

# Town of Starkey

40 Seneca Street  
Dundee, New York 14837  
Email: Code@StarkeyNY.gov  
Office: 607-243-7996  
Fax: 607-243-7764

Use Variance Application No.: \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Fee Paid Fee Paid \$ \_\_\_\_\_ Cash or Check  
Received by \_\_\_\_\_  
Referred to Pln. Bd. – Date \_\_\_\_\_  
Referred to Co. Pln. Bd. – Date \_\_\_\_\_  
ZBA Decision \_\_\_\_\_ Date \_\_\_\_\_

## Use Variance Application

Use Variance Application Instructions: Please complete Items 1 – 7. If an Item is not applicable, enter NA. Return the original completed application and attachments with 3 copies to the Code Office.

☐ **Initial Application**

☐ **Revised Application**  
(prior application No.)

\_\_\_\_\_

### 1. Subject Property

Address \_\_\_\_\_ Tax Map No. \_\_\_\_\_

### 2. Applicant

Name \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone: Day \_\_\_\_\_ Night \_\_\_\_\_ Cell \_\_\_\_\_

E-Mail Address \_\_\_\_\_

### 3. Property Owner (If Applicant is not the Property Owner)

Name \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone: Day \_\_\_\_\_ Night \_\_\_\_\_ Cell \_\_\_\_\_

E-Mail Address \_\_\_\_\_

### 4. Description

Describe the use for which the variance is sought.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 5. Justification for the Variance

New York State Town Law §267-b.2 mandates that a Zoning Board of Appeals consider the following four (4) criteria in determining whether to grant a Use Variance. The applicant must convince the Board that the applicable zoning regulations and restrictions have caused an unnecessary financial hardship. Please respond to each of the following criteria and attach credible financial information to support your responses.

- A. Explain why the applicant cannot realize a reasonable and substantial return on the investment in the property within the zoning regulations and restrictions.

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- B. Explain why the financial hardship relating to the property is unique and does not apply to a substantial portion of the neighborhood or district.

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- C. Explain why the proposed variance will not alter the essential character of the neighborhood.

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- D. Explain why the financial hardship described in Item 5.A. above has not been self-created.

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## 6. Supporting Documents

The applicant must attach the following documentation.

- A. A copy of the building permit application signed by the Zoning Officer.
- B. A drawing or sketch of the subject property that shows:
  - 1. the property lines.
  - 2. the relevant structures on the property.
  - 3. any proposed structures or internal changes to existing structures.
  - 4. any watercourse or water body on or adjacent to the property.
- C. Copy of the Tax Map that shows the subject property and adjacent properties.
- D. Any letters of support from adjacent property owners and any other material that the applicant feels is relevant for the Board's consideration.

## 7. Affirmation by Applicant/Property Owner

I declare that the contents of this application are true and correct to the best of my knowledge. I grant permission for the Town of Starkey Zoning Board of Appeals or its designees to inspect the subject property identified in this application.

**Applicant Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Property Owner Signature** \_\_\_\_\_ **Date** \_\_\_\_\_  
(Required if the Applicant is not the Property Owner)

*(Notary only required if property is not owned by applicant)*

State of New York                      Sworn to this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
County of \_\_\_\_\_                      Notary Public \_\_\_\_\_