**ZONING:** Decisions: Use Variance Granted

## 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 a use variance to the [City/Village/Town] of [name of City/Village/Town] Zoning Ordinance.

By resolution of the Board, it was determined that Appellant has established by competent financial evidence that strict application of the ordinance would produce unnecessary hardship and deprive Appellant of all economic use or benefit from the property in question if limited to the use permitted under the ordinance because:

[describe hardship]

This variance is conditioned upon:

[describe conditions, if any]

It was further determined that:

- a. The hardship created is unique and does not apply to a substantial portion of the district or neighborhood.
  - b. The variance would not alter the essential character of the neighborhood.
  - c. The hardship is not self-created.
  - d. The variance is the minimum necessary to grant relief from the hardship.
- e. The variance will preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

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

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

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