

Application Number: _____
Date Received: _____

Tax Parcel Number: _____
Fee: _____

Village of Hammondsport

PO Box 425, Hammondsport, New York 14840 Village Clerk (607) 569-3700
30 days to approve/deny an application

USE Variance Application

Applicant Name _____	Property Owner _____ (if different)
Street _____	Street _____
City _____	City _____
State/Zip _____	State/Zip _____
Phone _____	Phone _____
Email _____	

Location of Property: _____

Applicable Code(s): _____

Instructions:

- Complete all sections of this application and submit it to the Village Clerk.
- Include a detailed property map showing dimensions of existing and proposed structures, as well as setbacks of existing and proposed structures to structures, boundaries, septic system and water supply. (Sample map provided)
- This application constitutes an appeal from a decision of the Zoning Enforcement Officer denying a Zoning Permit. A copy of this decision must be attached.
- Complete the Short Environmental Assessment Review form. (Front page only)
- Include any additional attachments that you feel will adequately support your appeal, such as photographs, building plans, surveys, and tax maps. • Include an application fee in the amount of \$100.00, payable to the Village of Hammondsport. The fee is nonrefundable in the event that your variance is denied.
- All applications and submissions must be received by the Village Clerk at least 20 days prior to the scheduled date of the Public Hearing.
- Upon receipt of a completed application the Village Clerk will post a legal notice advertising the Public Hearing for your appeal and notify you of the time and date of the Public Hearing. You, or a duly authorized representative, must attend the Public Hearing.
- Upon the close of the Public Hearing the ZBA may be able to render a decision at that time.
- If the ZBA requires additional time, the decision must be recalled within 62 calendar days. You will receive a written copy of this decision.
- Any variance granted which is not exercised within one year from the date of issuance must be declared to be revoked without further hearing by the Board of Appeals.

A Use Variance is the authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the principal or accessory use requirements of the applicable zoning regulations. New York State statutes now specifically set forth the rules for the granting of Use Variances. It is only the Zoning Board of Appeals that has the power to provide for such exceptions from Zoning requirements, and then only when the applicant can show that the legal requirements for a variance have been met can the Board of Appeals issue one. The appealing party may believe that an exception (variance) to the zoning laws should be made for his or her property. The applicant should present clear, definite facts showing that the standards have been met. The ZBA cannot grant relief where proper legal proof is not adequately presented.

Applicant Narrative: Please provide an overview of your project. Use addition pages where necessary.

No such use variance shall be granted by a Board of Appeals without showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to provide such unnecessary hardship the applicant shall demonstrate to the Board of Appeals that, for each and ever)/ permitted use under the zoning regulations for the particular district where the property is located.

State law requires the ZBA to take the following factors into consideration in making its determination. Please respond to the following:

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

(B) The alleged hardship relating to the property in question is unique, and does not apply to a substantial position of the district or neighborhood. What conditions on this property are unique to the property in question, and are not present in a substantial portion of the district or neighborhood?

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

(D) The alleged hardship has not been self-created. Explain why you "need" relief from the code versus "want" relief from the code.

The Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and "welfare of the community.

Signature and Verification

Please be advised that no application can be deemed complete unless signed below.

I hereby certify that the information enclosed herewith and on the application is accurate and factual:

Signature of Applicant: _____ Date: _____

I, the record owner, do hereby authorize, _____ to represent me before the Zoning Board of Appeals during the area variance process:

