



VILLAGE OF TIVOLI

HISTORIC WATTS DEPEYSTER HALL ~ TIVOLI, NY 12583

Zoning Board of Appeals

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Application For Use Variance - Zoning Board of Appeals

Appeal # _____

Dated: _____

Complete the following application and submit to the Zoning Enforcement Officer together with the requisite fee.

I(We), _____ residing at _____,
_____, hereby gives notice of appeal from the decision
of the Building Inspector/Zoning Enforcement Officer made on the _____ day of _____,
20__, in refusing to issue a Building and Zoning permit on the ground that the same would be in
violation of Section _____ of the Code of the Village of Tivoli.

Premises located at _____
Tax Grid # _____
Zoning District _____
Record Owner of Property _____
Telephone # _____

Intended Use: _____

Because a Use Variance runs with the land, it may not be granted to ease the personal difficulties of the current landowner so an applicant, to be entitled to a Use Variance, must demonstrate to the Board of Appeals that:

1. Under applicable zoning regulations, the applicant cannot receive a reasonable return from any permitted use from the property in question, which difficulty must be established by competent financial evidence. Proof must be given that the land in question cannot yield a reasonable return if used only for a purpose allowed in that zone.
2. The use applied for will not alter the essential character of the locality. Changes would not disrupt or alter the character of the neighborhood, or a district, so as not to be at odds with the purpose of the zoning ordinance.
3. The hardship is unique as to this parcel and is not general throughout the zoning district.

There must be proof that a particular property suffers a singular disadvantage through the operation of a zoning regulation and not to general neighborhood conditions before a variance thereof can be allowed on the grounds of "unnecessary hardship".

4. Demonstrate that the hardship is not self-created.

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ILLUSTRATIONS OF FINANCIAL EVIDENCE

Bill of sale for the property, present value of property, expenses for maintenance, leases, rental agreements, tax bills, conversion costs (for a permitted use), realtor's statement of inability to rent or sell.

ILLUSTRATIONS OF UNIQUENESS

Topographic or physical features preventing development of a permitted use. Why it would be possible to construct the applicant's proposal and not any of the permitted uses?

ILLUSTRATIONS NEIGHBORHOOD CHARACTER FACTORS

Expected effect of proposal on neighborhood.

SELF-CREATED HARDSHIP

What were the permitted uses at the time the property was purchased by the applicant? Were substantial sums spent on remodeling for a use not permitted by zoning?

Applicant's signature

Sworn to before me this _____ day of _____, 200__

Applicant's signature

Notary Public