

TOWN OF PORTLAND
87 WEST MEST MAIN, BROCTON, NEW YORK 14716

APPLICATION FOR AREA VARIANCE

INSTRUCTIONS TO APPLICANT:

1. SUBMIT A COMPLETE COPY OF THIS APPLICATION.
2. TYPE OR PRINT YOUR ANSWERS.
3. COMPLETE EACH QUESTION FULLY; IF THE QUESTION DOES NOT APPLY, PLEASE MARK "N/A."
4. YOU MUST SUBMIT A DETAILED PLOT PLAN WITH THIS APPLICATION. A SAMPLE OF SUCH A PLAN IS ATTACHED FOR YOUR INFORMATION AND THE ZONING ENFORCEMENT OFFICER WILL SUPPLY YOU WITH A CLEAN VERSION FOR YOU TO COMPLETE.
5. ADD PAGES AS NEEDED.

APPLICANT INFORMATION	
APPLICANT'S NAME:	OWNER'S NAME (IF DIFFERENT):
ADDRESS:	ADDRESS:
TEL. NO.:	TEL NO.:
APPLICANT'S INTEREST IN PROPERTY: <input type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Other (explain)	

PROPERTY INFORMATION			
TAX MAP NUMBER	Section:	Block:	Lot:
STREET ADDRESS:		SIZE OF PARCEL:	
		PRESENT USE:	
		ZONING DISTRICT:	

DECISION APPEALED FROM	
THE APPLICANT'S APPEAL FROM A DECISION OF THE ZONING ENFORCEMENT OFFICER, OR ON DIRECT APPEAL FROM THE PLANNING BOARD AS PERMITTED BY STATE LAW, CONCERNS THE FOLLOWING:	
<input type="checkbox"/> Denial of Application for Building Permit (attach to application) <input type="checkbox"/> Denial of Application for Certificate of Occupancy (attach to application).	Date of Zoning Enforcement Officer Decision:
FOR THE PROPOSED ACTIVITY:	
DENIAL WAS MADE BECAUSE OF A VIOLATION OR CONFLICT WITH THE FOLLOWING SECTIONS OF THE ZONING CODE:	

VARIANCE INFORMATION

STATE WHAT TYPE AND SIZE OF AREA VARIANCE YOU ARE REQUESTING (e.g. 3 foot side yard variance):

STATE THE REASON YOU ARE APPLYING FOR AN AREA VARIANCE:

DESCRIBE THE CHARACTER OF THE NEIGHBORHOOD:

APPLICANT SIGNATURE

I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed and the premises used as described herein, unless modified by the approving Board.

Signature of Applicant:

Date:

