



Supervisor: (845) 688-7165  
 Police: (845) 688-9902  
 Town Clerk: (845) 688-5004  
 Justice Court: (845) 688-5005  
 Assessor: (845) 688-5003  
 Assessor Fax: (845) 688-5708  
**ZBA/ZEO/Planning: (845) 688-5008**  
 Highway: (845) 688-9901  
 Fax: (845) 688-2041

*"The Heart of the Park... Where the Eagle Soars"*

[www.shandaken.us](http://www.shandaken.us)

P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

**Area/Use Variance Application**  
**Information Sheet**

1. When applying for an AREA or USE VARIANCE, you must be able to demonstrate a practical hardship as it pertains to the land. This hardship cannot be personal or self-created. Variance applications should be submitted to the Zoning Office at least ten (10) days prior to a ZBA monthly meeting date (third Wednesday of every month,) as they require a referral by the Zoning Enforcement Officer.
2. When applying for a FEMA VARIANCE, in addition to the requirements of item (3) below, applicants also need to provide a "Certificate of Elevation," reflecting the elevation point(s), which have been prepared by a FEMA qualified surveyor or engineer, and must reflect the elevations point(s).
3. At least ten (10) days prior to the ZBA meeting, six (6) copies of the application and all supporting documentation, plus six (6) copies of the plot plan detailing the proposed project and giving a diagram of the property showing all existing and proposed buildings and structures, and indicating setback dimensions from all property lines, streams, and other buildings or structures on the property, as well as a PDF copy shall be submitted to the Building/Zoning Department, together with the applicable fee.
4. When applying for an APPEAL from decisions of the Zoning Enforcement Department, a complete set of the information/documentation upon which the ZEO based his/her denial must be provided as part of the Appeals Application which should be prepared as indicated in (3) above and submitted to the Zoning Board of Appeals office.
5. Your application will be scheduled for a PRELIMINARY HEARING, during which time applicant will present their case to the board. They will review the application, and if all requirements have been met, applicant will be scheduled for a PUBLIC HEARING, usually at the next regular meeting of the board. During the intervening period, the ZBA office will notify applicants abutters of pending application and hearing date. The cost of notifying the abutters via certified mail will be the responsibility of the applicant regardless of the boards decision.

**FEES:** A fee is required when submitting an application to the ZBA. All fees are payable to:  
 Town of Shandaken.

Area Variances:	\$100, plus \$50 for any additional variances within the same application.
Use Variance:	\$125
Appeals:	\$100
Interpretations:	\$100
Determination of Zoning Boundaries:	\$50

**APPLICATION FOR VARIANCE**

Type of Variance(s) requested:     Area                     Use                     FEMA

**Applicant Information** (if applicant is not the owner of the property, a notarized Agent Authorization form must be submitted)

Name	Name of Owner if other than Applicant
Mailing Address	Mailing Address
City/State/Zip	City/State/Zip
Contact Number	Contact Number

**Property Information**

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Zoning District \_\_\_\_\_ Size \_\_\_\_\_ acres

Physical address: \_\_\_\_\_ Flood Zone:  Yes  No

**IF AREA VARIANCE**

Dimensions of Existing Building: \_\_\_\_\_ (including height) Square Footage: \_\_\_\_\_

Dimensions of Proposed Building: \_\_\_\_\_ (including height) Square Footage: \_\_\_\_\_

Dimensions of Proposed Addition: \_\_\_\_\_ (including height) Square Footage: \_\_\_\_\_

Maximum Structure Coverage Allowed: \_\_\_\_\_ %    Variance Percentage Requested: \_\_\_\_\_ %

Proposed Setbacks:    Front \_\_\_\_\_ ft. Rear \_\_\_\_\_ ft. Side \_\_\_\_\_ ft. Side \_\_\_\_\_ ft.

Required Setbacks:    Front \_\_\_\_\_ ft. Rear \_\_\_\_\_ ft. Side \_\_\_\_\_ ft. Side \_\_\_\_\_ ft.

Variance Requested:    Front \_\_\_\_\_ ft. Rear \_\_\_\_\_ ft. Side \_\_\_\_\_ ft. Side \_\_\_\_\_ ft.

**IF USE VARIANCE**

Existing Use/Occupancy: \_\_\_\_\_

Proposed Use/Occupancy: \_\_\_\_\_

**Reason for Variance** (describe the nature of the variance you are requesting, explaining in detail the reasons for the hardship of the land that you believe qualifies you for a variance. (attach additional pages if needed.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Attachment – Plot Plan**

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Location of lot: \_\_\_\_\_

**Note: The plot plan drawn above must show the configuration of the lot showing ALL structures on the parcel and giving the dimensions of each structure and, most importantly, the setbacks of each structure from the property lines (front, rear, and sides.) The sketch MUST BE DRAWN TO SCALE. Indicate the name and placement of the road(s) for purposes of identification.**

**If you are submitting a professionally drawn sketch plan or preliminary plat, please check [ ] here and submit a minimum of six (6) copies of the drawing.**

**STATEMENT**

The undersigned as individual owner(s) or as a qualified officer of the corporate owner of the above-described property, hereby apply for approval of the proposed variance in accordance with the provisions of the Zoning Law of the Town of Shandaken and authorize entry upon the property for site inspections by Zoning Officials and their authorized representatives. Fees are due and payable to: Town of Shandaken upon submission of the application.

Signature(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_