Signature of Property Owner: _____ Date: _____

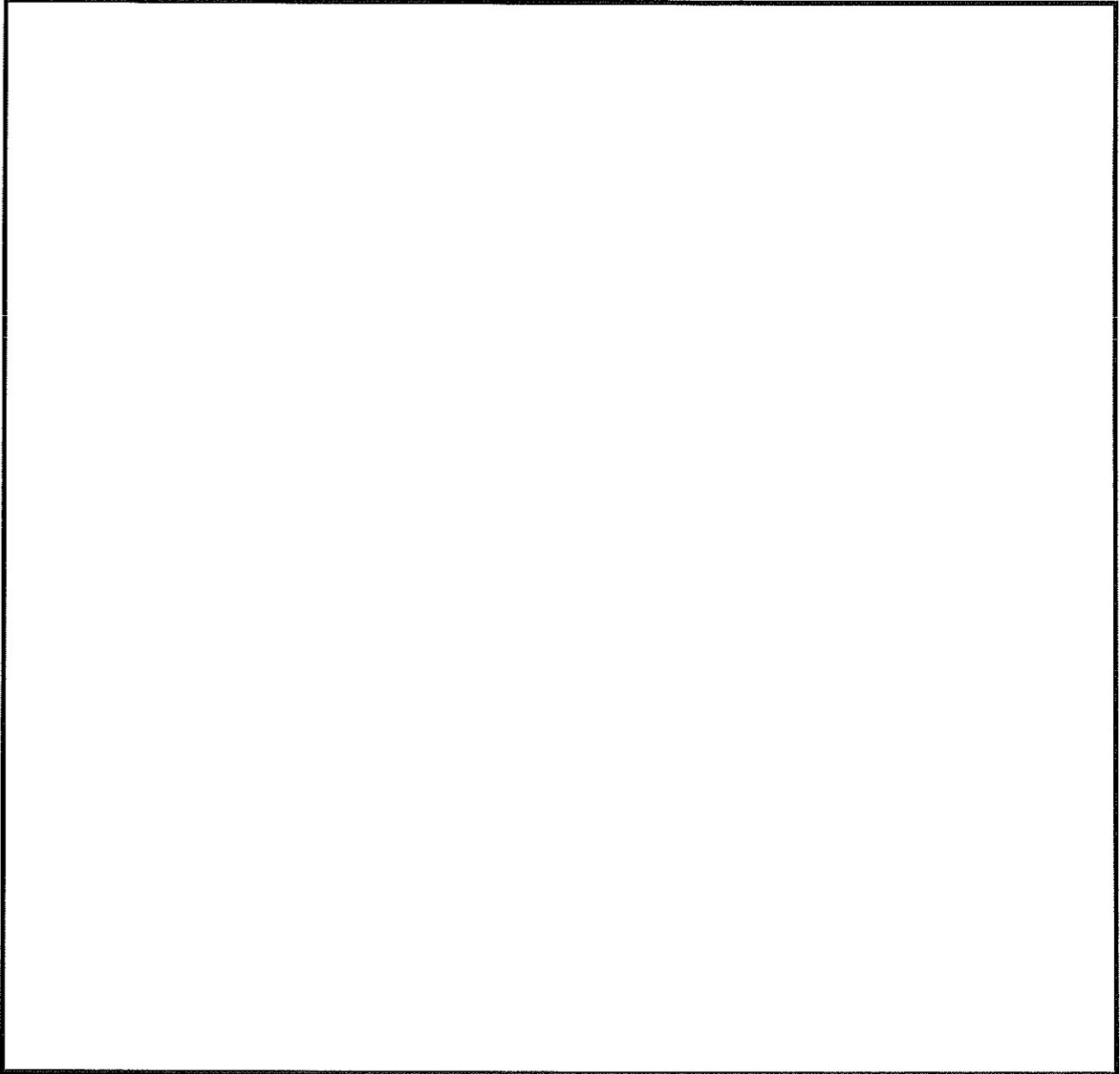
PLOT DIAGRAM

IN THE AREA PROVIDED BELOW OR ON A SEPARATE PAPER:

1. Locate all buildings, existing and proposed
2. Indicate all setback dimensions and boundary distances
3. Show and label any roads, driveways or easements
4. Show names of contiguous property owners
5. Show any waterbodies, creeks or shorelines
6. Locate any wells or septic systems
7. Indicate with an arrow the direction of NORTH

If architect/engineer's plans DO NOT accompany this application detailed sketches of proposed construction must be provided on additional paper.

