ZONING: Area Variance Denied (Setback)

APPEAL ACTION

REFERENCE:

Appeal No. [no.] Dated [date]

ACTION OF THE ZONING BOARD OF APPEALS OF THE [CITY/VILLAGE/TOWN] OF [NAME OF CITY/VILLAGE/TOWN], N.Y.

TO: [Name of Appellant], Appellant

[Address]

At a meeting of the Zoning Board of Appeals on [date], the referenced appeal was considered and the action indicated below was taken on your request for an area variance to the [City/Village/Town] of [name of City/Village/Town] Zoning Ordinance.

By resolution of the Board, it was determined that the Zoning Ordinance, if applied, would not result in practical difficulties in that:

[describe]

It was further determined that: [choose applicable items]

a. The requested variance would produce an undesirable change in the character of the neighborhood.

AND/OR

b. Substantial detriment would be created to nearby properties.

AND/OR

c. There are other feasible methods available for you to pursue to achieve the benefit you seek other than the requested variance, such as [describe].

AND/OR

d. The requested area variance is substantial.

AND/OR

e. The proposed variance would have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

AND/OR

Sample
Sample

f. The alleged difficulty was self-created.

AND/OR

g. The requested variance is more than the minimum necessary to grant relief from your difficulty.

CONCLUSION: Therefore, it was determined that the requested variance be denied, and that the previous decision of the Enforcement Officer be affirmed.

_____

_____

Chairman
Zoning Board of Appeals
[City/Village/Town] of
[name of City/Village/Town]

Sample

Sample