

# APPLICATION FOR AREA VARIANCE

Form: TOZBA-3A

Zoning Board of Appeals

Town of Otego, NY

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**Instructions:** Fully complete this application. Write "NA" when "non-applicable". Application, complete with fee, shall be filed with the Zoning Officer at the Town Municipal Building or mailed to PO BOX 455, Oneonta, NY 13820 at least 10 days before the meeting.

Note that if the application is not complete it will be returned.

The applicant(s) name \_\_\_\_\_

PLEASE PRINT

(is) (are) the owner (s) of property situated at the following address:

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

Tax Map Parcel No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Applicant (owner) address: \_\_\_\_\_  
\_\_\_\_\_

The above described property was acquired by the applicant on: \_\_\_\_\_

Basis for Request:

I, the applicant, hereby appeal to the Zoning Board of Appeals from the decision of the Zoning Officer to deny my application for

Building Permit

Certificate of Occupancy

(choose one)

for the following proposed activity: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

This denial was made because of a violation(s) of requirements of the zoning ordinance section number (s) \_\_\_\_\_. This appeal is made for an area variance.

All applicants complete the following:

- a. Zoning district classification \_\_\_\_\_
- c. Date of Zoning Officer's decision: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
- d. Attach a sketch plan
- e. Attach notice of denial issued by Zoning Officer (Form ZEO-2)
- f. When required ( set backs or lot line variances do not need and EAF form ) attach a completed Part I of the Environmental Assessment Form (EAF) using the (check one):  
 short form or  long form for this use variance request.

***Area variances may be granted if the ZBA can balance the benefit to the applicant with the possible detriment to health, safety and welfare of the community. The Board shall consider the following factors in making their decision.***

- 1) Whether the benefit can be achieved by other means feasible for the applicant to pursue other than the area variance.
- 2) Whether an undesirable change to the character of the neighborhood or be a detriment to other nearby properties in granting this variance.
- 3) Whether the requested area variance is substantial.
- 4) Whether the proposed variance will have an adverse effect or impact the physical or environmental conditions of the neighborhood.
- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board, but shall not necessarily preclude the granting of such variance.
- 6) If approved the ZBA shall grant the minimum variance necessary, and may impose reasonable conditions.

Signature(s) \_\_\_\_\_

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

Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Telephone No. (        ) \_\_\_\_\_

- NOTE:
- 1. When applicable, Parts II and III of the EAF and the entire SEQR (State Environmental Quality Review) process must be completed by the Zoning Board of Appeals before the application can be considered complete.
  - 2. The Zoning Board of Appeals will notify you of their action in writing (form ZBA-4) within 62 days of the date of the public hearing held on this application.