

VILLAGE OF CAMBRIDGE
56 NORTH PARK STREET
CAMBRIDGE, NY 12816
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Appeal # _____
Date RCVD: _____
Date of Public Hearing: _____
Date Notice Published: _____
Date of Final Action: _____
Date Filed with Clerk: _____

Application to ZBA for USE Variance, Findings, and Decision

I (We) _____ of

(Name)

(Mailing Address)

(Telephone)

(Alternate contact number or email)

hereby appeal to the Zoning Board of Appeals of the Village of Cambridge, NY a decision of the Zoning Enforcement Officer, who did: _____ **GRANT** _____ **DENY** a permit to (describe the project):

The affected project is located at _____
(Specific Location)

The Tax Map Number is _____

Zoning Permit Number: _____

The Zoning Enforcement Determination was dated _____

(Attach a copy of the determination)

Has a previous appeal been made with respect to this property? _____ Yes _____ No

If Yes, date of appeal and appeal number is _____

Do ZBA members have permission to inspect the property? _____ Yes _____ No (Please Initial)

Does the Zoning Enforcement Officer have permission to inspect the property? _____ Yes _____ No
(Please Initial)

APPLICANT'S SIGNATURE

I, hereby, affirm that I am the owner or authorized agent, and I am authorized to submit this request.

Applicant Signature: _____ Date: _____

No Use Variance will be granted without a showing by the applicant that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship to the applicant, **ALL** of the following four tests **MUST** be met for each variance. The applicant shall demonstrate to the ZBA that for each and every permitted use under the zoning regulations for the particular district where the property is, every use, including special use permits, allowed by zoning on the property is located, each of the following:

1. Please explain how you will be deprived of economic use or benefit under the uses allowed in the zoning law from your property unless it can be used for the purpose you request. The deprivation must be established by competent financial evidence. The lack of return must be substantial. (For example: bill of sale, present value of property, expenses for maintenance, leases, rental agreements, tax bills, conversion costs for a permitted use, realtor's statement of inability to sell)

2. Show that the alleged hardship relating to the property is unique. The hardship may not apply to a substantial portion of the zoning district or neighborhood. (For example: topographic map showing physical features preventing development, Why would it be possible to construct applicant's proposal and not any other permitted uses? Professional engineer or surveyor's statements of inability to use as permitted)

3. Show that the requested use variance, if granted, will not alter the essential character of the neighborhood. (Describe expected effect on neighborhood or community like change in parking, traffic, noise and light patterns)

4. Show that the alleged hardship has not been self-created.
(What were permitted uses at the time the property was purchased by the applicant? Were substantial sums spent on remodeling for a non-permitted use? Was the property received through a court order, inheritance or divorce?)

DETERMINATION OF ZBA BASED ON THE ABOVE FIVE FACTORS

The Zoning Board of Appeals (ZBA), after taking into consideration the four proofs, finds that:

_____ the applicant has failed to prove unnecessary hardship through the application of the four tests by the state statutes and therefore the use variance request is DENIED.

_____ the applicant has proven unnecessary hardship through the application of the four tests required by state statutes. In finding such hardship, the ZBA shall GRANT a use variance to allow use of the property in a manner detailed below, which is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Applicable Section of Zoning Law: _____

Reasoning described (this MUST be filled out):

FURTHER, the ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition 1: _____

Adverse impact to be minimized by: _____

Condition 2: _____

Adverse impact to be minimized by: _____

Condition 3: _____

Adverse impact to be minimized by: _____

Printed Name: _____

SIGNATURE: _____

Date: _____

(Chair)

RECORD OF VOTE:

Chair: _____ Aye _____ Nay _____

Member: _____ Aye _____ Nay _____

Member: _____ Aye _____ Nay _____

Member: _____ Aye _____ Nay _____

Member: _____ Aye _____ Nay _____