

Village of Watkins Glen  
303 North Franklin Street, Watkins Glen, NY 14891  
Phone: (607) 535-2736 Fax: (607) 535-7621  
Zoning Board of Appeals  
Application for Zoning Review

Application #: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant(s): \_\_\_\_\_

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

\_\_\_\_\_

Nature of Review Request:  Area Variance (Dimensional Relief-setbacks, height, etc.)

Official Zoning Law Language Interpretation / Appeal of  
Zoning Administrator's Decision

Use Variance (For a Use Not Permitted in Subject District)

Zoning Law Citation: Article:

Section:

Subsection:

Paragraph:

Nature of Complaint/Relief Sought:

I agree to be present in person or have a representative appear on my behalf at any meeting of the Zoning Board of Appeals regarding my request and to provide such additional information as may be necessary to process my request. If a representative is to appear on my behalf, I will provide the Board with a written authorization for such representative to speak on my behalf.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant

## Evaluation Criteria

UNDER THE LAW THE ZONING BOARD OF APPEALS WILL APPLY THE FOLLOWING CRITERIA IN THE CONSIDERATION OF THIS APPLICATION:

### Area Variance:

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.

Whether the benefit sought by the Applicant can be achieved by some method, feasible for the Applicant to pursue, other than an area variance.

Whether the requested area variance is substantial.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Whether the alleged difficulty self-created, which consideration shall be relevant to the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

### Use Variance:

A use variance shall not be granted by a board of appeals without a showing by the applicant that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant must demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located that all the following criteria are met:

The Applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.

That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.

That the requested use variance, if granted, will not alter the character of the neighborhood.

That the alleged hardship has not been self-created.