REQUEST FOR AN AREA VARIANCE

VILLAGE OF LAKEWOOD, N.Y.

Zoning Board of Appeals

I. AREA VARIANCE DEFINED: Persons seeking Area Variances request relief, usually of a dimensional nature, from such zoning requirements as: yard requirements, setback lines, lot coverage, frontage requirements, and density regulations. The courts have held that Area Variances may be granted upon a showing of practical difficulties.

II. WHEN TO USE THIS FORM: If a person feels himself aggrieved by a decision of the Zoning Officer or Building Inspector (e.g. Building Permit denied on the grounds that the proposed structure would overlap the side yard), that person is able to appeal this decision by requesting an Area Variance from the local Zoning Board of Appeals.

III. NAME OF APPLICANT: _____

MAILING ADDRESS: _____

PHONE: _____ CITY/STATE/ZIP: Lakewood, NY 14750

IV: PROPERTY IDENTIFICATION:

Section _____ Block _____ Lot(s) _____

STREET ADDRESS: _____

VILLAGE: _____

V. PROJECT DESCRIPTION: _____

_____

_____

VI. SKETCH: Show the size of the lot, adjacent streets, position of the proposed addition or change, existing structures, etc. Additionally, show slopes or other obstructions, which make it difficult to comply with the zoning law.

VII: REASONS FOR BUILDING/ZONING PERMIT DENIAL:

A. Dimensional request (specify), _____
does not conform with section (s)_____ requirements (specify)

_____

B. Building / Zoning Permit was denied _____

C. Building / Zoning Permit was requested _____

OVER

VIII: CONSIDERATIONS: The burden of proof that the variance requested is necessary and should be allowed is upon the applicant, not on the local Zoning Board of Appeals. The following are some considerations courts have suggested which can be used to guide the Zoning Board of Appeals in determining practical difficulties. The more complete the answers, the easier a determination will be facilitated.

(Please answer Yes or No to each question and provide additional information where necessary or pertinent)

A. Does the Area Variance request differ substantially in relation to the existing zoning requirements? Yes_____ No_____ Comments: _____
_____
_____

B. If the Area Variance is allowed, will there be an increased population density creating new burdens on available public facilities and services (e.g., fire, water, sewer, roads, etc.)?
Yes_____ No _____ Comments: _____
_____
_____

C. If the Area Variance is allowed, will the resultant change in the character of the neighborhood create a substantial detriment to the adjoining properties?
Yes_____ No_____ Comments: _____
_____
_____

D. Do other feasible methods exist which the applicant might wish to pursue which would achieve results similar to those sought in the preliminary request?
Yes_____ No_____ Comments: _____
_____
_____

E. In view of the manner in which the difficulty arose and considering all of the above factors, will justice be served in allowing the variance?
Yes_____ No_____ Comments: _____
_____
_____

IX. HEARING: A public hearing is required within 30 days of this request. Please specify which days or times are inconvenient for your or your representative to attend a hearing:
_____ You will be notified in writing of the time and place for the hearing.

X. SIGNATURE OF APPLICANT: _____

Representative authorized to speak on behalf of owner in their absence:
_____

Date _____, 20___
Fee $_____: Paid_____ Not Paid_____