

**APPLICATION FOR AN AREA VARIANCE
TOWN ZONING BOARD OF APPEALS
TOWN OF WATERLOO**

(\$50.00 Nonrefundable Fee Required at time of filing with Code Enforcement Officer.)

This appeal concerns property at the following address:

Town Tax Map Section: _____ Block: _____ Lot: _____

Zoning District Classification: _____

OWNER _____

ADDRESS _____

PHONE NUMBER _____

This appeal is from a denial for a zoning permit made by the Code Enforcement Officer dated _____. (Denied Zoning Permit Application attached.)

OFFICE USE ONLY		
Application #	AV-	
Date of Appeal:		
App. Received by:		
\$50.00 Fee Received:		
Plot Plans:	Yes	No
Elevation Drawings	Yes	No
Date of Receipt by Board:		
Send to SCPB:	Yes	No
Date of Public Hearing:		
Report from SCPB:	Yes	No
Final Action:	Approve	Deny
Date of Final Action:		
Date of Filing Decision with Town Clerk:		

For the proposed activity: _____

Denial was because of a conflict with the following Article(s) of the Zoning code: _____

State what type and size of variance you are requesting (ex. a 3 foot side yard variance): _____

State the reason why you are applying for the variance: _____

Applications must include six (6) copies of a scale plot plan showing the North Arrow, the date drawn, the location of existing and proposed building(s) or addition(s), to include distance separations from each other and property lines, and six (6) copies of elevation drawings of the proposed building or addition.

Verification:

Applicant: _____ Telephone: _____
Last First

Mailing Address: _____

Signature: _____ Date: _____

_____ Date _____

James Cleere, Code Enforcement Officer

§ 135-12. Zoning Board of Appeals.

(4) Area variances.

(a) On appeal from the decision or determination of the Zoning Officer, the ZBA shall have the authority to grant an area variance as defined herein. In making its determination, the ZBA shall weigh the benefits to the applicant against the detriment to the health, safety and welfare of the neighborhood and shall also consider: [Amended 5-20-2003 by L.L. No. 1-2003]

[1] 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] Whether the benefit desired can be achieved by some feasible method other than an area variance.

[3] Whether the requested area variance is substantial.

[4] Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood.

[5] Whether the alleged difficulty was self-created. This consideration shall be relevant to the ZBA's decision, but shall not necessarily preclude the granting of the area variance.

(b) In granting an area variance, the ZBA shall grant the minimum variance deemed necessary and adequate while, at the same time, protecting the character of the neighborhood.

(5) Imposition of conditions. In the granting of both use and area variances, the ZBA shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.