

Application for a Use Variance
Town of Murray
3840 Fancher Road
Holley, New York 14470

FOR OFFICE USE ONLY APPLICATION NUMBER	
_____ (Year YY)	_____ (Sequence XXX)

Please type or print clearly. Attach additional sheets if necessary. Incomplete or missing information will delay processing and review.

Applicant's Name

Applicant's Mailing Address (Street or P.O. Box, City, State and Zip Code)

Applicant's Phone Number

Applicant's Email Address

Address of Project Site - if different than mailing address (Street, City, State and Zip Code)

Tax Parcel Number of Project Site

Present Zoning Classification of Project Site (including overlay districts)

Relevant Section(s) of the Zoning Ordinance

Description of Request:

Application for a Use Variance - continued

The project site is located within: (check all that apply)

Flood Hazard Area (See Note 1)

Orleans County Agricultural District (See Note 3)

Within 100 feet of a NYSDEC Wetland (See Note 2)

Within 150 feet of Sandy Creek (See Note 4)

- Note 1 - Projects within a flood hazard area must comply with Town of Murray Local Law No. 1 of 1989.
- Note 2 - Attach copies of all wetland permits, approvals or exemption letters obtained from the NYSDEC.
- Note 3 - An Agricultural Data Statement may be required. See Murray Zoning Ordinance - §847
- Note 4 - A Streambank Development Permit may be required. See Murray Zoning Ordinance - §570

Is the proposed action subject to review under the State Environmental Quality Review Act (SEQR)?

Yes

No

If Yes, the applicant must complete Part I of the Environmental Assessment Form

The applicant must attach a scaled site plan. In general, the plan must contain the information listed below. Refer to §302 and §1004 in the Town of Murray Zoning Ordinance for specific site plan requirements.

- Boundaries of the property, lot line dimensions, north arrow, drawing scale and date of preparation
- Existing and proposed structures (including overall dimensions, heights, square footage).
- Existing and proposed driveways, parking areas, roads, rights-of-way, easements (including dimensions).
- Front, side and rear setbacks of all existing and proposed structures from lot lines.
- Location of ponds, streams, creeks, wetlands, flood hazard areas.
- Location and dimensions of existing and proposed septic systems and drinking water wells.
- Location and dimensions of site features such as signs, fences, retaining walls, patios, decks, culverts.

Justification for a Use Variance

§267-b of New York State Town Law and §833 of the Town of Murray Zoning Ordinance establish specific criteria that must be met in order for a use variance to be approved by the Zoning Board of Appeals.

On a separate sheet of paper, the applicant must answer each of the following questions in detail and attach supporting documentation as necessary:

1. Explain how you will be deprived of economic use or benefit of your property unless it can be used for the purpose you request. You must provide competent financial evidence that the land in question, if used for each and every permitted use under the zoning regulation for the particular zoning district, will not yield a reasonable return.
2. Explain why the alleged hardship relating to the property is unique, and why the hardship does not apply to a substantial portion of the zoning district or neighborhood.
3. Explain why the use variance, if granted, will not alter the essential character of the neighborhood.
4. Explain why the alleged hardship is not self-created.

Applicant shall reimburse the Town for all direct costs, including but not limited to legal, engineering, and/or consultant review of application, if deemed necessary.

I certify that the information provided on this application form and all supporting documentation is true to the best of my knowledge.

Signature of Applicant

Date

Signature of Zoning Enforcement Officer

Date

Application for a Use Variance - continued

The applicant must provide the names and mailing addresses of ALL persons who own property within 500 feet of any lot line of the project site.

- This information is required to legally process the application. Attach additional sheets if necessary.
- No action will be taken on this matter until this information is provided.
- Names and mailing addresses can be obtained from the Town of Murray Assessor (phone 638-5255) or the Orleans County Real Property Tax Service (589-5400).

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