

# Town of Horicon ZBA

PO Box 90

Brant Lake, NY 12815

(518) 494-4245

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E-Mail: [zoningplanning@horiconny.gov](mailto:zoningplanning@horiconny.gov)

Website: [horiconny.gov](http://horiconny.gov)

Application # \_\_\_\_\_

Decision \_\_\_\_\_ Date \_\_\_\_\_

Variance Approval/Denial for: \_\_\_\_\_

## Variance Application

1. Property Owner's Name : \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

2. Applicant's Agent/Representative's Name (if Applicable) \_\_\_\_\_

(You must complete the Authority to Act as Agent form)

Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

3. Location of Property: (911 address): \_\_\_\_\_

4. Tax Map Number or S/B/L: \_\_\_\_\_

5. Parcel Size (Acres or Sq.Ft.): \_\_\_\_\_

6. Zone Classification (District Symbol & Acres):(see list): \_\_\_\_\_

CR-20,000 sq. ft, CR-3.2 acres,  
R1-20,000 sq. ft, R1-1.3 acres, R1-2 acres, R1-3.2 acres, R1-10 acres,  
R1A-32. acres, R1A-5 acres, R2-2 acres, R2-3.2 acres, R2-5 acres, R2-10 acres,  
LC-10 acres, LC-42.6 acres, RRD-3.2 acres, RRD-5 acres, RRD-10 acres.

If parcel is in multiple zones please indicate all zones.

7. APA Zoning Classification:(see list) \_\_\_\_\_

Hamlet Moderate Intensity Use Low Intensity Use Rural Use Resource Management Industrial

If parcel is in multiple zones please indicate all zones.

**8. Briefly explain your proposal: (example: build a 24' x 24' garage, subdivide property into 2 lots, install a dock more than 40' long )** This information that will appear on the agenda.

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9. Indicate what decision you received from the Zoning Administrator:

\_\_\_\_ Denial of an application for a Zoning Compliance Certificate (Land Use Permit)  
(You must attach that decision to this application)

Other: explain:(Subdivision, Conditional Use, etc)\_\_\_\_\_

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10. What is/are the Applicable Section(s) of the Zoning Code that applies to this project:

Section(s):\_\_\_\_\_

11. What is the current use of the property:(residential, undeveloped, commercial): \_\_\_\_\_

12. List **ALL structures** that are present on this parcel **today**:\_\_\_\_\_

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13. Describe (if anything) that will be done with any and all structures that are currently present on this parcel today:\_\_\_\_\_

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14. Circle kind of variance you are requesting: **Area Variance** (Usual request)  
**Use Variance** **Other** (These are not common)

15. **Indicate what type and size of variance you are requesting**, (fill in all that apply):

If unknown, check with Zoning Administrator for appropriate minimum setback requirements for each zoning district.

\*\*\*\* EXAMPLE: \*\*\*\*

Roadway Setback

65' from  
CL of road  
(CL = center line)

45' from  
CL of road

20'

	<b>Type of Variance Requested</b>	<b>A Minimum Requirement</b> (see intensity regulations)	<b>B Amt of Variance Applied For</b> (i.e. where the proposed structure will sit on parcel or acreage needed etc.)	<b>C Variance Request</b> (A minus B)
	Density (Acreage)			
	Shoreline frontage			
	Shoreline setback			
	Roadway frontage			
	Roadway setback			
	Front Yard setback			
	Rear Yard setback			
	Side Yard setback			
	Dock Surface Area			
	Dock Length			
	Dock Design show proposed design on separate paper.	T,L,U,F or straight line configuration		see attached sheet

*\* All variances will be reviewed by the Zoning Administrator for accuracy.*

**Zoning Administrator Review:**

(Initialed if accurate) \_\_\_\_\_

15a. If variance(s) are not listed above or you need additional space, state your variance request here:

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**Warren County Planning Board questions:**

1) Is this **parcel** within **500** feet of a **County or State Road**, (see list below)

**YES NO**

County and State Roads:

State Rte 8

Palisades Rd - Co. Rd#26

East Shore Dr - Co. Rd #15

Valentine Pond Rd - Co. Rd #55

Horicon Ave - Co. Rd #31

Market St - Co. Rd #33

East Schroon River Rd - Co. Rd#64

Watering Tub Rd - Co. Rd #53

2) Is this parcel within 500' of a State or County Right of Way, County or State Park, County or State Municipal Boundary, County or State watershed draining, or any County or State Facility? **YES NO**

**Adirondack Park Agency (APA) questions:**

1) Are there wetlands on the property? **YES NO UNKNOWN**

**IF YES**, \_\_\_\_\_Acres/Sq Ft.

**IF UNKNOWN**, have you contacted the APA to inquire if wetlands exist on parcel or requested a site review to flag possible wetlands? **YES NO**

2) Is an Adirondack Park Agency (APA) permit required? **YES NO UNKNOWN**

**IF YES**, Have you applied for an APA permit? **YES NO**

**IF YES**, please attach correspondence you have had with the APA

**IF NO**, Explain \_\_\_\_\_

**IF UNKNOWN**, have you applied for an APA Jurisdictional determination (JIF) or had contact with the APA for determination? **YES NO**

**IF YES**, please attach application for jurisdictional determination.

**IF NO**, explain \_\_\_\_\_

**Do NOT complete this page if you are applying for a Use Variance**

*The following information must be provided in detail (on separate sheets if necessary).*

## Area Variance

Applicant must demonstrate that the Ordinance imposes a practical difficulty on the property.

Board may grant minimum variances necessary and may impose reasonable conditions.

