



TOWN OF FORT EDWARD

118 BROADWAY P.O. BOX 127 FORT EDWARD, N.Y. 12828-0127

OFFICE – 518.747.5212 -----FAX 518.747.2493

AREA 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 an Area Variance and relief from the zoning regulations as they pertain to bulk requirements (setbacks, building coverage, building height, lot size or minimum dimensions, and etc.) by the Town of Fort Edward 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, 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.

Please submit the original plus (11) eleven copies of your Application and supporting documentation to the Town Clerk's Office for distribution to the Zoning Board and Consultants for review and consideration.

GENERAL INFORMATION

Project Location and Information

Number and Street Address: _____

Zoning District: _____

Tax Map Number: _____

Current Use of the Property/Building: _____

Commercial Plaza Zone: Yes No

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 relief or variance(s) from the zoning ordinance requirements is(are) being requested?

- Setback Building Coverage Lot Dimensions or Size Bldg Height
 Other _____ Other _____

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 TOFE 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: _____

What is/are the existing or proposed use(s) for the site?

- Group A - Assembly
- Group B - Business
- Group E - Educational
- Group F - Factory/Industrial
- Group H - High Hazard Group
- Group I - Institutional
- Group M - Mercantile
- Group R - Residential
- Group S - Storage
- Group U - Utility and Miscellaneous

Estimated Project Cost: _____

Estimated start date of project: _____

Estimated time to completion: _____ months

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;

- | | |
|--|---|
| <input type="checkbox"/> TOFE Special Use Permit | <input type="checkbox"/> NYSDEC SPDES Permit-Stormwater |
| <input type="checkbox"/> TOFE Subdivision | <input type="checkbox"/> NYSDEC SPDES Permit-Wastewater |
| <input type="checkbox"/> TOFE Site Plan Review | <input type="checkbox"/> NYSDOH Potable Water Well |
| <input type="checkbox"/> TOFE Use Variance | <input type="checkbox"/> NYSDOH Wastewater System |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> NYSDOH Realty Subdivision |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

SITE PLAN REQUIREMENTS

Will the proposed project include or alter or change site conditions related to the following (check all that apply)?

- | | |
|---|--|
| <input type="checkbox"/> Traffic | <input type="checkbox"/> Lighting |
| <input type="checkbox"/> Runoff/Drainage | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Grading | <input type="checkbox"/> Utilities (electric, gas, water, sewage, etc) |
| <input type="checkbox"/> Impervious | <input type="checkbox"/> Site Access |
| <input type="checkbox"/> Building Coverage | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Roads/R.O.W. | <input type="checkbox"/> Easements |
| <input type="checkbox"/> Screening/Buffers/Fences | <input type="checkbox"/> Pedestrian Accommodations/Sidewalks |

Additional Comments:

Character/Uses of surrounding or adjacent lands:

*An Area Variance permits modification of the dimensional standards contained in the Zoning Law, such as setback requirements, lot size, building coverage or frontage requirements, from property which will be utilized for one of the uses permitted by the Zoning Law. The Applicant **MUST** show that the Zoning Law imposes a “practical difficulty” if the variance is not granted, and the granting of the variance will not alter the essential character of the neighborhood or zoning district. In making its determination the Zoning Board shall take into consideration the benefit to the Applicant if the variance is granted as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by the variance.*

1. From which section of the Zoning Law are you requesting a variance?

2. How would the proposed project be in violation of that Section of the Zoning Law?

3. What is the practical difficulty which would be caused by strict application of the Zoning Law to this property?

4. Would the proposed project be physically or materially detrimental to the purposes of the Zoning Law or to property in the district in which the property is located or otherwise conflict with the description or purpose of the district or the objectives of any plan or policy of the Town?

Yes No

Please explain:

5. Is the variance requested the minimum variance which would alleviate your specific practical difficulty? Yes No

Please explain:

6. Could any other solution alleviate the practical difficulty from which relief is sought or can the benefit sought be achieved by some other method which is feasible to pursue?

Yes No

Please explain:

7. 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 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 (unless relief is granted), and all other local, state, and federal laws pertaining to the proposed work shall be complied with, whether specified or not.

The 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 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 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 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 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 area variance approval or decision and conditions applicable to such prior to any Certificate(s) of Occupancy or Certificate(s) of Compliance being issued.

Date: _____

Name: _____

Signed: _____