



# Village of Webster

## Zoning Board of Appeals

### *Use Variance Application*



#### § 175-76(c) Use Variances

The Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

No use variance shall be granted unless the Board shall find that applicable zoning regulations and restrictions have caused unnecessary hardship, which deprivation shall be established by competent financial evidence.

#### **Required Documentation:**

- Completed Application
- Letter of Intent – see below
- Environmental Assessment Form
- Notification to Neighbors / Confirmation of mailing
- Owner authorization (*if applicable*)
- Supporting Documentation:
  - Realtor records showing history of marketing property for sale, within current allowed uses
  - Business records (maintenance costs, tax records, utility bills, assessment record)
  - Past history of parcel, including past uses
  - Survey map of property, site plans
  - Record of any improvements made after purchase of the property
  - Illustrations of topographical or physical features preventing development within the permitted use (*if applicable*)

#### **Letter of Intent:**

Please provide a letter to the Zoning Board that outlines your proposed project, and addresses each of the following Use Variance standards in detail:

1. Explain how/why, under applicable zoning regulations, the applicant is deprived of all economic use or benefit from the property in question.
2. Describe how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
3. Explain how the requested use variance, if granted, will not alter the essential character of the neighborhood.
4. Explain how the alleged hardship has not been self-created.



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**Project Address:** \_\_\_\_\_

**Applicant Name:** \_\_\_\_\_

**Property Owner** *(if different from applicant):* \_\_\_\_\_

**Attorney** *(if applicable):*

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

#### **Property Information:**

Tax ID #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

How long have you owned the property? \_\_\_\_\_

Present use of property:

- Residential – Number of dwelling units: \_\_\_\_\_
- Commercial – Type: \_\_\_\_\_
- Industrial – Type: \_\_\_\_\_
- Accessory building – Describe: \_\_\_\_\_
- Other – Describe: \_\_\_\_\_

Current market value of property: \_\_\_\_\_

Briefly explain the change of use you are requesting for this parcel: \_\_\_\_\_

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

Is the property subject to any easements, or other recorded restrictions or encumbrances? If so, describe:

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