____

(B) Use Variance

Section _____ Concerning _____
Section _____ Concerning _____

2. SPECIAL PERMIT

Section _____ Concerning _____

C. REASON FOR REQUEST

PLEASE NOTE: The criteria established by law for the granting of Use and Area Variance is printed on the back of this form. This criteria should be addressed by the applicant and included in the "Letter of Intent" to be submitted to the Zoning Board of Appeals.

D. REQUIRED EXHIBITS

1. Site Plan - Drawn to scale (1:20 or as determined by Town Engineer) showing: lot size, buildings, parking, ingress, egress & landscaping.
2. Evidence of interest in property & "letter of intent" to the **ZBA**.
3. Photographs 4. Misc. _____

CRITERIA FOR GRANTING A USE VARIANCE

No such use variance shall be granted by the Zoning Board of Appeals without a showing by the applicant that applicable Zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Zoning Board that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- (1) . -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.
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CRITERIA FOR GRANTING AN AREA VARIANCE

In making its determination, the Zoning Board shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- (1) . -Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
- (2) . -Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.
- (3) . -Whether the requested area variance is substantial.
- (4) . -Whether the proposed variance will have an adverse effect, or impact on the physical or environmental conditions in the neighborhood or district.
- (5) . -Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the Zoning Board, but shall not necessarily preclude the granting of the area variance.

PROCEDURE FOR A VARIANCE REQUEST

- Complete Sections A, C and D of the information sheet

REQUIRED SUBMISSIONS

-A 'Letter of Intent' to the Zoning Board explaining exactly what you are requesting, specific details on how you plan to accomplish your project, and what hardship prompts this request. For requests involving Home Occupations or Non-residential uses, include hours of operation, number of employees, entrances, available parking spaces, signage, etc., in your letter.

- Submit a Site Plan illustrating existing structures on the property as well as the proposed location of any new structures, additions, etc., and what distances they will be from the property line. **PLEASE NOTE:** All Non-Residential uses are also required to appear before the Planning Board for Site Plan Review. (See reverse.)

-If the applicant is the prospective buyer of subject property, a copy of the Purchase Agreement must also be submitted.

-A **\$50.00 filing fee** and all of the above information must be submitted to the Ordinance Office one (1) week prior to a scheduled Zoning Board meeting to insure placement on the Board's agenda. (**Submit information by** _____).

The Zoning Board of Appeals meets regularly on the **4th Tuesday** of every month at 7:00 P.M.

Upon acceptance of your application, the Zoning Board schedules your variance request for Public Hearing at their next monthly meeting and, in the meantime, refers your request to the Town Planning Board for their review and recommendation.

The Planning Board meets regularly on the **2nd Monday** of every month at 7:00 P.M.

Therefore, the entire variance process requires your attendance at three (3) meetings within a 30-day period:

- _____ - The initial presentation of your Variance request to the Zoning Board.
- _____ - The Planning Board's review of your Variance application.
- _____ - The Zoning Board's Public Hearing at which time the Board will answer your Variance request.
- _____ - Planning Board Site Plan Review for Non-Residential uses, only. (See reverse. P/B Agenda closes three (3) weeks prior to a scheduled meeting. Submit information by _____ .)
- _____ - Submit information by _____ Request requires (17) copies, if Environmental Review is necessary additional (8) copies will be required.

SUBMISSIONS REQUIRED FOR SITE PLAN REVIEW BY PLANNING BOARD

§73-28 Final development plan.

A. For site plan reviews in A.R. NC and PDD Districts, the applicant shall submit a final development plan at a scale of one (1) inch equals twenty (20) feet for review to the Town Planning Board prior to the issuance of a building permit. Plans and specifications shall bear the signature of the person responsible for the design and drawings and where required by §7302 as amended, of Article 147 of the Education Law of the State of New York, the seal of a licensed architect or licensed professional engineer. The final development plan shall include.

- (1) . Site plan showing location and dimensions of proposed buildings, signs, open spaces and land uses areas, including any subdivision intended within the district.
- (2) . Location and dimensions of driveways and their intersections with streets and highway, traffic circulation, required parking and loading areas, pedestrian walks and lighting.
- (3) . A description of the proposed use, including hours of operation, number of employees, expected volume of business, and type and amount of traffic to be generated, shall be provided in writing.
- (4) . Landscaping plan, including site grading and type of landscape plantings and structures and necessary screening. The provision does not apply to single family residential subdivision development.
- (5) . Final drawings of buildings to be constructed in the current phase, including floor plans, exterior elevations and sections. This provision does not apply to single family residential subdivision development.
- (6) . Final engineering plans, including street improvements, water supply, waste disposal and drainage system (approved by the County Health Department) and other public utilities. All improvements shall comply where applicable with construction standards outlined in the Town of Chenango Subdivision Regulations.
- (7) . Letters in appropriate cases directed to the chairman of the Planning Board signed by a responsible official of the agency , utility company, government authority or special district having jurisdiction in the area of public sewer, public water, telephone, electric or gas improvements a responsible and qualified official of the Fire Department ans School Board transmitting their findings concerning the plan.
- (8) . Engineering feasibility studies for the solution of any anticipated problem which might arise due to the proposed development, as required by the Planning Board.
- (9) . Need for performance bond for items in Subsection A(2). (4) and (6) above, and bond amount shall be determined by and at the option of the Town Board.
- (10) . Offers of cession and proposed restrictive covenants.
- (11) . Construction sequence and time schedule for completion of each phase for buildings parking spaces and landscaped areas, as applicable.
- (12) . Complete documentation of means for the continual maintenance of common open space and buildings.
- (13) . Any environmental quality review as may be required by New York State, Broome County or the Town of Chenango.

PLEASE NOTE: SITE PLAN REVIEW FEE REQUIRED.

-All of the above information and appropriate fees must be submitted to the Ordinance Office three (3) weeks prior to a scheduled meeting to insure placement on the Board's Agenda.