

Town of Hague

Instructions for Application for Zoning Board of Appeals Variance

Zoning Enforcement Office
Town of Hague
PO Box 509
Hague, NY 12836
(518) 543-6161

General Information

An applications for variance is required whenever the proposed project would be in non-compliance with respect to the requirements contained in § 160-20 to § 160-32 of the Hague Zone Code. These requirements pertain to lot size, yard dimensions and building size. These requirements are summarized in the attached table. A variance request will also be needed when the intended use is not one which may be approved by the Zoning Enforcement Officer or the Planning Board.

In determining whether to grant the requested variance, the Zoning Board of Appeals Board must address issues identified in this application. Therefore the applicant is advised to provide the information requested (additional sheets may be used).

Applicants are encouraged to visit the Zoning Enforcement Officer to discuss the proposed project prior to submitting applications. This will permit the applicant to understand the specific information required and the procedures to be followed.

Instructions

1. This application must be completely filled in by typewriter or ink and submitted to the above address with the appropriate fee (\$200.00). Checks should be made out to Town of Hague.
2. This application must be accompanied by a completed Land Use Permit Application (including fee) if one had not been previously submitted. An application for a Site Plan Review may also be required.
3. This application must be accompanied by:
 - a. Completed Application for Land Use Development Zoning Compliance Certificate (including fee)
 - b. Completion of the *Consideration for Variance Determinations* form. (This may be supplemented by additional narrative)
 - c. Seven additional copies of house plan and plot plans as required above. Reduced size (up to 11"x17") drawings will be accepted
4. Applications for use variances shall include such information as may be required by Section 160-70 B of the Zoning Code.
5. Following submission of this application, the Zoning Enforcement Officer will submit it to the Zoning Board of Appeals for review for completeness.. A public hearing will normally be scheduled for the date of the following Zoning Board of Appeals meeting. In order to provide adequate review time, and inclusion on the agenda, Variance Applications must be received 10 days prior to the meeting.
6. Variances for wastewater proposals must be presented to the Local Board of Health (Town Board) for approval.
7. The final decision by the Zoning Board of Appeals will be forwarded to Adirondack Park Agency which will have 30 days to review decision.
8. Additional information is available in the Hague Zoning Code which can be accessed from the Town website, www.townofhague.org.

Town of Hague

Application for Land Zoning Board of Appeals Variance

As Requires by Code of the Town of Hague, Chapter 160 – Zoning

Applicant Information

Tax Map # Sec. _____ Block _____ Lot _____ Zoning District: Hague _____ APA _____

Name of Applicant _____ Mailing Address _____

Phone: _____ Fax: _____ E-Mail: _____

Check whether applicant is: Owner _____ Agent _____ Architect/Engineer _____ Builder _____

Name and address of owner of different than above _____

Address of proposed work _____

Type of Variance Requested: Area _____ Use _____

Description of project and reason for variance requested:

Signature of applicant _____ Date _____ Signature of owner _____ Date _____

To Be Completed by Zoning Enforcement Officer

Application # VAR- _____ - _____ Date Received ____/____/____ Required Fee (\$200.00) paid _____

Is Site Plan Review and approval also required? Yes _____ No _____

Action Taken: Accepted By Zoning Enforcement Officer _____ Date ____/____/____ Referred to ZBA _____ Date: ____/____/____

Hague Zoning Enforcement Officer _____ Date _____

Agency referrals (Date sent if applicable) WCPC _____ LGPC _____ APA _____

Section(s) of Code requiring variance _____

Action by Zoning Board of Appeals: Approved _____ Approved with conditions _____ Denied _____

Describe conditions or reason for denial _____

Final action by Zoning Board of Appeals is contained in minutes of the meeting dated ____/____/____

Town of Hague

Considerations for Variance Determinations:

Additional sheets may be included

Complete information for either Area Variance or Use Variance (not both).

Area Variances: Benefit to the applicant must be weighed against the detriment to the health, safety and welfare of the neighborhood or community

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?

- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?

- c. Is the requested variance substantial?

- d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

- e. Is the alleged difficulty self-created?
Yes

Use Variance: Applicable zoning regulations must have caused an unnecessary hardship to the applicant? Applicant must show that for permitted uses:

- a) Can the applicant realize a reasonable return without a variance (financial evidence is required)?

- b) Is the alleged hardship unique and does it apply to a substantial portion of the neighborhood or district?

- c) Will the requested use variance alter the essential character of the neighborhood?

- d) Is the alleged hardship self created?
