

**ZONING BOARD OF APPEALS
TOWN OF SAUGERTIES
4 HIGH STREET
SAUGERTIES, NY 12477**

Office Use Only:
File #:
Date:
Receipt #:

Application for USE Variance - Zoning Board of Appeals

Action on this appeal shall be taken within 1 year from the date of the submission of said application or the appeal will be considered withdrawn.

Complete the following application and submit to the Building Department together with the requisite fee.

I (We), _____ residing at _____,
_____, hereby give notice of appeal from the decision
of the Building Inspector/Zoning Enforcement Officer made on the _____ day of _____,
20____, in refusing to issue a Building Permit on the grounds that the same would be in violation of
Section _____ of the Zoning Law of the Town of Saugerties.

A previous appeal HAS _____ HAS NOT _____ been made on this decision.

Premises located at _____

On a TOWN _____ COUNTY _____ STATE _____ or OTHER _____ Road

Said Property is in the Area of Saugerties Known As _____

Tax #/SBL # _____

Zoning District/Overlay District _____

Property Owner of Record _____

Telephone Number _____

Email Address _____

INTENDED USE _____

I/WE REQUEST THAT THE DECISION BE REVERSED FOR THE FOLLOWING REASONS:

SUPPLY 2 COPIES, WITH LOCATOR MAPS, TO BUILDING DEPARTMENT

A Use Variance may be granted by the ZBA only with a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district in which 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;
2. the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood;
3. the requested use variance, if granted, will not alter the essential character of the neighborhood; and
4. that the alleged hardship has not been self-created.

When meeting with the Zoning Board of Appeals the applicant will be asked to answer questions relating to the four points listed above and other relevant facts in order to help the Board gather the information it needs in order to make a decision on the appeal. Examples of the types of information that may be required by the ZBA are shown below.

ILLUSTRATIONS OF FINANCIAL EVIDENCE

Bill of sale for the property; present value of property; expenses for maintenance; leases; rental agreements; tax bills and/or statements; conversion costs (for a permitted use); realtor’s statement of inability to rent or sell.

ILLUSTRATIONS OF UNIQUENESS

Topographic or physical features preventing development of a permitted use. Why would it be possible to construct the applicant’s proposal and not any of the permitted uses?

ILLUSTRATIONS OF NEIGHBORHOOD CHARACTER FACTORS

Expected effect of proposal on neighborhood. Characteristics of neighborhoods in the same district.

SELF-CREATED HARDSHIP

What were the permitted uses at the time the property was purchased by the applicant? Were substantial sums spent on remodeling for a use not permitted by zoning?

CHARACTERISTICS OF PROPERTY

General _____

Unique Circumstances _____

Current Use: _____

Proposed Use: _____

Size of Property _____

Size of Current Building _____

Size of Proposed Addition _____

Size of Proposed Finished Building _____

Additional Comments (Optional):

I hereby give permission to the Town of Saugerties Zoning Board of Appeals members to visit the site and conduct an onsite inspection. For applicants represented by their agent, the signature below consigns consent of representation.

I understand that an escrow may be required, at the discretion of the Board. This escrow will be used for reimbursement to the Town of services incurred by outside consultants/professionals during the review process.

•PLEASE NOTE YOU OR A REPRESENTATIVE NEEDS TO BE PRESENT AT THE NEXT REGULARLY SCHEDULED ZBA MEETING IN ORDER FOR APPLICATION TO BE CONSIDERED COMPLETE AND THE LEGALLY REQUIRED PUBLIC HEARING TO BE SCHEDULED

Applicant or Agent’s Signature

Telephone #

Sworn to before me this _____ day of _____, 20_____

Notary Public

My Commission Expires:

FOR ZBA USE ONLY

SEQRA _____

DATE _____