

# ***ZONING BOARD OF APPEALS***

## ***PLEASE READ***

Under present procedures your application and plan may be subjected to a 2 phase review before final approval is granted allowing you to begin work on your project.

The Zoning Board of Appeals meets the third Wednesday of the month. An agenda will be forwarded to you prior to the meeting. The phases and steps are:

**Your application and plan must be filed by the 15<sup>th</sup> of the month.** It is forwarded to the Zoning Board of Appeals for a Public Hearing. Based on your application, your input and possible neighbor comments, the Zoning Board will render a decision. You should be present at this meeting. Be prepared to respond to detailed questions about your project. If, for any reason, your application is tabled at the scheduled ZBA meeting, it must be heard at the next scheduled meeting, no further tabling of the application will be allowed.

The Zoning Board may possibly, as a stipulation of approval, require you to submit a detailed *SITE PLAN* to the Planning Board to refine your project and insure it complies with the needs of the Town. This *SITE PLAN* should be drawn in a professional manner, to scale showing precise measurements and other pertinent data as it applies to your particular project. A *SITE PLAN REVIEW* outline can be obtained from the Zoning Enforcement Officer.

The Planning Board assures that your end project will be in full compliance with Town requirements. Only when the Planning Board ascertains and is satisfied that your plan has met the necessary criteria will they grant final approval and you will be able to start your project.

*Remember---*If there is a structure involved in your plan, or major renovations are necessary, you will be required to obtain a Building Permit.

<p style="text-align: center;"><b>Code Enforcement Officer's Hours</b> <b>Monday, Tuesday, Thursday &amp; Friday 8:00 a.m. – 12:00 p.m.</b> <b>Wednesday – 4:00 p.m. – 7:00 p.m.</b></p>
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DATE \_\_\_\_\_

APPLICATION # \_\_\_\_\_

FEE PD. \$ \_\_\_\_\_

## APPLICATION TO THE ZONING BOARD OF APPEALS

APPLICANT \_\_\_\_\_ Phone # \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/STATE \_\_\_\_\_ ZIP \_\_\_\_\_

CURRENT PROPERTY OWNER \_\_\_\_\_ Phone # \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/STATE \_\_\_\_\_ ZIP \_\_\_\_\_

REPRESENTATIVE FOR BOARD MEETING  APPLICANT  OTHER \_\_\_\_\_

### APPLICATION FOR:

- Expansion/Change of Nonconforming Use
- Appeal of Zoning Officer ----- Variance -  Use  Area
- Second Party Appeal
- Special Permitted Use \_\_\_\_\_
- Interpretation of Zoning Ordinance or Official Map
- Temporary Permit-----  New  Extension
- Appeal of Zoning Officer's Decision

Parcel ID # \_\_\_\_\_ Zone \_\_\_\_\_ Overlay \_\_\_\_\_

Property Location (please provide map) \_\_\_\_\_

Description of Project ---- Reason for Application \_\_\_\_\_

### SUPPORTING DOCUMENTS:

- Deed - If rental or leased  Copy of agreement showing contractual rights.
- Is sale of property contingent on approval of this application?  Yes  No
- Site Plan Appr Date \_\_\_\_\_ DEC Appr Date \_\_\_\_\_ SEQR Appr Date \_\_\_\_\_
- Clinton County Planning Board  Approval  Denial Date \_\_\_\_\_
- APA  Approval  Denial Date \_\_\_\_\_

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### ACTION

#### ZONING BOARD

#### PLANNING BOARD

Rev. Date \_\_\_\_\_

SITE PLAN REV Date \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_

Approval Stipulations \_\_\_\_\_

Reason for Denial \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Chairperson

## ***SPECIAL PERMITTED USE***

If a violation of the Zoning Ordinance is existing on the property involved no action will be taken on this request until such a time the violation is corrected.

