

# COLDEN APPLICATION FOR AREA VARIANCE



Appeal Concerns Property at address: \_\_\_\_\_

County Tax Map SBL Number: \_\_\_\_\_

Zoning District Classification (ref: Zoning Map): \_\_\_R1 \_\_\_R2 \_\_\_RRB \_\_\_C \_\_\_Ag

Date Applicant Acquired Property: \_\_\_\_\_

*(If property is not owned by the applicant, the applicant must submit a statement by the property owner authorizing the applicant to appeal on his/her behalf.)*

The applicant's appeal from a decision of the Colden Code Enforcement Officer, or on direct appeal from the planning board as permitted by State Law, concerns the following:

- \_\_\_\_\_ Denial of an Application for a Building Permit (Attach to Application)
- \_\_\_\_\_ Denial of an Application for a Certificate of Occupancy (Attach to Application)
- \_\_\_\_\_ Denial of Other (Attach to Application. Example Certificate of Zoning Compliance)

## **Applicant Please Review: Purpose of an Area Variance**

An area variance shall mean an authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the community by such grant. In making such determination the Board shall also consider:

1. Whether an undesirable change will be produced in the character of the zoning district, or a detriment to nearby properties, will be created by the granting of the area variance;
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
3. Whether the requested area 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 zoning district; and
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals.

Area Variance Requested for this Proposed Activity: \_\_\_\_\_

Denial was made because of a violation or conflict with the Zoning Code(s) (list code section):

\_\_\_\_\_  
\_\_\_\_\_

Date of Colden Code Enforcement Officer's Decision: \_\_\_\_\_

State what type and what size of an area variance you are requesting, (for example a 5-foot side yard variance, etc.):

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State the reason you are applying for the area variance: \_\_\_\_\_

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Describe the character of the nearby zoning district and neighborhood: \_\_\_\_\_

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**Applicant:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Email Address(es):** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_