



TOWN OF STILLWATER

BUILDING, PLANNING & DEVELOPMENT DEPARTMENT
881 HUDSON AVE, STILLWATER, NY 12170
(518) 664-6148, EXT. 215

**Application for
Area Variance
Zoning Board of Appeals
Fee: \$200.00**

OFFICE USE ONLY
Project # _____
<input type="checkbox"/> \$200 Fee Paid
Rec'd by: _____ / / 2020

PROJECT INFORMATION

Project Name: _____
 Address/Location: _____

APPLICANT/REPRESENTATIVE INFORMATION

Name: _____

Phone: _____	Email: _____
Address: _____	City: _____ State: _____ Zip: _____

Owner (if different from applicant): _____

Phone: _____	Email: _____
Address: _____	City: _____ State: _____ Zip: _____

SITE INFORMATION

Parcel Identification (SBL) # of all lots included: _____
 Number of new lots proposed: _____
 Zoning District: _____
 Size of existing lot(s): _____ acres, _____ acres, _____ acres
 Size of proposed lots: _____ acres, _____ acres, _____ acres
 Size of proposed lots: _____ acres, _____ acres, _____ acres, _____ acres, _____ acres, _____ acres
 Or size range of proposed lots: _____
 Proposed Use: _____
 Reason for request: Insufficient Area Front/Side/Rear Yard Setback Lot Width Frontage

REASON FOR DENIAL (OFFICE USE ONLY)

Request does not meet minimum requirement for:
 Bulk Area Front/Side/Rear(Circle One) Yard Setback Lot Width Frontage on a Public Street
 Section(s) of the Code that is non-conforming (<http://ecode360.com/ST2761>):
 a. Chapter _____, Section _____, Letter _____, Number _____
 b. Chapter _____, Section _____, Letter _____, Number _____
Description: _____
Department Approval: _____

AREA VARIANCE TESTS

In making its determination whether to grant an area variance, the Zoning Board of Appeals 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 such grant. Accordingly, the Applicant for an Area variance must satisfactorily demonstrate the following (add additional pages as needed):

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 area variance. The applicant shall demonstrate why an undesirable change will not result or detriment to nearby properties will not be created:

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. The applicant must demonstrate that other means practicable have been considered to achieve the benefit sought other than a variance:

3. Whether the requested area variance is substantial. The applicant shall demonstrate why the variance requested is not substantial in form:

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The applicant must demonstrate that if granted, the variance will not have an adverse effect or impact:

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 shall state why the hardship is not self-created:

SIGNATURES

I, the undersigned, have thoroughly read and understand the application and the list of items to be shown on the plans and documents for review and I consent to all the requirements as set forth in the application.

Signature _____

Date _____

AUTHORIZATION TO ACT AS AGENT

In the event that the owner of the property desires to have another individual act as his/her authorized representative in support of this application the following statement must be completed and signed:

I, _____, owner of the above referenced lot(s) hereby designates _____ as my agent regarding this application for review. Signature: _____

APPLICATION PREPARATION CHECKLIST

Applications must be submitted along with the Application Fee and deemed complete by the department to be considered for placement on an agenda. Incomplete applications will not be accepted and will be returned to the applicant. Exclusion of any required materials will result in the delay of project review.

Ten(10) printed (and 1 digital) copies of the following materials:

The following materials are required:	Applicant Initials
Application form	
Written Description of the proposal to include:	
Short Environmental Assessment Form Pursuant to the N.Y.S. State Environmental Quality Review Act (SEQRA).	
Maps***Printed maps must be folded Size of 22x34 inch maximum should be used when practical See Map Preparation Instructions below	
Digital Copies***Must be on CD, Jump Drive, or downloadable email format DIGITAL COPIES OF ALL MATERIALS ARE MANDATORY. ANY APPLICATION SUBMITTED WITHOUT DIGITAL COPIES OF ALL MATERIALS WILL BE DEEMED INCOMPLETE	
OFFICE USE ONLY	
Public Notice Fee The cost of this fee will be determined by the Planning Board based on the number of notifications required and must be submitted no later than 14 days prior to the meeting	
Engineering and legal escrow fees To be determined following initial review of the application. This fee must be paid prior to placement on an agenda	
Additional copies of any and all materials submitted for SEQRA or other purposes	

MAP PREPARATION INSTRUCTIONS

MAP MUST INCLUDE:	Applicant initials
Site plan drawn to scale at one inch equals 50 feet or larger.	
All existing and proposed boundary lines	
Include one sheet showing the overall plan	
All existing and proposed easements and Rights of Way	
Existing Zoning Districts and boundaries	
Names and owners of all adjacent properties	
Street names for any existing or proposed roadways	
Federal or State regulated Wetland delineations	
Location and design of all proposed site improvements including drainage, retaining walls, berms, fencing, etc.	
Location of existing or proposed waste water treatment	
Location of existing or proposed water supply	
Location of the various uses and their areas	
Delineation of proposed uses	
Proposed Open Space system	
Overall drainage system	
Topographic map with intervals of 10ft	
North arrow and site location map	
Standard notes as detailed below**	
Approval Block as shown below***	

****Standard Notes:** The following notes are the minimum requirement on all plats. Additional notes may be necessary as defined in the Town Subdivision Design Standards, Section 1.12 or as requested by the Planning Board.

1. This property may border a farm, as defined in the Town of Stillwater Local Law #1 of the year 1997. Residents should be aware that farmers have the right to undertake farm practices which may generate dust, odor, smoke, noise and vibration.
2. This proposal includes a total of **[insert parcel area]** ± acres and lies within the Town of Stillwater **[insert zoning district]** zoning district.
 Min lot size: _____ sf
 Min lot width @ bldg line: _____ ft
 Setbacks:
 Front: _____ ft
 Side: _____ ft
 Rear: _____ ft
3. Parcel is identified as tax parcel **[insert tax ID number]**, Town of Stillwater, Saratoga County, New York.
4. The average lot size is **[insert size]** sq. ft.
5. Describe any easements or other restrictions on this property

*****Town of Stillwater Approval Block:**

TOWN OF STILLWATER PLANNING BOARD APPROVAL
 APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF STILLWATER, NEW YORK, ON THE _____ DAY OF _____, 20____ SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGES, ERASURES, MODIFICATIONS OR REVISIONS OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL SIGNED THE _____ DAY OF _____, 20____ BY _____
 PLANNING BOARD CHAIRMAN