1. As an Allowable Use by Special Permit, as stipulated in the Zoning Ordinance, this request is for\_\_\_\_  
\_\_\_\_\_
2. If for a Home Occupation:
  - A. Number of persons to be employed? \_\_\_\_\_ Family members \_\_\_\_\_
  - B. Anticipated weekly increase in traffic: \_\_\_\_\_
  - C. Will deliveries/pickups be via commercial carrier?  Yes  No
  - D. Will business be conducted within the confines of the home?  Yes  No  
Will this be a new structure?  Yes  No
  - E. If 'D' shows a new structure, describe \_\_\_\_\_  
\_\_\_\_\_
3. If other than a Home Occupation describe basic pertinent details of the request \_\_\_\_\_  
\_\_\_\_\_
4. Will proposed use require?
  - \* A. A new structure?  Yes  No Renovation for existing structure?  Yes  No
  - B. A change of land use?  Yes  No -- If yes explain \_\_\_\_\_  
\_\_\_\_\_
  - \* C. A change in use of and existing structure?  Yes  No ---- Explain \_\_\_\_\_  
\_\_\_\_\_
  - D. Anticipated increase in traffic, weekly \_\_\_\_\_
  - E. Involvement of commercial carriers?  Yes  No. If yes, describe types of vehicles expected: \_\_\_\_\_ # per week \_\_\_\_\_
5. Describe land, and use, of surrounding area \_\_\_\_\_  
\_\_\_\_\_
6. Is this request seasonal in nature?  Yes  No - Explain \_\_\_\_\_  
\_\_\_\_\_
7. Will/has any aspect of this request been denied by the Zoning Enforcement Officer?  
 Yes  No If yes, explain \_\_\_\_\_  
\_\_\_\_\_
8. If the answer to #7 is yes, are you appealing his decision (a variance)?  Yes  No
9. If a Variance required: Zoning Board Action: Approved  Yes  No Date \_\_\_\_\_
10. Show any unusual aspects of this request that will have an influential bearing on the approval process:  
\_\_\_\_\_  
\_\_\_\_\_

\* Approval of this request will not relieve the applicant the responsibility of obtaining a building permit when a new structure or renovations of existing structures are involved.

# **ARTICLE VII - ADMINISTRATION**

## **SECTION 701 ENFORCEMENT:**

This ordinance shall be enforced by the Zoning Enforcement Officer, who shall be appointed by the Town supervisor with the approval of the Town Board. In case of a vacancy of the office of Zoning Enforcement Officer, the Town Supervisor shall be acting Zoning Enforcement Officer. No building permit or certificate of occupancy shall be issued except where all the provisions of this ordinance have been complied with.

## **SECTION 706 VIOLATIONS:**

A violation of this ordinance is an offense punishable by a minimum fine of \$50.00 and a maximum fine of \$350.00, or by imprisonment for a period not exceeding six (6) months, or by both fine and imprisonment. Each week's continued violation shall constitute a separate additional violation. Whenever a violation of this ordinance occurs, any person may file a complaint in regard hereto. All such complaints must be in writing and shall be filed with the Zoning Enforcement Officer, who shall properly record such complaint and immediately investigate and report thereon to the Town Board.

In addition to other remedies, the Town may institute any appropriate action or proceeding to prevent any unlawful erection, alteration, conversion, maintenance or use, to correct or abate such violation, to prevent the occupancy of a building, a structure, or land or to prevent any illegal act, conduct, business or use.

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STATE OF NEW YORK)

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County of Clinton)

Deponent being duly sworn says that he/she is the owner of the property upon which this request is based, or an authorized agent for the property owner for which the foregoing request is being submitted.\* I further state that all information contained herein is true and correct to the best of my knowledge.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true, has committed a crime under the laws of the State of New York, punishable as a Class A Misdemeanor. (PL210.45)

\* A letter appointing the agent to act in his/her behalf must be signed by the land owner and accompany this application.

Assistance rendered by the Zoning Enforcement Officer or other town official in completing this request **does not** insure approval by either the Planning Board or Zoning Board of Appeals.

Affirmed under penalty or Perjury

This \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant