



Zoning Board of Appeals
 249 Duncan Road
 Lagrangeville, NY 12540
 (845) 724-5600
 Email: pbzba@unionvaleny.us

APPLICATION FOR APPEAL TO ZONING BOARD OF APPEALS

Application Date: _____

Application for (*check all that apply*): Interpretation Area Variance Use Variance

1. (*If applicable*) Application denied by Code Enforcement Officer/ Building Inspector on _____, 20___. (*Attach copy of denial.*)

2. Applicant's Name: _____

Owner of Property (*if different*) _____

Applicant's Address _____

Applicant's Phone Number _____

3. Property Location _____

Zoning District (*check one*): RD-10 RA-5 RA-3 R-1.5
 R-1 H NC TC A

Tax Map Parcel # _____

4. Request relates to the following provision(s) of the Union Vale Code:

(The Code provisions should be listed in the Code Enforcement Officer's denial letter. List all that apply and, if you are seeking an area variance, specify the extent of the variance you are seeking. Attach additional sheet if necessary.)

Article: _____ Section: _____ Subsection: _____ Extent: _____

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5. Describe the proposed project and the nature of the interpretation(s), and/or variance(s) being sought. Tell us what it is you want to do and explain how the Union Vale Code prevents you from doing it. Describe alternatives you have considered with respect to size, placement, materials, etc., and explain why you believe relief from the Zoning Board of Appeals is necessary and justified. *(Attach additional pages as necessary.)*

6. Has any application for any other permit(s) affecting the property been submitted to and/or issued by any other government agency? No Yes. If yes, please list in detail *(attach separate pages if necessary)*:

7. Have there been any previous appeals to the ZBA seeking the same or similar relief as requested here? If so, when, and what determination was made by the ZBA?

Applicant signature

Date

APPLICANT (*please sign*): _____

APPLICATION FOR AREA VARIANCE ONLY

PLEASE ANSWER THE FOLLOWING (*on a separate sheet for each variance requested*):

Will there be any undesirable change in the character of the neighborhood, or a detriment to nearby properties if this variance is granted? If yes, please describe. If not, why not?

Can you achieve your goals via a reasonable alternative which does not involve the necessity of an area variance? If yes, please describe. If not, why not?

Is the variance substantial? Please explain the basis for your conclusion.

Will the variance have any adverse impact on physical or environmental conditions in the neighborhood or district? If yes, please describe. If not, why not?

Is this a self-created difficulty? Please explain your answer.

APPLICANT (please sign): _____

USE VARIANCE APPLICATION ONLY

An applicant for a Use Variance must prove that the applicable zoning regulations and restrictions have caused “unnecessary hardship.” By law, in order to prove “unnecessary hardship,” the Applicant must demonstrate that **four tests** are met for each and every permitted use under the zoning regulations for the particular district where the property is located. The Zoning Board of Appeals is not authorized to issue a Use Variance unless it finds that **each** of the four tests is proved. The four tests are described below. After each description is a space for you to demonstrate how you meet the test. Please be specific as to the kind of proof you intend to provide. (*Use extra sheets as needed.*)

1. Test # 1: Deprivation of “Economic Use of Benefit”/Reasonable Return

The applicant cannot realize a reasonable return, provided that the lack of return is substantial as demonstrated by competent financial evidence.

2. Test # 2: Uniqueness

The alleged hardship relating to the property is unique, and does not apply to a substantial portion of the district or neighborhood.

3. Test # 3: Character of the Neighborhood

The requested use variance, if granted, will not alter the essential character of the neighborhood.

4. Test # 4: Self-Created Hardship

The alleged hardship has not been self-created.