**A.** The strict application of the Zoning Ordinance would result in the following practical difficulty:

Explain: \_\_\_\_\_

\_\_\_\_\_

**B.** Will there be an undesirable change in neighborhood character or to nearby properties?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**C.** Will there be an adverse physical or environmental effect?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**D.** Are there any feasible alternatives?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**E.** Is the variance requested the **MINIMUM VARIANCE** in which would alleviate the identified practical difficulty?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**F.** Other Comments: \_\_\_\_\_

\_\_\_\_\_

**Do NOT complete this page if you are applying for an AREA Variance**

*The following information must be provided, in detail (on separate sheets if necessary).*

**Use Variance**

Applicant must prove that the Ordinance imposes unnecessary hardship on the property.

Board may grant minimum variances necessary and may impose reasonable conditions.

**A.** Is a reasonable return possible if land is used as zoned? YES NO

*Please include competent financial evidence:*

Explain: \_\_\_\_\_

\_\_\_\_\_

**B.** Is the application of the zoning requirements of this district resulting in problems unique to the property in question? YES NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**C.** Will there be an adverse effect on the character of the neighborhood? YES NO

Explain: \_\_\_\_\_

\_\_\_\_\_

# Signature Page

*Notice is hereby given that in the event the Town of Horicon determines that technical assistance is needed to review the project, the reasonable and necessary expenses associated with such review shall be borne by the project applicant.*

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**Applicant's Signature**

**Date**

I, We hereby authorize the Town of Horicon, it's employees and authorized agents access to the property for purpose of inspection.

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**Applicant's Signature**

**Date**

I, We hereby authorize the Town of Horicon, it's employees and authorized agents access to the property for purpose of inspection.

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## Official Use Only

Date Received \_\_\_\_\_ Payment: Ck # \_\_\_\_\_ Cash \_\_\_\_\_

Initial Office review completed w/ any comments: \_\_\_\_\_

Date deemed complete \_\_\_\_\_

Warren Co referral Date (if required) \_\_\_\_\_

Warren Co decision - see attached form (if required)

ZBA Decision (attach decision form) \_\_\_\_\_ Date \_\_\_\_\_

APA referral Date \_\_\_\_\_

APA determination received \_\_\_\_\_

## Board's Check List:

- 1) Zoning Compliance Certificate Denial (if applicable) \_\_\_\_\_
- 2) Application \_\_\_\_\_
- 3) Plot Plan \_\_\_\_\_
- 4) Authorization Form (if applicable) \_\_\_\_\_
- 5) Deed(s) or other proof of ownership \_\_\_\_\_
- 6) Environmental Assessment Form (if applicable) \_\_\_\_\_
- 7) Payment \_\_\_\_\_
- 8) Batter Stakes (if applicable) \_\_\_\_\_
- 9) Additional Documents (if applicable) \_\_\_\_\_

# **AUTHORITY TO ACT AS AGENT FOR PROPERTY OWNER**

I, \_\_\_\_\_, the owner of record of the  
property described in this application hereby empower, \_\_\_\_\_ to  
act as my agent and representative in conducting presentations to the necessary board(s) and in  
deliberations with the board(s) and any necessary permit(s) pertaining to my application(s).

As my agent, He/She is empowered to act on my behalf in full. In so doing I, the owner applicant,  
understand that I am bound by any conditions imposed on my project and agreed to by my agent or by  
conditions or restrictions imposed by my agent as part of the presentation.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

*Town of Horicon*  
***Zoning Board of Appeals(ZBA)***

**Variance Instructions**

Section 16 - Town of Horicon Zoning and Project Review

1. Attach your Zoning Compliance application Denied by the Town of Horicon Zoning Administrator. If this is variance application for a Subdivision, Conditional Use, Site plan or Special use permit a denial is **not** required.
2. Fill out and return **Ten (10) copies** of the application and all **relevant materials** to the Town of Horicon Zoning & Planning Office. You need not copy these instructions or unrelated pages if they are not relevant to your proposal.  
  
    **A)** Deadline for applications is a **minimum of 14 days prior** to the regularly scheduled meeting. The ZBA meetings are held on the fourth Tuesday of each month at 7:00 PM.  
    Schedule may change due to special circumstances, please check with the zoning office for details.
3. A plot plan of the lot, **drawn to scale** must be attached, indicating the location and size of the lot, size and location of the proposed improvement(s) thereon and any size and location of proposed improvement(s) to be erected thereon. **Ten (10) copies**. You **MAY** be asked to provide a **recent survey** of the property. (The board will determine if a recent survey is needed).
4. If application is being represented by someone other than the owner of record, then the AUTHORITY TO ACT AS AGENT FOR PROPERTY OWNER must be completed, notarized and attached to this application, **Ten (10) copies**.
5. Include deed(s) or other proof of ownership. **Ten (10) copies**.
6. Complete an Environmental Assessment form (if applicable) Short Form Part 1 ONLY, **Ten (10) copies**. (Download Form from [dec.state.ny.us](http://dec.state.ny.us) or [horiconny.gov](http://horiconny.gov) website if one is not attached).
7. Enclose a check for \$100.00 made payable to the Town of Horicon.
8. Place batter stakes (if applicable) at the site location for inspection by the Zoning Administrator.
9. Are there any additional documents presented as part of this application?    YES    NO

**Applicant's Check List:**

- 1) Zoning Compliance Certificate Denial (if applicable) \_\_\_\_\_
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- 5) Deed(s) or other proof of ownership \_\_\_\_\_
- 6) Environmental Assessment Form (if applicable) \_\_\_\_\_
- 7) Payment \_\_\_\_\_
- 8) Batter Stakes (if applicable) \_\_\_\_\_
- 9) Additional Documents (if applicable) \_\_\_\_\_