



Town of Ticonderoga

132 Montcalm Street
P.O. Box 471
Ticonderoga, NY 12883
(518) 585-6677
Fax (518) 585-7211

USE VARIANCE APPLICATION

(Clerk's Office Use Only)

APPLICATION NO: _____ DATE : _____

FEE PAID: _____

Requirements, Fees and Instructions (Please use dark blue or black ink)

The application must be filled out completely and in every respect with ALL questions answered and ALL required attachments before the Town can officially accept the application for processing. If the application is incomplete, it will be returned to you for completion or inclusion of the deficient information.

Use this application for any project which requires a Use Variance and relief from the zoning regulations as they pertain to principal or accessory permitted uses in a zoning district (commercial, industrial, residential, multi-family, and etc.) by the Town of Ticonderoga Planning and Zoning Board.

THIS APPLICATION IS SUBJECT TO REVIEW AND APPROVAL BEFORE ISSUANCE OF A VALID PERMIT FOR YOUR PROJECT. TO ENSURE TIMELY REVIEW OF YOUR APPLICATION PLEASE COMPLETE THIS FORM IN ITS ENTIRETY AND PROVIDE WITH THIS APPLICATION THE FOLLOWING DOCUMENTATION:

- Copy of Deed
- Boundary Survey or Tax Map
- Agricultural Data Statement (as applicable)
- Authorization of Agent (as applicable)
- Site Plan (include as much detail as possible and all existing or proposed conditions on the property must be shown) Must be detailed in accordance with Section 81-9-D.
- Floor plans and elevations of existing or proposed buildings (as applicable)
- EAF (NYSDEC Environmental Assessment Form, Short or Long Form, as applicable)
- Information related to the relief requested, as applicable; site layout and dimensions, parking, site access, vehicular maneuvering, traffic, noise, lighting, landscaping, screening or buffers, fencing, water, sewer, utilities, cultural resources, endangered species or habitat, wetlands, flood plains, emergency services, fire safety, loading/unloading zones, alternatives, and etc.

THE FOLLOWING SUBMISSIONS ARE REQUIRED:

ONE (1) ORIGINAL SIGNED SET OF APPLICATION MATERIALS AND SUPPORTING DOCUMENTATION.

SEVEN (7) COPIES OF THE APPLICATION MATERIALS AND ALL SUPPORTING DOCUMENTATION.

NOTE THAT ALL MAPS AND DRAWINGS MAY BE SUBMITTED ON 11X17 PAPER PROVIDED THAT ONE FULL SIZE SET OF PLANS IS SUBMITTED WITH THE ORIGINAL SET.

ONE (1) ELECTRONIC COPY VIA PDF EITHER ON A FLASH DRIVE OR EMAILED TO buildinginspector@townofticonderoga.org IF YOU CANNOT SUBMIT ELECTRONICALLY CONTACT THE CODE ENFORCEMENT OFFICE BEFORE SUBMITTING YOUR APPLICATION.

ALL APPLICATION MATERIALS ARE DUE NO LATER THAN TWELVE NOON ON THE FIRST BUSINESS DAY OF THE MONTH PRIOR TO THE MEETING, I.E., APPLICATION MATERIALS FOR A DECEMBER MEETING ARE DUE NO LATER THAN THE FIRST BUSINESS DAY OF NOVEMBER, ETC.

IF YOUR APPLICATION IS TABLED FOR ANY REASON, PLEASE NOTE THAT ALL MATERIALS REQUESTED MUST BE SUBMITTED BY THE 15TH OF THE MONTH AT TWELVE NOON. IF THE 15TH FALLS ON A SATURDAY OR SUNDAY, THE DEADLINE IS THE NEXT FOLLOWING BUSINESS DAY AT TWELVE NOON.

THERE ARE NO EXCEPTIONS TO THE FILING DEADLINES.

GENERAL INFORMATION

Project Location and Information

Number and Street Address: _____

Zoning District: _____

Tax Map Number: _____

Current Use of the Property/Building: _____

Property Owner Identification **Owner is Applicant**

Name: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Contractor/Builder Identification **Contractor is Applicant** **TBD**

Name: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Agent Identification **Agent is Applicant**

Name: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Description of proposed project:

What is the proposed Use of the property that is currently not a permitted principal or accessory use? _____

Total Parcel Area: _____ ac or sf

Are there any zoning violations or existing non-conforming conditions on the property?

Yes No

If yes, please explain:

Is the lot or parcel for the project within 500 feet of a County or State Highway, Right-of-Way or Park, or Municipal Boundary? Yes No

If yes, please explain:

Is the lot or parcel for the project within a designated flood plain? Yes No

Is the lot or parcel for the project within the TOT Grassland Boundary? Yes No

Is the lot or parcel for the project within an area known to contain threatened and/or endangered species to include plants or animals? Yes No

**Does the lot or parcel for the project consist of or contain designated wetlands?
 Yes No**

Is the lot or parcel for the project within close proximity to any designated or important historic properties or cultural resources? Yes No

Describe the current condition of the site [buildings, brush, woods, vacant, etc.]:

ZONING INFORMATION

Site Development Data

Acres Sq. Ft.

| | Area/Type | Existing | Proposed | Total |
|--------------|--------------------------------------------|----------|----------|-------|
| A. | Building Footprint | | | |
| B. | Detached Garage | | | |
| C. | Accessory Structure(s) | | | |
| D. | Paved, gravel or other hard surfaced areas | | | |
| E. | Porches/Decks/Patios | | | |
| F. | Lawn or Landscape Areas | | | |
| G. | Forested/Woods/Brush/Vegetated | | | |
| H. | Other: _____ | | | |
| I. | Other: _____ | | | |
| TOTAL | | | | |

