



# Village of WAVERLY NY

32 Ithaca Street, Waverly NY 14892  
(607) 565-8106  
villageofwaverly.com

CASE NO. \_\_\_\_\_

DATE \_\_\_\_\_

## Zoning Board of Appeals Application Form

Application Fee \$25.00 - Please Make Payable to: Village of Waverly

### I. PROPERTY OWNER/APPLICANT INFORMATION

Property Owner(s) Name(s) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

### II. PROPERTY INFORMATION

Tax Map Number \_\_\_\_\_

Property Size in Acres \_\_\_\_\_ Property Frontage in Feet \_\_\_\_\_

Zoning District \_\_\_\_\_ Surrounding Zoning \_\_\_\_\_

Current Use of Property \_\_\_\_\_

**I (We) Hereby Appeal to the Zoning Board of Appeals for:** *(pursuant to Chapter 153)*

### III. TYPE OF REQUEST

AREA VARIANCE

REZONING

USE VARIANCE

INTERPRETATION

### IV. REQUEST DETAIL (check all that apply)

Area Variance(s) for \_\_\_\_\_

Use Variance for \_\_\_\_\_

Special Use Permit for \_\_\_\_\_

Interpretation of \_\_\_\_\_

Rezoning from \_\_\_ to \_\_\_ \_\_\_\_\_

## **PETITIONER'S LETTER OF INTENT**

Please describe in detail the proposed project, reason the rezoning, variance and/or special use permit is being requested, or interpretation is desired, and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

---

---

---

---

---

---

---

---

---

---

### **TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:**

A **Use Variance** is requested because the applicable regulations and restrictions in the Zoning Code of the Village of Owego have caused unnecessary hardship as demonstrated by the following:

- 1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).

Financial Evidence Provided    Yes            No            (financial evidence is required per NYS Village Law)

- 2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: \_\_\_\_\_

---

---

---

---

- 3) Describe why you believe that the essential character of the neighborhood/community will **not** change if the Zoning Board of Appeals grants you a use variance: \_\_\_\_\_

---

---

---

---

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain:

---

---

**TO BE COMPLETED ONLY WHEN AN AREA VARIANCE IS BEING REQUESTED:**

An **Area Variance** is requested because the applicable regulations and restrictions in the Zoning Code of the Village of Owego have caused unnecessary hardship as demonstrated by the following:

- 1) Explain why you believe this request will **not** create an undesirable change in the character of the neighborhood or a detriment to nearby properties if the Zoning Board of Appeals grants you the area variance(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 2) Explain why you believe this request will **not** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district if the Zoning Board of Appeals grants you this area variance(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) Is the requested area variance(s) substantial? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 4) Could you pursue some other method than an area variance to resolve your problem? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 5) Is your request for an area variance a result of you own actions/self-created? (which shall not necessarily preclude the granting of an area variance) Please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR):**

Not Applicable

Short Environmental Assessment Form Applies

Full Environmental Assessment Form Applies

---

**STATE OF NEW YORK:**

:SS

**COUNTY OF TIOGA:**

Subscribed and Sworn to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
APPLICANT'S SIGNATURE

**APPLICATION FEES**

Application Fee **\$25.00**

Please make check payable to **Village of Waverly**

---

***For Office Use Only:***

Paid \$25.00 Application Fee

Date Received: \_\_\_\_\_ Receipt # \_\_\_\_\_

Complete ZBA Application

Application Reviewed By: \_\_\_\_\_

Hearing Publication Date: \_\_\_\_\_

**REVIEWS**

The following Boards need to review this request/appeal:

Village Board of Trustees	Meeting Date	_____
Village Planning Board	Meeting Date	_____
Village Zoning Board of Appeals	Meeting Date	_____
Tioga County Planning Board	Meeting Date	_____
NYS DOT Region 9 SPR Committee	Meeting Date	_____

Final ZBA Approval

# VILLAGE OF WAVERLY

## ZONING BOARD OF APPEALS APPLICATION FORM AND INSTRUCTIONS

### Please Read Carefully

The Zoning Board of Appeals (ZBA) has the power to issue interpretations of the Zoning Code and to grant area variances and use variances.

#### **Required:**

1. Prior to seeking a variance from the ZBA, the Applicant/Property Owner must receive a denial from the Code Enforcement Officer for a building permit, a decision from the Code Enforcement Officer, or a referral from the Planning Board or Village Board of Trustees.
2. Applicant must be the property owner.
3. All applications must be accompanied by the proper application fee. ZBA application fee is \$25.00. Checks made payable to Village of Waverly.
4. Applicant must submit written answers in the appropriate spaces included in this form.
5. A site plan drawing. For **area** variances, drawing must include distances from property lines, structural footprints, and all other relevant measurements.
6. For **use** variances, applicant must submit a detailed intended use of property, i.e. business plan, if applicable. Business plans must include, but not limited to:
  - A. available parking
  - B. hours of operation
  - C. number of employees
  - D. lighting
  - E. signage
  - F. number of customers expected daily at any given time
  - G. delivery methods
  - H. business description
  - I. any other pertinent information
7. SEQR Environmental Assessment Form, Part 1 Complete.
8. If any construction or changes to the property are to be done, the Code Enforcement Officer of the Village of Waverly must issue a building permit.

#### **Recommended, but not Required:**

1. The applicant meet with the Zoning Board of Appeals to answer any questions they may have.
2. The applicant submit letters of approval from adjoining property owners.