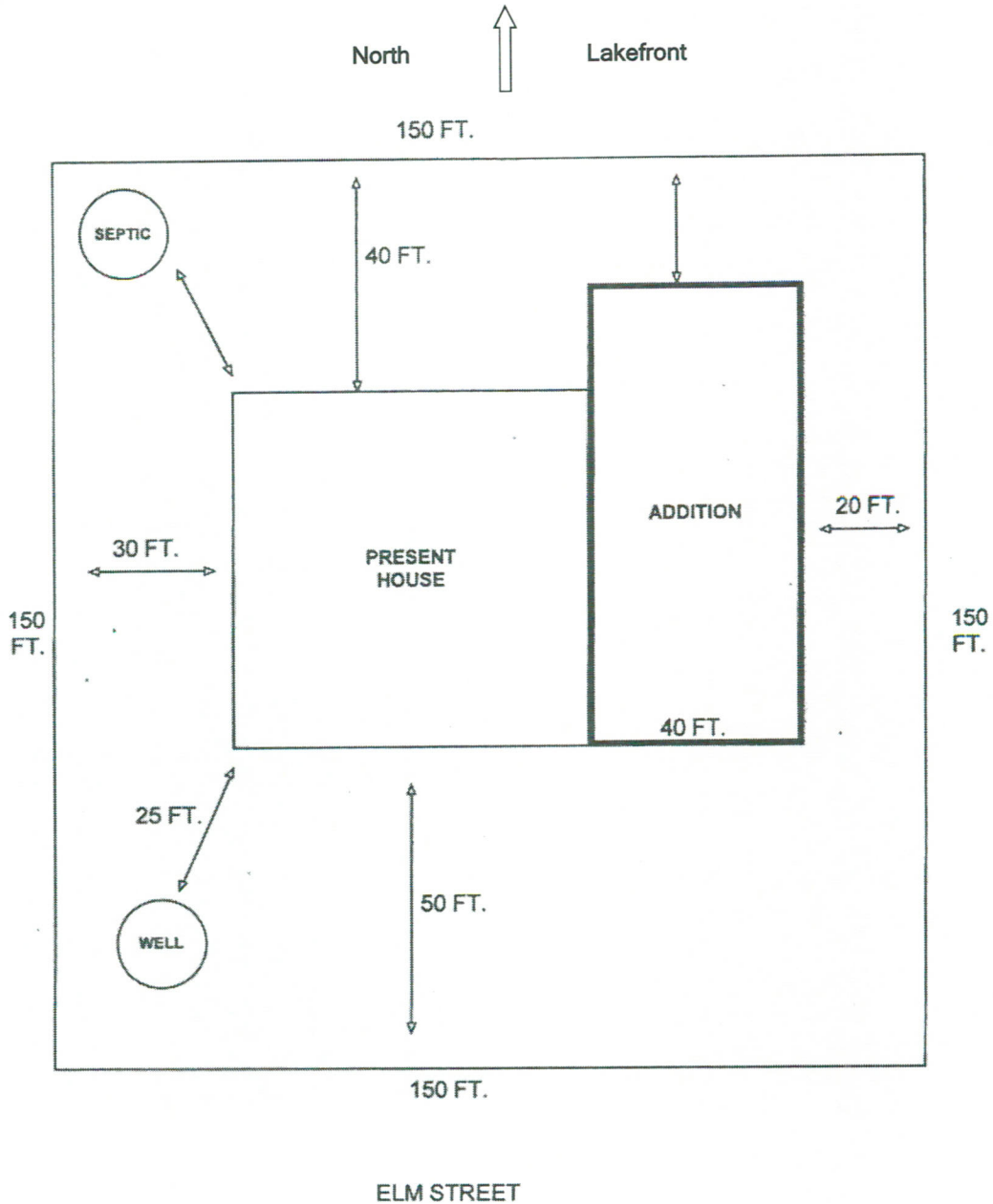
DO NOT WRITE BELOW THIS POINT - OFFICE USE ONLY

Date of Appeal		APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>
Date of Receipt by ZBA		Affix the following documents to and permanently file with this application: • Response to Municipal Zoning Referral (if any) • Negative Declaration and/or EIS (if any) • ZBA Decision • Notification of Approval/Denial
Date of Public Hearing		
Negative/Positive Declaration Adopted		
Publication of Legal Notice of Hearing		
Date of ZBA Decision		

