

**VILLAGE OF NEWARK
ZONING BOARD OF APPEALS
APPLICATION FORM**

PB MEETING DATE: _____

ZBA MEETING DATE: _____

APPLICANT'S NAME: _____ PHONE: () _____

FIRM: _____

ADDRESS: _____

_____ ZIP: _____

LOCATION OF PROPERTY: _____

OWNER OF PROPERTY: _____

SECTION, BLOCK & LOT NUMBER (tax acct.#): _____

PRESENT ZONING: _____

PLEASE CHECK APPROPRIATE BOX(ES)

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AREA VARIANCE: Brief Description of Proposal: _____

APPLICABLE LOCAL CODE SECTION: _____

Village Law Section 7-712 (b)(3) requires the Zoning Board of Appeals to balance two elements in its decision of an area variance:

- * The benefit to the applicant from the variance.
- * The detriment to the health, safety and welfare of the community and/or neighborhood that would occur if the variance were to be granted.

Five factors are considered by the Board:

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 variance.
2. Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.
3. Whether the requested 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 (that it will not necessarily preclude the granting of the area variance).

APPLICANT'S COMMENTS: _____

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USE VARIANCE: Brief Description of Proposal: _____

APPLICABLE LOCAL CODE SECTION: _____

Village Law, Section 7-712-b(2) requires an applicant for a use variance to demonstrate the zoning of the property has caused UNNECESSARY HARDSHIP, which is defined to require a showing:

1. that under the applicable zoning regulations, the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
2. that the hardship is unique, and does not apply to a substantial portion of the district or neighborhood, and

3. that the variance will not alter the essential character of the neighborhood, and

4. that the hardship is not self-created.

APPLICANT'S COMMENTS: _____

☐ SPECIAL PERMIT: Brief Description of Proposal: _____

APPLICABLE LOCAL CODE SECTION: _____

APPLICANTS COMMENTS: _____

☐ INTERPRETATION: Specific Request: _____

APPLICABLE LOCAL CODE SECTION: _____

APPLICANT'S COMMENTS: _____

☐ OTHER: Brief Description of Proposal: _____

APPLICABLE LOCAL CODE SECTION: _____

APPLICANT'S COMMENTS: _____

Has a previous application been made with respect to this property?

☐ YES ☐ NO

Type of Variance/Special Permit: _____

Was it APPROVED _____ or DENIED _____ and Date _____

Applicant's signature: _____