

- h. Location and names of all adjoining landowners. (Call DPW at (518) 355-7575 ext.395 for assistance, if needed)
 - i. A check for two hundred fifty dollars (\$250) for developed property or five hundred dollars (\$500) for undeveloped property made payable to “Town of Rotterdam” and submitted with the completed application. This fee is non-refundable.
 - j. A SEQR Environmental Assessment Form will be required to identify impacts from your proposal if it is not identified as a Type 2 action.
 - k. Either the applicant or the Department depending on the type and scope of the application may request a meeting with the Department of Public Works. These meetings occur on a weekly basis.
- 2. Please note that if you are requesting a Variance to the setback requirements, you may be required to make changes to the building to comply with the Uniform Building Code, Uniform Fire Code, and Americans with Disabilities Act, etc. **You must apply for a Commercial/Residential Building Permit prior to or simultaneously with the acceptance of a Variance Application.**
- 3. The Department of Public Works Staff will do the following:
 - a. Schedule and conduct meetings with the applicant as needed.
 - b. Mail copies of the application materials to various agencies to solicit comments and/or requirements.
 - c. Provide the Zoning Board of Appeals with written and verbal comments on the proposal.
 - d. Compose and publish legal notice of the public hearing for the variance request according to the requirements of the law.
 - e. Notify applicant and/or applicant’s representative of the open record hearing prior to the hearing.
 - f. Call applicant or representative for notification of the open record hearing and any person who submits written or oral comments on the application prior to the hearing.
 - g. Prepare documents for review by Zoning Board of Appeals members prior to the meeting/hearing in order to allow board members sufficient time to review the material and conduct site visits.
- 4. **In most cases, the Zoning Board of Appeals** meets on the third (3rd) Wednesday of the month. The application will be heard before the Board at an open record public hearing. The applicant or representative shall be present to answer any questions the Board members have relative to the proposed use. You will be notified as to what date your application will be heard before the Board of Appeals.
- 5. **Hearing:** After the open record public hearing and based upon findings of fact, the Zoning Board of Appeals will determine whether the variance is to be granted, granted with conditions, or denied. Written notification of the decision is then mailed to the applicant within 45 days after the issuance of the Decision. Upon receipt of written confirmation that the conditions of approval, if any, have been met, your variance will be granted.
- 6. **Time Frame for Decision:** Once the application is deemed complete, the review process will begin. Provided there is no continuation of the application, a decision on the variance should be made within ninety (90) days, subject to an open record public hearing.



Town of Rotterdam
Zoning Board of Appeals
AREA VARIANCE APPLICATION

PART II
TOWN OF ROTTERDAM
General Information

**All requested information shall be provided and must be filled out in ink or typed
for photocopying purposes**

Legal Owner's Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone: _____ E-mail: _____

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone: _____ E-mail: _____

Project/Proposal Site Area (Acres or sq. ft.): _____

Assessor Tax Parcel No.(s) of Proposal Site: _____

Street Address of Proposed Site (if any): _____

Adjacent Area Owned or Controlled (Acres or sq. ft.): _____

Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: _____

Name and Address of All Adjacent Landowners:

NAME: _____

ADD: _____

NAME: _____

ADD: _____

NAME: _____

ADD: _____

NAME: _____

ADD: _____

NAME: _____

ADD: _____

NAME: _____

ADD: _____

NAME: _____

ADD: _____

NAME: _____

ADD: _____

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): _____

Existing Zoning Classification: _____

LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: _____

Section(s) of the zoning ordinance under which a variance is requested:

Purpose for the requested variance: _____

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes _____ No _____. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

Is your request a substantial variance from the ordinance? Please explain.

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

TOWN OF ROTTERDAM



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

**A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER
INVOLVED**

I, _____, being duly sworn declare that I am the

(PROPERTY OWNER)

owner of the property involved in a proposed _____ application request
before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): _____

I hereby grant _____ and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects
true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): _____

Date: _____

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 202_

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York

Residing at: _____

My appointment expires: _____