

TOWN OF CHATHAM, NEW YORK  
APPLICATION TO THE ZONING BOARD OF APPEALS

Appeal No.: \_\_\_\_\_

Appeal date: \_\_\_\_\_

TO THE ZONING BOARD OF APPEALS, TOWN OF CHATHAM, NEW YORK:

(We) \_\_\_\_\_ (owner or agent) of

\_\_\_\_\_  
(mailing address and telephone)

Hereby appeal to the Zoning Board of Appeals from the decision of \_\_\_\_\_

(Bldg. Inspector, Planning Board, etc.) on application No. \_\_\_\_\_ date \_\_\_\_\_

for \_\_\_\_\_ (Bldg. Permit, Use permit, Subdivision, etc.). Attach  
copy of above application and action being appealed.

1. Location of property: \_\_\_\_\_ Zoning District \_\_\_\_\_  
Tax Map Number \_\_\_\_\_

2. Type of Action:

- An Interpretation of the Zoning Ordinance or Zoning Map
- A Special Use Permit under the Zoning Ordinance
- An Area Variance to the Zoning Ordinance (prior to final determination a licensed survey may be required)
- A Use Variance
- Other

3. Previous Appeal: A Previous Appeal (has) (has not) been made with respect to this decision  
of the Zoning Officer or with respect to the property. Such appeal was in the form of:

- A Request for Interpretation
  - A Request for an area Variance
  - A Request for Special Permit
  - A Request for a Use Variance
- and was (were) made in Appeal Number \_\_\_\_\_ dated \_\_\_\_\_, 20\_\_

4. Description of proposed project: (If an area variance, include the estimate of the distance for  
the variance from the setback)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Provision(s) of the Zoning Ordinance Appealed:

\_\_\_\_\_  
\_\_\_\_\_

(Indicate the article, Section and paragraph of the Zoning Ordinance being appealed by number)

**Reason for Appeal: (complete relevant section)**

**A.** Interpretation of the Zoning Ordinance is requested because:

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**B.** A Special Use Permit under the Zoning Ordinance is requested pursuant to Article \_\_\_\_\_, Section \_\_\_\_\_, Paragraph \_\_\_\_\_ of the Zoning Ordinance because \_\_\_\_\_

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**C.** An Area Variance to the Zoning Ordinance is requested and the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider:

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;
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;
3. Whether the requested area variance is substantial;
4. Whether the proposed variance will have an adverse effect of impact on the physical or environmental conditions in the neighborhood or district; and
5. Whether the alleged difficulty was self-created.

The Applicant states that the each of the above five criteria are met as follows:

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**D.** A Use Variance to the Zoning Ordinance is requested and the Zoning Board of Appeals shall take into consideration.

1. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
2. That the alleged hardship relating to the property in questions is unique, and does not apply to a substantial portion of the district or neighborhood;
3. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and
4. That the alleged hardship has not been self-created.

The Applicant states that the each of the above four criteria are met as follows:

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Enclosures: \_\_\_\_\_  
(list attached documents)

Please refer to the attached checklist to be sure that you have all required information for this submission.

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Applicant's Signature

\_\_\_\_\_  
Date