

**APPLICATION FOR AN AREA VARIANCE**  
**TO THE ZONING BOARD OF APPEALS, TOWN OF MIDDLESEX, N.Y.**

*This page to be filed out by the Zoning Officer:*

DATE: \_\_\_\_\_ FEE: \_\_\_\_\_ FILE #: \_\_\_\_\_

Name of applicant: \_\_\_\_\_

Applicant's full address: \_\_\_\_\_

Applicant's telephone #: \_\_\_\_\_

Appeal concerns property at the following address: \_\_\_\_\_

Date applicant acquired property: \_\_\_\_\_

Zoning District classification: \_\_\_\_\_

YCPB referral needed: yes \_\_\_\_\_ no \_\_\_\_\_

SEQR form completed & enclosed: yes \_\_\_\_\_ no \_\_\_\_\_

Reason for the denial: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Denial was made based on the following section(s) of the Town Zoning Law: \_\_\_\_\_

\_\_\_\_\_

Date of Zoning Enforcement Officer's decision: \_\_\_\_\_

Zoning Officer's signature: \_\_\_\_\_

**The items below must be answered by the applicant and included with this application.**

**It is the responsibility of you, the applicant, to provide complete and accurate information. Failure to do so could result in delays in the decision-making process.**

**NOTE:**

If property is not owned by the applicant, the applicant must submit a statement signed by the property owner, including his/her address and telephone #, authorizing the applicant to appeal on his/her behalf.

Please answer **in detail**, on a separate sheet to be included in this application, the following:

- 1. A detailed explanation of your specific variance request, to include a drawing labeled with dimensions, showing the existing property with the proposed changes.**
  
- 2. How will each of the five criteria (a, b, c, d, & e) listed below affect your request for a variance?**

Middlesex Zoning Law, SEC 902.4. Area Variance. The Zoning Board of Appeals, on appeal from a decision or determination of the Code Enforcement Officer shall have the power to grant area variances as defined herein. In making its determination, the Board shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- a. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance;
- b. Whether the benefit requested by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- c. Whether the requested variance is substantial;
- d. Whether the requested variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and,
- e. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the variance.

In granting an area variance, the Board of Appeals shall grant the minimum variance that it shall deem necessary and adequate and, at the same time, preserve and protect the character of the neighborhood and the health, safety and welfare of the neighborhood.

**Attach the following supporting material with this application:**

A copy of your survey map (or a clear, detailed drawing with North orientation) showing proposed changes in relation to existing structures. Label all dimensions, including setbacks, show adjoining roads (private as well as public), and important geographic features such as the lake.

Also enclose the Zoning Officer's SEQR evaluation.

*The applicant must provide the CEO with 7 copies of this application and 7 copies (maximum size 11 x 17) of all pertinent information requested in this application.*

**I / we certify that the information contained herein is to the best of my/our knowledge true, accurate, and correct.**

**Applicant's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_