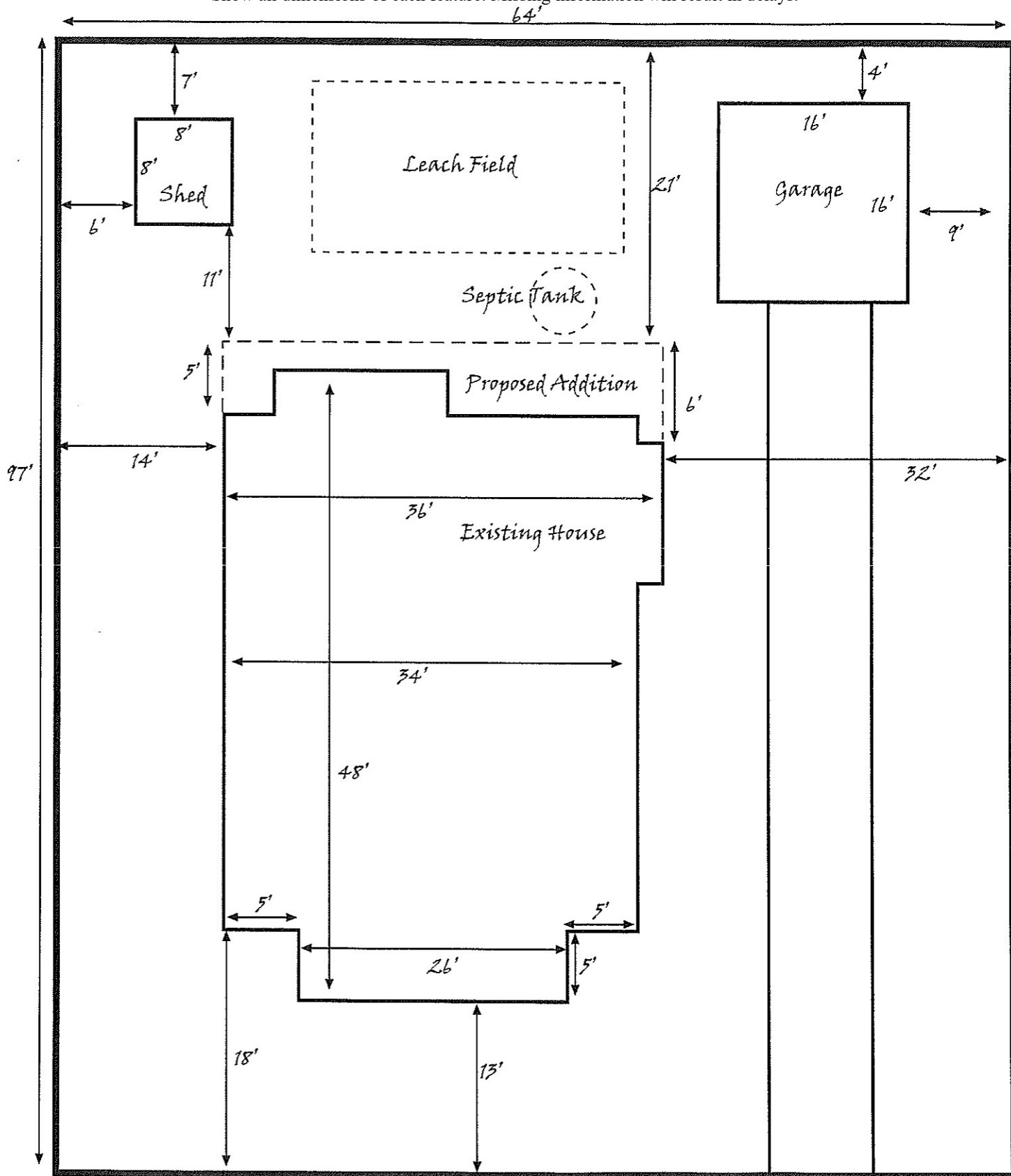
NOTE: PLEASE MODIFY SHAPE OF PROPERTY AS NECESSARY.



Sample Plot Map

Note: A copy of a tax map or survey is often used as a base for a sketch map.
Identify all existing and proposed structures and alterations.

Show all dimensions of each feature. Missing information will result in delays.



Curb or edge of street

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part L You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. Info, continue to question 2.			NO
			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO
			YES
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			

4. Check all land uses that occur on, adjoining and near the proposed action. Urban Rural (non-agriculture) Industrial O Commercial Residential (suburban) D Forest Agriculture Aquatic Other (specify): _____ Parkland			
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?		NO	YES
		NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO	YES
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? C] NO YES) If No, describe method for providing potable water: _____		NO	YES
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? NO YES] If No, describe method for providing wastewater treatment: _____		NO	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify, the wetland or waterbody and extent of alterations in square feet or acres: _____		NO	YES
14. Identify the typical habitat types that occur on, or are likely to be found on the project site, Check all that apply: Shoreline Forest Agricultural/grasslands Early mid-successional Wetland Urban Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES
16. Is the project site located in the 100 year flood plain?		NO	YES

17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		
a. Will storm water discharges flow to adjacent properties? NO		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	NO	YES
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (on going or completed) for hazardous waste? If Yes, describe: _____ _____	NO	
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
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Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<p>Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.</p> <p>Check this box if you have determined, based on the information and analysis above: and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.</p>	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)