PLOT PLAN

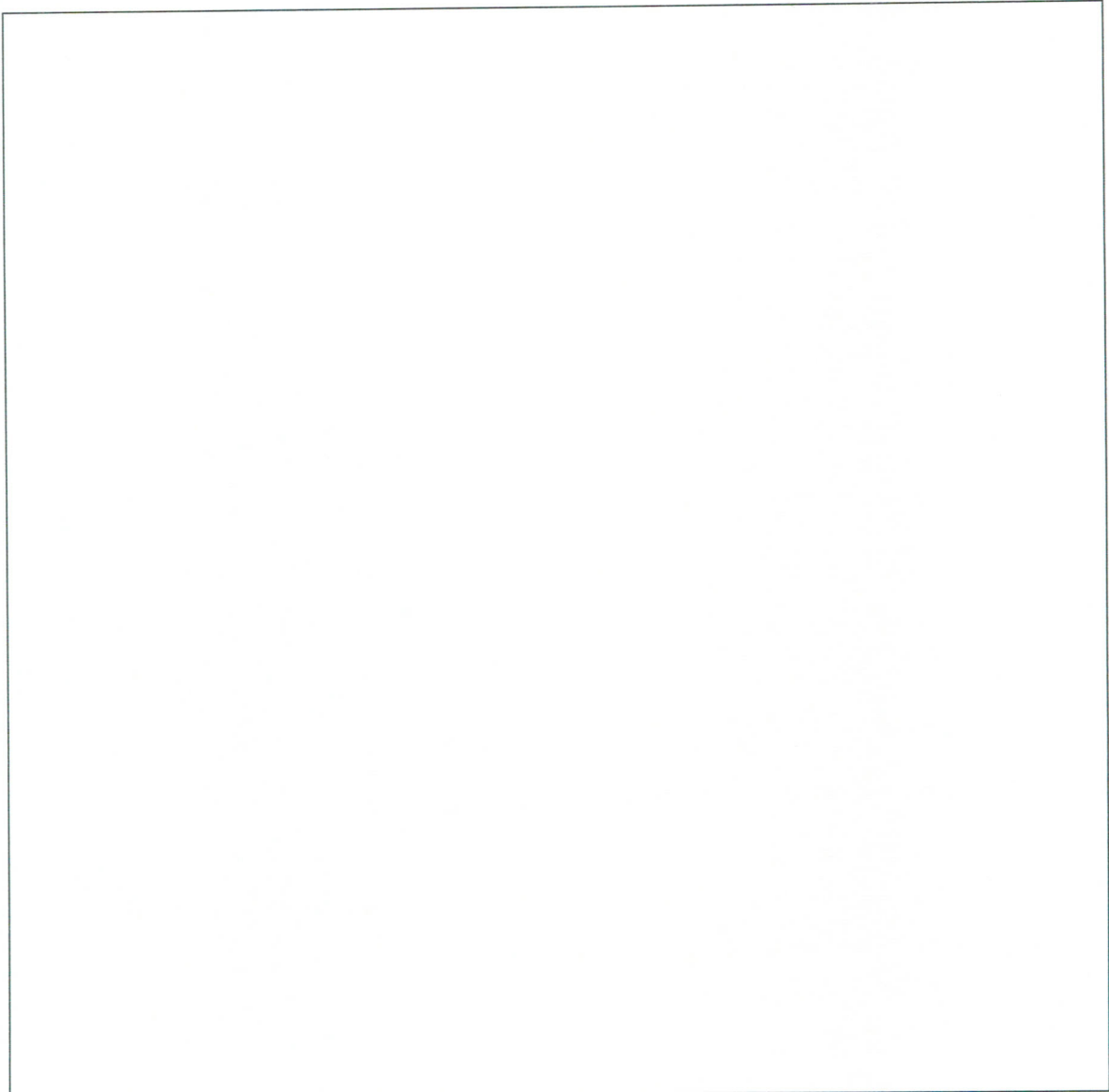
1. An application for a building permit, special use permit, or variance must be accompanied by a plot plan, drawn in ink, denoting property lines, all existing and proposed buildings and structures in relation to the property lines, paved or parking surfaces and appropriate measurements.
2. Show the location of water source or well, septic systems, streets, roads, driveway and any rights-of-way.
3. Show the relationship of the parcel to adjacent properties, the distance to the nearest buildings in all directions, and the use of adjacent buildings.
4. Show the directional orientation of the parcel by noting "North" with an arrow pointing in the appropriate direction on the plan; also the relationship of the property to the nearest waterfront, whether a lake or canal.
5. If professional drawings for construction work are available, please submit them.

Example (not shown to scale):



PLOT PLAN

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Frontage of lot: _____ ft.

Street Name: _____

TOWN OF PORTLAND
87 W. MAIN STREET, BROCTON, NEW YORK 14716

APPLICATION FOR USE VARIANCE

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FOR THE PROPOSED ACTIVITY:	
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VARIANCE INFORMATION

STATE WHAT TYPE OF VARIANCE YOU ARE REQUESTING:

STATE THE REASON YOU ARE APPLYING FOR A USE VARIANCE:

VARIANCE TESTS

No use variance will be granted without a showing by the applicant that the applicable zoning regulations have caused unnecessary hardship. The following tests must be met for each use allowed by the present zoning scheme, including uses that are allowed by special use permit. In the spaces below, please briefly describe how each of the four tests are met. Attach supporting materials and pages as needed.

