



***Village of New Paltz
Zoning Board of Appeals***

Use Variance Application

Building Department
25 Plattekill Avenue
New Paltz, NY 12561
Phone: (845) 255-3055
Fax: 845.255.5102

Administrative Section only

Application Number: ZB_____

Date Received: _____

Application Fee: \$_____ ☐ Paid

☐ Hand-delivered

Escrow Deposit: \$_____ ☐ Paid

☐ Postmarked

Date of Public Hearing: _____

County 239m Referral: _____

☐ Digital copy provided

Date of Final Action: _____

☐

Date of Filing with Village Clerk: _____

Applicant - Please complete the following:

Section, Block and Lot (SBL) Number: _____

Zone: _____

Applicant's Address: _____

Owner's Address: _____

Day Phone: _____

Day Phone: _____

Evening Phone: _____

Evening Phone: _____

Email: _____

Email: _____

This form is to be completed by persons applying for a USE Variance. (If unsure, see ZBA Information Packet or contact the Building Inspector.)

Submit one application for each section of code for which you are requesting the USE Variance.

The ZBA must deny the USE Variance if any one (or more) of the four (4) criteria is not proven.

Please answer all questions and give a detailed explanation. Please attach additional sheets to provide the same information for additional Variances being requested for your project

1. Variance Description:

Chapter: _____ Section: _____

2. Statement of Need

Please state your justification for the requested Use Variance(s). This will help the Zoning Board of Appeals (ZBA) make a determination. Explain why the requested Variance(s) is/are necessary. For example: For example, the building on my lot is specifically designed to be a car wash, but its use has expired.

3. New York State Review Criteria for Use Variance

a. Explain how, based on the current applicable zoning regulations, the Applicant is incapable of earning a "reasonable" financial return on his/her initial investment if used for any of the uses allowed by the zoning code. Applicant must demonstrate using financial evidence:

b. Explain how the alleged hardship that relates to the property in question is unique and does not apply to a substantial portion of the district or neighborhood:

c. Explain how the requested Variance, if granted, will not alter the essential character of the neighborhood:

d. Explain how the hardship is not self-created:

Refund of Fees (not including Escrow Funds) - The owner hereby understands and agrees that any associated fee paid to the Village is not refundable regardless of whether or not the Use Variance(s) has/have been granted or the application has been withdrawn.

I, the undersigned, am the Owner, or their Authorized Agent. **(If the Applicant is not the Property Owner, the Property Owner must have the attached Owner Affidavit form notarized in order to give authorization to the Applicant.)**

Applicant's Signature: _____ **Date:** _____

Applicant Checklist and Time Table for Use Variance and Area Variance

Please keep this copy for your use. Another copy will be used by staff

Please make **2 physical copies** of each document and submit the entire package to the Planning and Zoning or the Building Department. Send a **digital copy** to the Secretary for Planning and Zoning at: planningzoning@villageofnewpaltz.org

1. ☐ Completed application signed and submitted two weeks prior to ZBA Meeting.
 - a. ☐ Site Plan/Survey of property that is the subject of the Variance(s)
 - b. ☐ Determination letter, Notice of Violation, or permit from the Building Inspector
 - c. ☐ Application fee made payable to the Village of New Paltz
 - d. ☐ Escrow deposit
 - e. ☐ Any additional supporting documentation requested by the Building Department
 - f. ☐ Photographs of the Site
 - g. ☐ Photographs of the Site taken **after** project completion - must be submitted within 2 weeks after completion.
2. ☐ Prepare for Public Hearing by picking up Neighborhood Notification Packet from the Building Dept.
 - a. ☐ Send out the Public Notice to all of the people on the provided list at least 10 days prior to the public hearing.
 - b. ☐ Post the Public Notice on your property as requested at least 10 days prior to the public hearing.
 - c. ☐ Submit fully executed Affidavit of Service by Mail and Posting of Signs to the Building Dept. at least 2 days prior to the public hearing.
3. ☐ Submit additional documentation requested by the ZBA at least two weeks in advance of the upcoming meeting.
4. ☐ Exercise the Variance within one year of the Zoning Board of Appeals' Decision.