

CITY OF NEWBURGH ZONING BOARD OF APPEALS

Joanne Lugo, Chairperson

Michelle Mills, Secretary

83 Broadway, Newburgh, New York 12550 (845) 569-7340

Fees: Commercial \$275.00
Residential \$175.00

APPEAL NO.: _____

APPLICATION TO THE ZONING BOARD OF APPEALS CITY OF NEWBURGH, NEW YORK REQUEST FOR AREA VARIANCE(S) (TYPE OR PRINT IN DARK INK)

I. PROPERTY: _____

TAX MAP DESIGNATION: SECTION: _____ BLOCK: _____ LOT: _____

ZONING DISTRICT: _____

II. PROPERTY OWNERSHIP:

NAME OF OWNER: _____

ADDRESS: _____

III. APPLICANT INFORMATION

APPLICANT NAME: _____

ADDRESS: _____

PHONE #: _____ E-MAIL _____

(IF THE APPLICANT IS NOT THE OWNER, WRITTEN PROOF THAT THE OWNER CONSENTS TO THE APPLICATION MUST BE SUBMITTED WITH THIS APPLICATION.)

IV. SUBJECT TO APPEAL

Pursuant to the provisions of Section 300-79 of the Zoning Ordinance, this application, relative to the above referenced property, constitutes an appeal from the decision of the Zoning Administrator, or other City of Newburgh Agent (name and title of agent):
James V. Morrill, Deputy Fire Chief/Building Inspector

A copy of this decision, dated _____, must be attached.

V. APPEAL REQUEST

This appeal takes the form of a request for

[] Area Variance(s)

Please be advised that all sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief. It is incumbent upon the applicant to demonstrate to the Board that these criteria are satisfied. Additional sheets may be attached as necessary. Please also note carefully the list of required attachments on the last page of this application.

	REQUIRED	PROVIDED	VARIANCE REQUESTED
<u>Parking</u>	_____	_____	_____
<u>Lot Area</u>	_____	_____	_____
<u>Lot Width</u>	_____	_____	_____
<u>Lot Depth</u>	_____	_____	_____
<u>Front Yard</u>	_____	_____	_____
<u>Side Yard</u>	_____	_____	_____
<u>Rear Yard</u>	_____	_____	_____
<u>Bldg. Height</u>	_____	_____	_____

VI. VARIANCE REQUEST

I/We, _____, hereby apply to the Zoning Board of Appeals for a variance of the following requirements of the Zoning Ordinance.

- (i) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties:

(If not, please explain why. (For example, will parking, traffic, noise, lighting, aesthetics be affected?)

- (ii) Explain if the granting of the variance is necessary, or whether the same result could be achieved by some other method not requiring a variance.
(For example, can you change your construction plans, purchase or own land next door so that lot requirements are met.)

- (iii) Explain if the requested use variance(s) is substantial, and if not, explain why it is not substantial.
(For example, zone requires 10 feet side yard and your property has 8 feet, so only asking for 2 foot variance or many other properties on the street have set backs similar to the one you are requesting?)

- (iv) Explain if the variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. If not, please justify why it won't have an adverse effect.
(For example, drainage, topography, slopes, run-offs.)

- (v) Explain if your need for an area variance is the result of self-created difficulties on your part. If not, please explain how the difficulties are not self-created.
(For example, did you own property before a zoning change requiring the variance?)

VII. LIST OF ATTACHMENTS

1. Site or Plot Plan: Eleven (11) copies.
2. Financial (Economic) Statement. This statement should not be person in nature. The date provided should relate directly to the property in question and should illustrate the economic injury or undue hardship suffered in the absence of the variance.
3. Letter or communication which resulted in application to the ZBA.
4. Other attachments deemed pertinent by the applicant (please list):
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____

VIII. SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

STATE OF NEW YORK)

) ss.:

COUNTY OF ORANGE)

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

SIGNATURE OF APPLICANT

DATED:

On the _____ day of _____ in the year _____, before me the undersigned, a Notary Public or Commissioner of Deeds in the State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted; executed the instrument.
