

Town of Allegany  
Zoning Board of Appeals  
52 West Main Street  
Allegany, New York 14706

REQUEST FOR AREA VARIANCE

To: The Zoning Board of Appeals  
Date: \_\_\_\_\_  
Application #: \_\_\_\_\_

Hearing Date/Time: \_\_\_\_\_  
Tax Map # \_\_\_\_\_  
Zoning District: \_\_\_\_\_

I, \_\_\_\_\_  
(owner/applicant/relationship to owner/phone #)

hereby make application to the Zoning Board of Appeals for the Town of Allegany, New York for an AREA VARIANCE to permit the premises known as \_\_\_\_\_  
(location/address)

to vary from the lot area, lot width, yard, height, lot coverage or other dimensional requirement of the *Zoning Ordinance III*.

Explanation of Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Variance request will vary from the requirement(s) of:

Article \_\_\_\_\_ Section \_\_\_\_\_ of the *Zoning Ordinance III*.

Article \_\_\_\_\_ Section \_\_\_\_\_ of the *Zoning Ordinance III*.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted as weighted against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making determination, the Board shall also consider (see *Town Law § 267-b* and *§ 7.06(B)(3)(b) Zoning Ordinance III of the Town of Allegany*):

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

It is the responsibility of the applicant to present evidence sufficient to satisfy the Zoning Board of Appeals that the benefit to the applicant does not outweigh the detriment to the community or neighborhood.

\_\_\_\_\_  
(owner's signature)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(applicant's signature)

\_\_\_\_\_  
(date)