Village of Groton, N.Y.

Village Office
308 Main Street, P.O. Box 100
Groton, New York 13073-0100
Phone: 607-898-3966
Fax No. 607-898-4177
TDD: New York State Relay 1-800-662-1220
e-mail: code@grotonny.gov

VARIANCE REQUEST --------- ☐ **USE or** ☐ **AREA** (check one)

Application Made To: **ZONING BOARD OF APPEALS** Application No: _____
Application Fee: $_____ Application Date:_____

Application for (check applicable box):

☐ a. Interpretation of Zoning Ordinance or Map
☐ b. Special Permit under conditions of the _____
☐ c. Variance to _____ of the _____
☐ d. Appeal under _____ of the _____ of a decision of the Code Enforcement Officer.

Request related to the following provisions of Section _____ of _____
_____

Owner's Name & Address: _____
_____Phone No. (__)_____

Property Involved: _____ Tax Map #: _____

Purpose of Request: _____
_____

Justification of Request: _____
_____

_____

Signature of Property Owner: _____

The owner should submit with this application any supporting materials (for example, a plan) deemed necessary that will assist the Board to understand the request.

OFFICE USE ONLY

Application No: _____ Date Received: _____

Date, 1st Public Hearing: _____ Date, 2nd Public Hearing:_____

Decision: ☐ Approved ☐ Rejected Date: _____

_____, Chairperson, Zoning Board of Appeals

VARIANCES

In granting a Use Variance the Board of Appeals review section of the Village Code - 200-76 (E)(1-4).

Use Variance: Where there is unnecessary hardship created by compliance with the strict letter of this chapter as to the use of a building or land, the Board of Appeals shall vary modify such use regulations so the spirit of the chapter shall be observed.

The Zoning Board of Appeals shall not grant a **Use Variance** unless it finds that the following conditions apply:

1) Economic return. That the building or land in question cannot yield a reasonable economic return if used only for a purpose permitted in the district. Proof of a more profitable return if the variance is granted is not, in itself, evidence of economic hardship.

2) Unique circumstances. That unique circumstance exist for the land or building in question which are not generally found throughout the district and which deprive the applicant of the reasonable use of such land or building.

3) Neighborhood character. That granting the variance will be in harmony with the spirit and intent of this chapter and will not alter the essential character of the surround neighborhood.

4) That the hardship claimed is not self-created.

In granting an area variance the Board of Appeals review section of the Village Code - 200-76 (F)(1-4).

Area Variance: Where there are practical difficulties or special conditions which make the regulations governing lot size, yard size, building height, parking requirements, signs or any other regulation not specifically related to use of land or buildings unreasonable or impossible to comply with, the Board of Appeals shall vary or modify these regulations so long as the spirit of the regulation to be altered is observed.

The Zoning Board of Appeals will not grant an **Area Variance** without consideration of the following factors:

1) Economic injury. That the owner of the property is experiencing significant economic injury or financial hardship because of such regulations.

2) Reasonable objective. That the applicant's intended objective is reasonable and there is no way to accomplish such objective if the area regulations of the chapter are observed.

3) Neighborhood character. That the area variance requested will not be unduly detrimental to adjoining properties and will not produce undesirable changes In the physical or environmental conditions in the neighborhood.

4) That the area variance granted is the minimum necessary to provide relief to the applicant.