

**TOWN OF IRONDEQUOIT
APPLICATION TO THE ZONING BOARD OF APPEALS**

PROJECT ADDRESS _____

TAX ID NUMBER _____ ZONING DISTRICT _____

PROPERTY OWNER _____ PHONE _____

OWNER ADDRESS _____ ZIP CODE _____

APPLICANT _____ PHONE _____

APPLICANT ADDRESS _____ ZIP CODE _____

AGENT _____ PHONE _____

AGENT ADDRESS _____ ZIP CODE _____

DESCRIPTION OF PROJECT AND VARIANCE(S) REQUESTED: _____

APPLICANT'S OR AGENT'S SIGNATURE _____ **DATE** _____

**NOTE: BY SIGNING THIS APPLICATION, YOU ARE IN ACKNOWLEDGEMENT THAT A ZONING BOARD MEMBER AND/OR STAFF
WILL BE VISITING YOUR PROPERTY.**

(Do Not Write Below This Line/Official Use Only)

Fee \$ _____ Date of Hearing _____

I **USE VARIANCE** _____ **TYPE OF USE** _____
 II **SPECIAL USE PERMIT** _____
 III **AREA VARIANCE** _____

<u>TYPE OF APPEAL:</u>	<u>CODE REQUIREMENT</u>	<u>REQUEST</u>	<u>VARIANCE</u>
_____ Setback	_____	_____	_____
_____ Front	_____	_____	_____
_____ Corner Front	_____	_____	_____
_____ Rear	_____	_____	_____
_____ Side	_____	_____	_____
_____ Lot Coverage	_____	_____	_____
_____ Parking	_____	_____	_____
_____ Signage	_____	_____	_____
Other _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SUBMISSION REQUIREMENTS FOR APPLICATIONS:

- 1 copy -- COMPLETED APPLICATION FORM & SHORT ENVIRONMENTAL FORM
- 1 copy -- PROOF OF: Ownership, accepted Purchase Offer, Lease or Written Consent from property owner is required to make application.
- 12 COMPLETE SETS OF PLANS TO INCLUDE:
 - LETTER OF INTENT (See below for details)
 - INSTRUMENT SURVEY MAP SHOWING:
 1. Lot dimensions & area
 2. Building lot coverage existing and proposed.
 3. All existing and proposed structures, fences, pavement etc., & their dimensions.
 4. Existing & proposed setbacks.
 5. Existing natural features: Trees, Streams, Steep Slopes, Wetlands & Flood Plains.
- FLOOR PLANS, CROSS SECTIONS, SIGN SKETCH, SITE PLAN, & ELEVATIONS (where applicable)
- A SIGN (PROVIDED BY THE TOWN) INFORMING THE AREA RESIDENTS OF THE PUBLIC HEARING MUST BE POSTED ON THE PROPERTY AT LEAST TEN (10) DAYS PRIOR TO THE SCHEDULED HEARING. (Signs shall be returned to the Town at the Public Hearing).

THE LETTER OF INTENT

The letter of intent addressed to the Zoning Board of Appeals shall include the following:

1. The date of application, address of the property, and signature of applicant or agent.
2. A description of the proposed project or use. Applications for construction should include the dimensions, height, area, materials of construction, & purpose of any proposed project.
3. Each Area Variance requested must be clearly stated, i.e. the proposed rear setback will be 27' as opposed to the 30' minimum required.
4. The Area or Use Variance factors below should be included in the Letter of Intent.

AREA VARIANCE

Area Variance Test is a balancing of interests. Balance the benefit to the Applicant if the Area Variance is granted versus the burden to the Health, Safety and General Welfare of the community and its residents.

Five Factors Must be Considered When Deciding to Grant an Area Variance:

1. Possible change to neighborhood character. Will the granting of the variance result in an undesirable change to the character of the neighborhood or will it be detrimental to nearby properties?
2. Are there alternative solutions that would not require a variance? An applicant should present his/her reasons for choosing one alternative over another, i.e. better view, better internal pattern, cheaper construction, better overall aesthetics.
3. Consider whether the requested area variance is substantial, i.e. amount of variance requested, magnitude of variance requested.
4. Consider whether the area variance will have an adverse effect on physical or environmental conditions in the neighborhood or district, i.e. block a view, cause a drainage problem, impact a wetland, cause a parking shortage.
5. Is the situation self-created? (Because it is self-created, the granting of the variance is not precluded.)

USE VARIANCE

A Use Variance is required for an Applicant to use land for a purpose not allowed in the Zoning regulations. The alternative would be to Re-zone the property. No use variance will be granted without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship.

A Four-Part Test Must be Applied When Deciding to Grant a Use Variance

1. No reasonable return on investment
2. Unique circumstances
3. Not self-created
4. No change in the character of the neighbourhood

The applicant must pass **EVERY** test for a Use Variance.

Any questions regarding Zoning Board Applications may be addressed to the Department of Planning and Zoning.

Kerry Ivers @ (585) 336-6022 / Email: KIvers@irondequoit.org

or

Donna D. Martello @ (585) 336-6015 / Email: DMartello@irondequoit.org

or

Michelle Nichols @ (585) 336-6017 / Email: MNichols@irondequoit.org