



VARIANCE APPLICATION

COMMON APPLICATION QUESTIONS

WHAT IS THE PROCESS?

Once a complete application is accepted, it is placed on the next available Zoning Board of Appeals agenda. A public notification sign will be provided to the applicant and must be posted.

The applicant will be notified in writing of the date, time and place of the public hearing. In addition, neighboring property owners will be notified by mail of the pending application.

A staff report with all project information and documentation will be provided to the applicant, as well as the Zoning Board of Appeals, prior to the scheduled hearing date.

It is the applicant's responsibility to attend the public hearing to present their proposal and to answer any questions that the Zoning Board of Appeals may have.

The Zoning Board of Appeals will generally make its decision the same day as the hearing.

WHAT HAPPENS IF THE APPLICATION IS APPROVED?

An approval of an approval on condition, does not authorize the proposed project to process, but authorizes the filing of applications for permits or other approvals that may be required by Village Code.

WHAT HAPPENS IF THE APPLICATION IS DENIED?

An appeal from any final decision must be taken within 30 days of the filing date of the decision in accordance with Article 78 of the New York Civil Practice Law and Rules.



USE VARIANCE APPLICATION

PROJECT ADDRESS

ZONING DISTRICT

APPLICANT INFORMATION

Name

Mailing Address

Phone Number

Email Address

Interest in Property

Owner

Lessee

Other

Signature

Date

Property Owner Signature
(if other than above)

Date

DETAILED PROJECT DESCRIPTION (additional information can be attached)



USE VARIANCE APPLICATION

Use Variance

Statement of Unnecessary Hardship

Section 550-69C

If requesting a use variance, that is, permission to establish a use of property not otherwise permitted in the zoning district, the applicant must prove “unnecessary hardship.” To prove this, the applicant is required to show *all* of the following:

1. Do the applicable regulations deprive the applicant of all economic use and benefit of the property? Please attach financial evidence of deprivation.

2. Is the alleged hardship relating to the property in question unique? Does this hardship apply to a substantial portion of the district or neighborhood?

3. If granted, will the requested variance alter the essential character of the neighborhood?

4. Has the alleged hardship been self-created?



Board Member Site Visits

As part of their responsibilities for reviewing your application, Board Members and Village Staff conduct site visits of the subject property to enable them to observe the property and the context of the neighborhood and adjacent properties. Some applications involve a project that is not visible from the public right-of-way and it may be necessary for Board Members and Village Staff to access your property to observe portions of the exterior of the property not visible from the right of way.

Please note that if you do not authorize Board Members and Village Staff to access your property, you must provide additional photographic evidence of the area of your property that is not visible from the public right-of-way.

I, _____ (owner of property),

located at _____ (subject property address) hereby grant permission to members of the Fairport Planning Board, Zoning Board of Appeals, Historic Preservation Commission and Village Staff to enter upon and review my premises in connection with the application submitted for the review.

Signature of Property Owner

Date



**Statement of Applicant and Owner with Respect
to Reimbursement of Professional and Consulting Fees**

In conjunction with an application made to the Village of Fairport, the undersigned states, represents and warrants the following:

1. I/We am/are the applicant and/or owner with respect to an application to the Village of Fairport.
2. I/We have been advised of, are aware of and understand the obligation to reimburse the Village of Fairport for consulting and professional fees incurred in relation to my/our application(s), all in accordance with the Village of Fairport Consultant Fee Reimbursement Law.
3. I/We understand that this obligation shall not be dependent upon the approval or success of the application.

Owner

Signature

Dated

Applicant (if different from Owner)

Signature

Dated