

APPLICATION TO THE 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 15th 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 Code Enforcement Office.

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.

Codes Office Hours
Monday-Friday 9:00 a.m. to 3:00 p.m.
Every 2nd and 3rd Wednesday of the Month - 12pm to 6pm

Visit our website at www.perutown.com

APPLICATION # _____

FEE PAID \$ _____

APPLICATION TO THE ZONING BOARD OF APPEALS

APPLICANT _____ PHONE # _____

ADDRESS _____ DATE _____

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

Description of Project --- Reason for Application _____

Property Location (please provide map) _____

Parcel ID # _____ Zone _____ Overlay _____

Current Property Owner _____ Phone _____

Address _____ City & State _____

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 Approval Date _____ DEC Approval Date _____ SEQR Approval Date _____
- Clinton County Planning Board Approval Denial Date _____
- APA Approval Denial Date _____

ACTION

ZONING BOARD

PLANNING BOARD

Rev. Date _____

SITE PLAN REV Date _____

Approved _____ Denied _____

Approved _____ Denied _____

Approval Stipulations _____

Reason for Denial _____

Chairperson

Chairperson

USE VARIANCE

ALL QUESTIONS MUST BE ANSWERED:

1. Current use of land/structure(s) _____

2. Proposed use _____

3. Description of property _____

4. Description of surrounding lands _____

5. Anticipated weekly increase in traffic _____

6. In order to obtain a variance the following must be completed to the satisfaction of the Zoning Board of Appeals:
 - A. 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 the lack of return is substantial as demonstrated by competent financial evidence; _____

 - B. This hardship is unique and does not apply to a substantial portion of the district or neighborhood _____

 - C. By granting the variance the essential character of the neighborhood will not be altered because _____

 - D. This hardship is not self-created for the following reasons _____

7. Will project require a separate structure? _____ If yes, give details-----
Size _____ Foundation _____ Construction Material _____

Approval of this variance, where a separate structure is involved, does not relieve the applicant of the requirement to obtain a building permit and the regulations governing the issuance of one.

AREA VARIANCE

ALL QUESTIONS MUST BE ANSWERED.

1. Description of property _____

2. Describe planned project _____

3. Description of abutting properties _____

4. In order to obtain approval for this variance the following must be answered to the satisfaction of the Zoning Board of Appeals.

A. No undesirable change will be produced in the character of the neighborhood nor result in a detriment to nearby properties because _____

B. Without benefit of the Variance I cannot see any feasible way to accomplish the project because _____

C. I would consider granting of the Variance substantial because _____

D. This Variance will not result in an adverse effect, nor impact unfavorably on the physical conditions of the neighborhood or district because _____

* E. Is the need for this Variance self-created? [] Yes [] No - explain. _____

* A self-created hardship will not necessarily preclude granting of the Variance.

Approval of this request for a Variance does not relieve the applicant of obtaining a Building Permit when a new structure or renovation is involved.

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.

INTERPRETATION

1. This request concerns an interpretation of:

The Zoning Ordinance _____

The Official Map _____

2. If the Zoning Ordinance:

A. Show Section of Ordinance needing clarification. # _____

B. This request is based on a decision/action of the
Zoning Officer _____ Planning Board _____ Zoning Board of Appeals _____

C. If this request is based on a previous decision/action – explain _____

D. Is the need for this request based on:

An intended project? Yes No

Possible future purchase and use of land? Yes No

Explain _____

3. If the Official Map:

A. Area Involved, (List boundaries involved) _____

B. Is this request based on a previous decision? Yes No
Explain _____

C. Is this request based on an intended project or possible future purchase and use of
land?
 Yes No Explain _____

4. List all other pertinent background details that initiated the need for this request. _____

CHANGE OR EXPANSION OF A NONCONFORMING USE

Current description of property and use _____

Planned expansion or change _____

Initial Request Yes No -- If no, Date of initial request _____

Size of parcel involved _____ Road frontage _____

Description of surrounding lands _____

Estimated cost of expansion or change _____

Exterior change in existing structures (sq ft) _____

New structures involved? Yes No - If yes, describe _____

Size _____ Construction Type _____

Foundation _____ Height _____ Heat _____

Change will result in closer conformance with Zoned requirements Yes No --

Explain: _____

Expansion will not alter current use. Yes No - Explain _____

Accompanying Site Plan must show, to scale, the present layout to include perimeter dimensions, all structures, proposed change or expansion, parking, landscaping, exterior lighting, entrances and exits, and any other data pertinent to your project.

A copy of a sample Site Plan with requirements is available from the Zoning Officer. Reference to Article V Section 503.

TEMPORARY PERMIT

INDICATE THE TYPE OF TEMPORARY PERMIT REQUESTED:

- Mobile home during construction
- Mobile home - agricultural purposes - # of _____
- Mobile home as office facility during construction
- Storage of mobile home for the purpose of repairs or near future relocation to an improved site
- Other (explain type of structure - purpose intended - and length of time to be on site) _____

1. For mobile home during construction:*

- A. Date foundation of permanent structure completed _____
- ** B. Date sewage disposal permit approved by CCHD _____
- C. Anticipated date permanent structure to be completed _____
- D. Indicate: Brand of Mobile Home _____ Year _____ Size _____

*A temporary permit may be issued after the completion of the foundation of the permanent structure for a one (1) year period.

2. For mobile home used for agricultural purposes:

- A. Number of residences to occupy quarters _____
- B. Length of time unit will be occupied _____
- C. Sewage disposal permit approval date _____
- D. Will unit be stored on site when not occupied? Yes No - If yes, explain circumstances and location _____

3. For mobile home type structure as office use during construction:

- A. Length of time anticipated on site _____
- ** B. If connected to septic system - CCHD approval date _____
- C. Indicate size of unit and foundation _____

** A temporary permit will not be issued prior to approval of sewage disposal system by CCHD.

4. Storage of mobile homes:

- A. Indicate reason for storage _____
- B. Length of time anticipated on site _____
- C. If for repairs, indicate type _____
- D. Indicate: Brand _____ Size _____ Year _____

All temporary permits will have time limits imposed. Extensions may be issued in certain situations. Time limit restraints will be enforced

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 705 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.

ARTICLE 7: ADDITIONAL FEES

Section 704 Additional Fees

Any professional fee, i.e., engineer, attorney etc. that is noted on the fee schedule set forth by the Town Board will be transferred to the applicant.

STATE OF NEW YORK)

ss

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 of Perjury

This ____ day of _____

Signature of Applicant