

APPLICATION FOR A ZONING VARIANCE

TOWN OF CLINTON



1215 Centre Road, Rhinebeck NY 12572

(845-266-5704 X 115)

Grid # 132400 - - - - -

Zoning District: \_\_\_\_\_

Request for: AREA VARIANCE USE VARIANCE INTERPRETATION  
----- (Circle one) -----

What is your objective: \_\_\_\_\_

<b>Name of OWNER &amp; Present Mailing Address</b>
_____
_____
_____
Daytime Phone: ( ) _____
Alternate Phone: ( ) _____

<b>Name &amp; Address of Applicant IF NOT OWNER</b>
_____
_____
_____
Daytime Phone: ( ) _____
Alternate Phone: ( ) _____
<b>If applicant is not owner a "Consent To Act" form must be on file</b>

**Location of Subject Property:**

\_\_\_\_\_

***It will be necessary for the Planning Board and Zoning Board of Appeals members to visit the site in order to properly evaluate your application. By making this application, you give permission to our board members and their representatives to enter your property. Please make it easy for us to find your property by identifying landmarks, address on mailboxes, etc:***

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

Is the subject property in your name? YES NO  
(If no, do you have a Consent to Act Form from the owner?) YES NO

What is your interest in the property: \_\_\_\_\_  
\_\_\_\_\_

Is the lot presently developed: YES NO  
If yes, as: COMMERCIAL RESIDENTIAL OTHER: \_\_\_\_\_

Size of the property: \_\_\_\_\_ acres

Water facilities: private well or other \_\_\_\_\_

Waste facilities: Private or other \_\_\_\_\_

# APPLICATION FOR A ZONING VARIANCE

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**Variance request:** The applicant requests the following variance from the Town of Clinton Zoning Law:

Section	Pertaining to	From	To

## ENCLOSE WITH THIS APPLICATION THE FOLLOWING:

- A. A plot plan drawn to scale showing:
  - \_\_\_ 1. Lot dimensions (all sides)
  - \_\_\_ 2. Existing buildings and distances to boundary lines
  - \_\_\_ 3. Existing well and waste facility locations
  - \_\_\_ 4. Significant features (rock outcroppings, steep slopes, wetlands, etc.)
  - \_\_\_ 5. Proposed structures and distances to boundary lines, well and waste facilities
  - \_\_\_ 6. North Arrow
  - \_\_\_ 7. Surrounding properties (owner's names, road names, etc).
  - \_\_\_ 8. All accessory structures with their square footage
- B. Short Environmental Assessment Form (EAF) if applicable
- C. Photographs of the site showing existing buildings, screening, proximity to neighbors and roads, area of proposal, etc.
- D. Copy of pertinent tax map (can be obtained from the Town)
- E. Consent of property owners, if applicant is not the owner
- F. Copies of the front and back of the Assessment Cards from the Assessor's office
- G. A copy of the denial from the Zoning Enforcement Office
- H. Fee

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(If applicable)

Fee Paid (non-refundable): \_\_\_\_\_ Date Rec'd \_\_\_\_\_ Rec'd by \_\_\_\_\_

TO BE COMPLETED BY APPLICANT: (A mis-statement of facts could nullify the variance.)

Please explain your variance request (i.e., how your request varies from the zoning law):

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

In evaluating an area variance, the Zoning Board of Appeals (ZBA) shall take into consideration the benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood of community by such grant.

**AREA VARIANCE:**

1. Explain why you think your variance will NOT result in an undesirable change in your Neighborhood:

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

2. Explain why you cannot achieve your benefit by a method other than this variance and why the variance cannot be minimized:

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

3. Do you think your request is substantial (YES/NO). If NO, please elaborate:

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

4. Explain why the variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district:

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

5. Is your difficulty with the law self created?

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

TO BE COMPLETED BY THE APPLICANT: (A mis-statement of facts could nullify the variance.)

USE VARIANCE:

1. Reasonable Return: (Prove and Document) The property is unable to provide a reasonable return from any of the permitted usages in this zone because:

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

2. Unique Circumstances: Show that your circumstances are unique to the neighborhood or district conditions \_\_\_\_\_

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

3. Essential Character of Locality: Why do you feel granting this variance will not alter the essential character of the locality?

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

4. Self-Created Hardship: Have you created an "unnecessary hardship" or acquired the property knowing of the existence of the condition that requires a variance:

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

5. Have any variances ever been granted for this parcel in the past?

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

The entire form must be filled out. Our Zoning Enforcement Officer can advise you.



By checking the box to the left, you may request a "workshop" meeting with the Zoning Board of Appeals (ZBA) which will be held during a regularly scheduled ZBA meeting to clarify any questions you (or the Zoning Board) may have prior to commencing the Zoning Board process. Please note that it is important that you make application for the correct category before the commencement of the ZBA process. A workshop meeting may assist you in this endeavor.