

ZONING BOARD OF APPEALS

Village of Skaneateles

26 Fennell Street

Skaneateles, NY 13152

315-685-2118

Fax 315-685-0730

[] NOTICE OF APPEAL [] APPLICATION FOR SPECIAL USE PERMIT

Date of Application _____

To the Zoning Board of Appeals of the Village of Skaneateles, Onondaga County, New York

I/We _____ Printed or Typed Name of Appellant(s) and/or Applicant(s)

Address _____

(1) I hereby appeal the decision of the Village Code Enforcement Officer (Building Inspector)

_____ which was denial of a Zoning Permit

_____ which was denial of a Certificate of Occupancy

_____ to vary the strict application of the provisions of:

Article _____ Section 225 Subsection _____

Article _____ Section 225 Subsection _____

Article _____ Section 225 Subsection _____

(2) I hereby apply for: (check all applicable)

_____ A SPECIAL USE PERMIT required by the provisions of Article III, Section 225-10 B (1) & Section 225-11 B (2)

_____ A FLOODWAY PERMIT required by the provisions of Article III, Section 225-10 B (3) & Article VI, Section 225-18 B

..... This appeal or application relates to:

_____ Street Number _____ Street Name

Tax Map Number _____

Property Address _____

Zoning District: _____ **Tax Map #** _____

- Using the Density Control Schedule, fill in the minimum area requirements, in 'Required' column.
- Indicate the existing set-back dimensions and percentages in the 'Existing' column.
- In the column labeled 'Proposed', indicate the dimensions, area (in square feet) and percentages that will result from your proposed construction.
- In the column labeled pre-existing non-conforming, indicate the pre-existing variance from code.
- In the column labeled 'Variance', indicate the variance requested.

	REQUIRED	Existing	PROPOSED	Pre-Exist Non-Conforming	VARIANCE
Residential Minimum Lot Area					
Residential Minimum Lot Width					
Minimum Open Space %					
Minimum Front Yard Setback					
Minimum Left Side Yard Setback					
Minimum Right Side Yard Setback					
Minimum Both Side Yards Setback					
Minimum Rear Yard Setback					
Max Width Structure (% lot width)					
Max Stories of Building					
Max Building Height					
Minimum Livable Floor Area					

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List below any OTHER variances, Special Permits requested
(Section of the Zoning Law) (Description)

Please state below all reasons to support your appeal or application using the Criteria on page 2 of 4. Attach other sheets as needed to support your appeal/application.

ACKNOWLEDGEMENTS:

- I AM THE OWNER APPLICANT AGENT OF OWNER AND AM AUTHORIZED TO MAKE THIS APPLICATION.
- The applicant and/or agent declares that the information contained in this application, and the plans, specifications and other supporting materials submitted in support of this application is true.

NAME of APPLICANT _____ PHONE # _____
ADDRESS _____
EMAIL _____
SIGNED _____ DATE _____

To obtain an area variance, applicants must meet the specific requirements outlined in New York State law. A local zoning board of appeals may grant an area variance pursuant to this section where substantial evidence in the record supports the ZBA's conclusion that the benefit to the applicant if the variance is granted outweighs any detriment to the health, safety, and welfare of the neighborhood or community. In applying this balancing test, the ZBA must consider 5 statutory factors:

1. Undesirable Change: whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
2. Feasible Alternatives: 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. Substantiality: Whether the requested area variance is substantial.
4. Adverse Effects: whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Self-Created Difficulties: Whether the alleged difficulty necessitating the variance was self-created. While relevant to the board's decision, self-creation does not automatically preclude the granting of the area variance.

Finally, in granting area variances, the ZBA must ensure that it approves the minimum variance deemed necessary and adequate while also preserving the character of the neighborhood and safeguarding the health, safety, and welfare of the community.

After the Code Enforcement Officer has made a determination, but before the application is presented to the Planning Board or Zoning Board of Appeals, the applicant is required to sign a form that acknowledges the determinations of the Code Enforcement Officer and indicate whether they agree or not. If in agreement with the Code Enforcement Officer's determinations, the application may proceed to board review. If the applicant disagrees with the Code Enforcement Officer's determinations, they may either withdraw the application or pursue an interpretation by the Zoning Board of Appeals before resubmitting the application.

The Village can provide no assurance that variances will be approved. Approvals are only gained after careful deliberation, and there is a necessarily high hurdle for applicants. This is a function of both state law and Village code, that is meant as much for the preservation of the residential and historic nature of the Village as it is to streamline development and construction.