

Town of Horicon ZBA

PO Box 90
Brant Lake, NY 12815
(518) 494-4245
Fax (518) 494-5240

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,
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
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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.

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) _____

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: _____

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

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

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

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.

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.

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.

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

Signature of Agent/Representative

Notary

Notary

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 or 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) _____
- 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) _____

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Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO
			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO
			YES
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT