TOWN OF STILLWATER

ESTABLISHED 1788 – SITE OF THE TURNING POINT OF THE AMERICAN REVOLUTION

BOX 700, STILLWATER, NY 12170 (518) 664-6148, FAX (518) 539-0002
BUILDING, PLANNING & DEVELOPMENT DEPARTMENT

USE VARIANCE APPLICATION

PROJECT #	FEE: $125.00	☐ FEE PAID	DATE RECEIVED: / /	BY:

Part I :

PROJECT INFORMATION		
Project Name:		
Address/Location:		
APPLICANT/REPRESENTITIVE INFORMATION		
Name:		
Email:	Cell:	Work phone:
Current address:		
City:	State:	ZIP Code:
OWNER INFORMATION		
Name:		
Email:	Cell:	Home phone:
Current address:		
City:	State:	ZIP Code:
SITE INFORMATION		
Parcel Identification (SBL) # of all lots included:		
Number of new lots proposed:		
Zone (Check applicable district): ☐RR ☐LDR ☐ RM ☐ RRD ☐ B1 ☐ B2 ☐ BP ☐ I ☐ PDD		
Size of existing lot(s): _____acres, _____acres, _____acres, _____acres, _____acres, _____acres		
Size of proposed lots: _____acres, _____acres, _____acres, _____acres, _____acres, _____acres Or size range of proposed lots:_____		
Proposed Use: ☐ Residential Single Family ☐ Residential Multi-Family ☐ Commercial		
Will the proposed action create any non-conformity with the terms and regulations of the Town of Stillwater Zoning Law or Subdivision Regulations? ☐ Yes ☐ No		
Date property was acquired by the owner:_____ Name(s) of Previous Owner(s):_____		
Has owner subdivided any portion of the above-described property prior to the date of this application? ☐ Yes ☐ No If yes, indicate number of parcels_____ What year?_____		
Cite the section(s) of the Town Zoning Code for which the Use Variance is being requested. Refer to http://ecode360.com/ST2761 **Relief from Section** **Use Variance Request** _____ _____ _____ _____ _____ _____		

Part II:

USE VARIANCE TESTS
No such Use Variance shall be granted by a Zoning Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. Accordingly, the Applicant for a Use variance must satisfactorily demonstrate the following:
1. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. No reasonable return is possible under current zoning because:
2. That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood. The plight of the owner is due to the unique circumstance because:
3. That the requested use variance, if granted, will not alter the essential character of the neighborhood. The applicant must demonstrate that the modifications or use to be authorized will not alter the essential character of the locality because:
4. That the alleged hardship has not been self-created. The applicant shall state why the hardship is not self-created:

Part III:

APPLICATION PREPARATION CHECKLIST

The application must be completed by the applicant or a duly authorized representative and submitted to the Planning Department. To be considered for placement on an agenda, the application must be submitted and deemed complete by application deadline and must include the Application Fee and the following:

One (1) original and eleven (11) printed (and 1 digital) copies of the following application package:

- ❑ **This application form**
- ❑ **Written Narrative fully describing the proposal**
- ❑ **Short or Long Environmental Assessment Form**
  - Pursuant to the N.Y.S. State Environmental Quality Review Act (SEQRA). Whether a short or long form is required is dependent upon whether the application is classified as "Type 1" or "Unlisted".
    These forms are available at http://www.dec.ny.gov/permits/6191.html
- ❑ **Plat Plan** (Maps)*****Must be folded*****
  - When possible the size of 17x22 inches should be used
  - Please contact the Building Dept. for applicable printed copies.

MAP PREPARATION INSTRUCTIONS

Please prepare a plat consistent with Town Zoning with the plat depicting all items specified in Section 5.3 of Town Subdivision Regulations, as well as items outlined in the Town Subdivision Design Standards. Copies of these standards are available for purchase from the Town Clerk or by visiting the Town website at http://www.ecode360.com/11864758

The Board may, at its discretion, require the submission of additional information not specified within these regulations or standards. If the applicant desires to have certain application requirements waived, this shall be so noted with the application.

As part of the initial plat, the following minimum information must be noted:

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

escrow accounts.

The following additional items may be necessary following your initial submission:

- ❑ **Engineering / Legal escrow fees.** To be determined by the Town designated engineering firm and legal firm after preliminary review of application. This fee must be paid prior to placement on the agenda

- ❑ **Additional copies of initial submission listed above for SEQRA Coordination:** if the Planning Board deems the application as a Type I or Unlisted Action under SEQRA, the applicant must provide the required number of additional copies for submission of appropriate information to interested and involved agencies. Failure to do so in a timely manner may delay processing of the application. The Town may provide additional copies on the applicant's behalf; however the Town does so assuming no responsibility for completeness of this information. Furthermore, the Town will hold the applicant responsible for any associated costs for making additional copies.

Part III:

SIGNATURES

To the best of my knowledge the information provided in this application and on the attached plans and accompanying documentation is true and accurate.

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.

_____ _____

APPLICANT/OWNER SIGNATURE* PRINT OR TYPE NAME OF SIGNED

*** Applicant must either be the owner of the property to be developed or used, or be a party with a purchase agreement for the property. A copy of the purchase agreement must be attached.**

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 premises located at_____

Number Street

TAX ID_____ , hereby designate, _____

Section Lot Block Printed Name of Agent

as my agent regarding this application for review.