Lot, Yard and Height Regulations (Bulk Requirements)

| Item | Required | Existing | Proposed |
|------------------------|----------|----------|----------|
| Lot Size (acres) | | | |
| Lot Width (ft) | | | |
| Lot Depth (ft) | | | |
| Front Yard (ft) | | | |
| Side Yard - One (ft) | | | |
| Side Yard - Both (ft) | | | |
| Rear Yard (ft) | | | |
| Max. Building Coverage | | | |
| Max. Building Height | | | |
| No. of Parking Spaces | | | |
| No. Loading Berths | | | |

PROJECT DETAILS

Commercial Project Residential Project

Type of Project:

- New Construction
- Building Addition
- Attached Garage
- Conversion/Change of Use
- Alteration/Modifications
- Repairs/Maintenance
- Misc./Equipment/Other: _____

UTILITIES

- Electrical:** **Underground** **Overhead** _____ amp service
Sewage Disposal: **Onsite Septic** **Municipal Sewer**
Potable Water: **Private Well** **Municipal Water**
Combustion Fuel: **Fuel Oil** **Propane** **Natural Gas** **Other:** _____

PERMITS/APPROVALS

Please specify what other permits are being applied for as a result of the proposed work:

- Accessory Structure** **Swimming Pool**
 Onsite Wastewater Disposal **Sign Permit**
 Demolition **Building Permit**
 Driveway **Other:** _____

Please specify what approvals or permits have been/will be obtained as a result of the project:

- TOT Special Use Permit** **NYSDEC SPDES Permit-Stormwater**
 TOT Subdivision **NYSDEC SPDES Permit-Wastewater**
 TOT Area Variance **NYSDOH Potable Water Well**
 TOT Use Variance **NYSDOH Wastewater System**
 TOT Water Permit **TOT Sewer Permit**
 Other: _____ **NYSDOH Realty Subdivision**
 Other: _____ **Other:** _____

Additional Comments:

Character/Uses of surrounding or adjacent lands:

A Use Variance enables the Applicant to utilize property for purposes which are not permitted by the Zoning Law. The Applicant MUST show that the Zoning Law imposes an “unnecessary hardship” on the property by preventing it from yielding a REASONABLE economic return if used for any permitted use allowed by the zoning district, and that this situation is unique to that parcel and not a general condition of the zoning district.

1. In order to consider the requested use variance the Applicant must demonstrate that it is not possible to realize a reasonable return, and that the lack of return is substantial as demonstrated by competent financial evidence. Please provide financial information, details, data, or commentary as it relates to achieving a reasonable return on the property for the proposed project and use, as compared to permitted uses for the parcel (attach supplemental information as necessary).

2. In order to consider the requested use variance the Applicant must demonstrate that the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Please provide neighborhood or other district information, details, data, or commentary as it relates to the alleged hardship relating to the property, as compared to the surrounding area (attach supplemental information as necessary).

3. In order to consider the requested use variance the Applicant must demonstrate that the requested use variance, if granted, will not alter the essential character of the neighborhood. Please provide information, details, data, or commentary as it relates to the character of the neighborhood presently and, if granted, upon completion of the project and any changes which would result (attach supplemental information as necessary).

4. In order to consider the requested use variance the Applicant must demonstrate that the alleged hardship related to the property is not self-created. Please provide information, details, data, or commentary as it relates to whether the hardship is/was self-created (attach supplemental information as necessary).

5. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the use variance?

Yes No

Please explain:

Additional Comments:

SIGNATURE PAGE

To the best of my knowledge, the statements contained in this application, together with the plans and specifications and other supporting documentation submitted are a true and complete statement of all proposed work to be done on the described premises and that all provisions of the Building Codes, the Zoning Ordinance, and all other local, state, and federal laws pertaining to the proposed work shall be complied with, whether specified or not.

Further, unless specified or extended by the Planning and Zoning Board, a decision on any site plan review shall expire if the Applicant fails to undertake the proposed action or project, to obtain the necessary building permits to construct any proposed new building(s) or change any existing building(s) or to comply with the conditions of said authorization within one year from the filing date of such decision thereof.

The Planning and Zoning Board may employ consultants, legal counsel, professional engineers, and/or inspection services for their assistance and advice in the review of any application before it and for such purposes as the Planning and Zoning Board may require therefor, including but not limited to; on site investigation, evaluation and inspection, verification of the accuracy of information submitted, evaluation of the adequacy of plans, of the sufficiency of submitted reports; flood hazard evaluation; study of the impact of proposals upon the resources and environment of the Town; preparation and/or review of any environmental impact statements; review of the design and layout of improvements; inspection of installed improvements; and such other services or technical assistance as the Planning and Zoning Board shall deem necessary for its review of such application, and for the administration of the Town, County, State, and Federal regulations in relation thereto. The Applicant authorizes the Planning and Zoning Board, as it deems necessary, to employ such assistance and agrees to reimburse the Town for the costs and fees associated with any requested consultants to assist them in their review and consideration of the application, whether it be for either technical or legal purposes. When appropriate the Planning and Zoning Board shall have the authority to request a deposit from the Applicant for the cost and fees associated with consultants in advance of the review.

It is understood that the Applicant shall satisfy all requirements of the approval or decision and conditions applicable to such prior to a Certificate of Occupancy or Certificate of Compliance being issued.

Date: _____

Name: _____

Signed: _____