

Town of Fleming

2433 Dublin Road
Auburn, NY 13021

Phone (315) 252-8988
Fax (315) 252-1492

ZONING BOARD OF APPEALS VARIANCE APPLICATION

1. Address of property: _____ Tax Map No. _____

2. Property Dimensions: Lot Frontage _____; Lot Depth _____; Total Sq.Ft. _____

3. Applicant's Name: _____ Property Owner: Yes No

(Street Address)

(State)

(Zip)

(Phone Number)

(E-mail address)

4. Requesting: Use Variance Area Variance Other

5. Area Variance requested: Front _____; Rear _____; Side _____; Side _____; Lot Size _____

6. Proposed uses on the property, if application is approved, are: _____

Date Building Permit was submitted: _____ Date Denied: _____

Please attach an accurate sketch and/or survey map of the property in question. (Include locations and outlines of all buildings, measurements to property lines, etc.)

List the owners of record of all properties adjacent to, and across the road from, the property for which the application is being filed. These parties will be notified by the Town of Fleming prior to the public hearing.

TAX MAP NUMBER	OWNER'S NAME	MAILING ADDRESS

The following five factors will be considered by the Board of Appeals and should be addressed by the area variance application:

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 variance.

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than the variance.
3. Whether the requested area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND ACCURATE, AND THAT **ANY LEGAL FEES OR TECHNICAL/ENGINEERING FEES INCURRED BY THE TOWN RELATIVE TO THE REVIEW OF THIS PROJECT SHALL BE PAID BY THE APPLICANT.** AS PART OF THE APPLICATION REVIEW, APPLICANT ALSO CONSENTS TO THE VISITATION/ENTRY OF THE PROPERTY AT REASONABLE TIMES BY TOWN OF FLEMING ZBA MEMBERS AND/OR THE FLEMING ZONING OFFICER.

Dated: _____

Signature of Applicant

Signature of Applicant (if other than property owner)

THE FILING FEE OF \$50.00 IS DUE UPON THE SUBMITTAL OF THIS APPLICATION.

*****OFFICIAL USE ONLY*****

Zoning Board of Appeals Filing Fee \$ 50.00

Date Paid: _____

Date of Public Hearing: _____

Date Variance Granted: _____

Date Variance Denied: _____

Reason Variance Denied: _____

Who May Appeal

Appeals to the Board of Appeals may be taken by any person or Town Official aggrieved or affected by any provision of this Law or by any decision including any order to stop, cease, and desist issued by the Zoning Officer in enforcing the provisions of this Law.

Rules and Procedures for Filing Appeals and Applications

- Any appeal shall be made by filing the same with the Zoning Officer within sixty (60) days after the date of the Zoning Officer's disapproval of the building permit application.
- All appeals and applications made to the Board shall be in writing and using standard forms prescribed by the Board.
- All appeals and applications shall refer to the specific provisions of the Zoning Law.
- All appeals and applications shall set forth names and addresses of all adjoining owners including those across public roads from the subject property.
- Appeals and applications before the Board of Appeals shall be accompanied by a payment to the Town in accordance with a Fee Schedule, provided at the Town Clerk's Office.

Questions regarding this Application can be directed to the Zoning Code Enforcement Officer, Bill Gabak, at (315) 406-5789. Applications for variance hearings cannot be accepted until an application for a building permit or zoning permit has been received and denied. The entire Town of Fleming Zoning Code is available on the Town's website at www.townoffleming.com. ZBA Meetings are held on the third Thursday of each month. The meeting notice will be published in the local newspaper at least 10 days before the meeting date.