1. THE APPLICANT CANNOT REALIZE A REASONABLE RETURN, AS SHOWN BY COMPETENT FINANCIAL EVIDENCE. THE LACK OF RETURN MUST BE SUBSTANTIAL:

2. THE ALLEGED HARDSHIP RELATING TO THE PROPERTY IS UNIQUE (I.E. THE HARDSHIP DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE ZONING DISTRICT OR NEIGHBORHOOD):

3. THE REQUESTED USE VARIANCE, IF GRANTED, WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD:

4. THE ALLEGED HARDSHIP HAS NOT BEEN SELF-CREATED:

APPLICANT SIGNATURE

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Signature of Applicant:

Date:

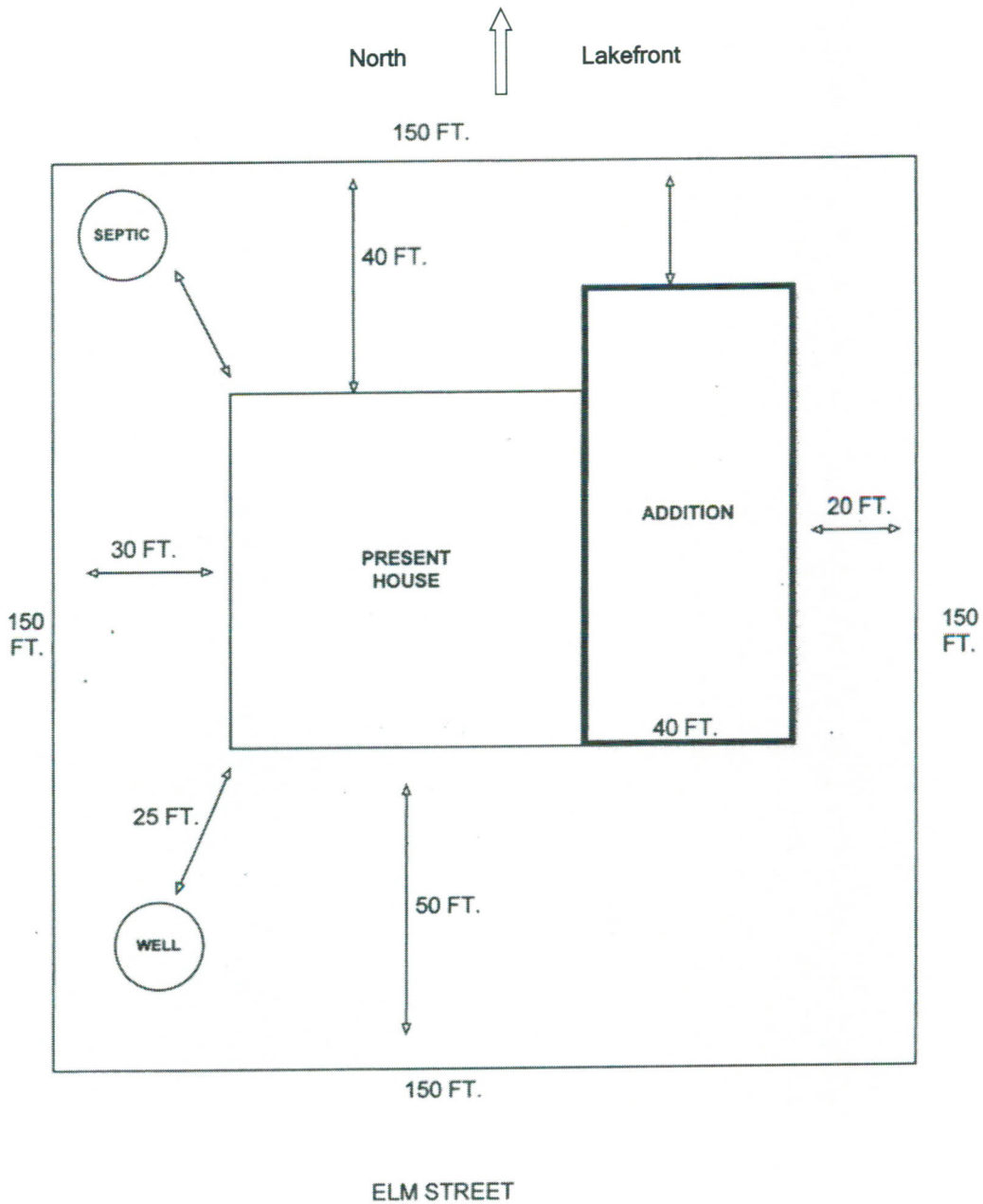
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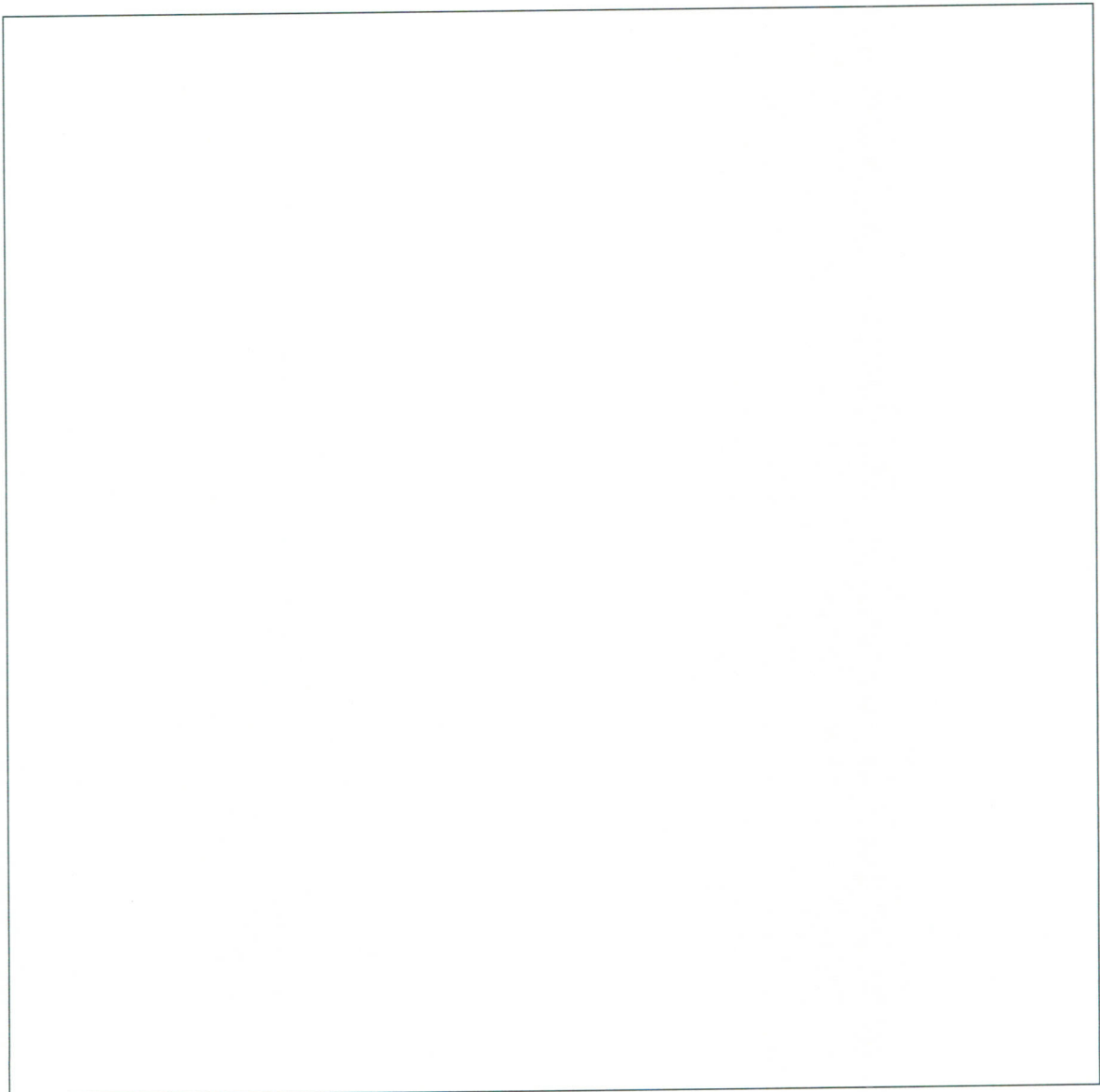
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