ZONING: Interpretation of Zoning Ordinance or Alternative Variance—Notice of Public Hearing

NOTICE OF PUBLIC HEARING
ZONING BOARD OF APPEALS
[CITY/VILLAGE/TOWN] OF [NAME OF CITY/VILLAGE/TOWN]

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the [City/Village/Town] of [name of City/Village/Town], New York, will hold a public hearing on [date] at [time] at [location] on the request of [name of Applicant] for an interpretation of the regulations of the [section of Local Law] as to whether the [type of structure] which the Applicant proposes to construct for [describe use] on the parcel of land designated as Tax Map No. [no.], located at [address], are buildings as defined in said Local Law and, therefore, subject to the regulation in [type of District] that buildings cannot exceed the height of [no.] feet.

In the event that the Zoning Board of Appeals determines that the above-described [type of structure] are buildings, then the Applicant, [name of Applicant], requests an area variance to permit the construction of said [type of structure] which will exceed the height restriction of [no.] feet set forth in said Local Law.

The application for this variance is open to inspection at the office of the [City/Village/Town] of [name of City/Village/Town] [Official] at [address], New York. Persons wishing to appear at the hearing may do so in person or by attorney or other representation.

PLEASE TAKE FURTHER NOTICE that the environmental significance of the proposed variance will be reviewed by said Board incident to said hearing.*

Communications in writing in relation thereto may be filed with the Board, or at such hearing.

[Name of Chairman]
Chairman

Sample

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*Required for all variances except area variances for single-family, two-family or three-family residences and all setback and lot line variances (regardless of residential or nonresidential use of property).