

ZONING BOARD OF APPEALS  
TOWN OF DERUYTER  
735 UTICA ST., PO BOX 394  
DERUYTER, NEW YORK 13052

Dear Applicant:

Your request for a building permit has been denied.

Attached is an Application to the Town of DeRuyter Zoning Board of Appeals. Please keep the following dates in mind when submitting an application.

**Application forms and all supporting documentation must be filed with the Clerk thirty two (32) days prior to the fourth Thursday of the month.**

All properties within 500 feet of a State or County Highway, Town line, State or County facility or agricultural district must be sent to the Madison County Planning Board for review (the Clerk will do this for you). *This review could take up to thirty (30) days.*

Application fee is \$50.00, payable to Town of DeRuyter at time application is made.

Zoning Board of Appeals:  
Christopher Coon, Chr.  
Jeffrey Randall  
Timothy Coon  
Russell Smith

# APPLICATION TO ZONING BOARD OF APPEALS

Application Purpose

\_\_\_\_\_ Interpretation

\_\_\_\_\_ Variance

OFFICIAL USE ONLY

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

Date Fee Paid to Clerk \_\_\_\_\_

Date Rec'd by ZBA \_\_\_\_\_

Date of Hearing \_\_\_\_\_

Date of Action \_\_\_\_\_

Action Taken \_\_\_\_\_

Date Appeal Submitted \_\_\_\_/\_\_\_\_/\_\_\_\_

To Zoning Board of Appeals:

I/We \_\_\_\_\_,  
(name of applicant)

\_\_\_\_\_  
(mailing address)

\_\_\_\_\_  
(phone number)

hereby appeal to the Zoning Board of Appeals because a building permit relevant to this application has been denied.

\_\_\_\_\_,  
(use or building)

\_\_\_\_\_,  
(street location or address)

We ask that you grant us a(n) (interpretation/variance).

\_\_\_\_\_  
(signature)

Approved By:

\_\_\_\_\_  
(Town Official)

County Approval ?      Yes      No

County Route No. \_\_\_\_\_

State below the variance requested. Describe the desired use (for a use variance) or desired construction or site modification (for an area variance) in relation to the relevant provision(s) of the Zoning Law from which relief is requested. ***For an area variance site must be staked for inspection by the Zoning Board of Appeals members.***

For a **use** variance) Demonstrate how failure to grant the requested variance would constitute denial of any reasonable use of the land. (Use additional sheets if necessary.)  
(For an **area** variance) Describe the practical difficulty or economic injury the property user would face if the variance were not granted.

IF YOUR APPEAL IS FOR AN **INTERPRETATION**,  
COMPLETE THE FOLLOWING:

1. Specific section(s) of Land Use Law / Land Use District of Tax Map (S-B-L) parcel #s)\_\_\_\_\_

2. Specific language of section(s)\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Interpretation of Zoning Law's intent with regard to:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

IF YOUR APPEAL IS FOR A **VARIANCE**,  
COMPLETE THE FOLLOWING:

Name of owner of record (if different from applicant)\_\_\_\_\_

\_\_\_\_\_

Mailing address\_\_\_\_\_

Relationship of applicant (if different from owner of record) to property\_\_\_\_\_

Property tax map (S-B-L) no.\_\_\_\_\_

Road location or address of property\_\_\_\_\_

**REQUIRED ATTACHMENTS:**

Site Plan, with accurate dimensions (**Must be completed to scale or application will be rejected**). May be done, to a specified scale, on the grid sheet provided – see attached example. Such a plan shall ordinarily\* show:

Scale at which it is drawn and it's north orientation;

Location and dimensions (to include setbacks from property lines) of existing and proposed buildings or additions;

\*Location, layout and dimensions of parking area and driveway(s);

\*Location of available utilities hookups or access;

\*Location of well and on-site sewage disposal system (if used);

\*Location of any proposed outdoor storage;

\*Location & description of any fencing or vegetative screening;

\*Location and description of any outdoor lighting;

Direction(s) of slope of land;

Location of all footer drains, roof drains, streams and ditches;

\*Location and description of any business signs.

\*Asterisked (\*) items need not be included in the case of area variance requests for additions to existing construction which will not: a) enlarge floor area or lot coverage by more than 50 percent, or b) require additional parking, or c) encroach on on-site sewage disposal system.

Completed Part 1 of the Environmental Assessment Form required under the State Environmental Quality Review Act (SEQR).

**SITE PLAN SKETCH**

**Must be completed to scale or application will be rejected.**

With the attached grid sheet, complete site plan to scale and show important dimensions. Show lot size, direction of slope of land, location of all buildings, driveways, footer and roof drains, streams and ditches, underground utilities, location of water and sewage systems on adjacent lots and your preference for well and sewage system on this lot.

Scale (check one): \_\_\_\_\_ 1 square = 5 ft.

\_\_\_\_\_ 1 square = 10 ft.

Town of DeRuyter Zoning Board of Appeals  
 Application for AREA Variance

Date: \_\_\_\_\_ Applicant: \_\_\_\_\_

Subject property is in: \_\_\_\_\_ Watershed District \_\_\_\_\_ Agricultural District

Adjacent Road(s) are:  
 \_\_\_\_\_ Private lakeside road \_\_\_\_\_ Town road \_\_\_\_\_ County road \_\_\_\_\_ State highway

LOT SIZE \_\_\_\_\_ ft. X \_\_\_\_\_ ft. = \_\_\_\_\_ sq. ft.

Existing Building(s) \_\_\_\_\_ ft. X \_\_\_\_\_ ft. = \_\_\_\_\_ sq. ft.  
 Proposed Building(s) \_\_\_\_\_ ft. X \_\_\_\_\_ ft. = \_\_\_\_\_ sq. ft.

\_\_\_\_\_ % of lot to be occupied  
 by footprint of all building(s)

Single-Family Minimum Setback Law (Sect. 203 & Land Use Tables)

<u>Watershed</u> description	Setback Law (feet)	Existing Area	Proposed Setback	Variance Requested	NOTES
Lake Lot (2 "fronts")					
setback from water	50				
Road: private road	30				
town road	75 (50+25)				
county road	75 (50+25)				
state highway	90 (50+40)				
Side 1 (N)(E)(W)(S)	20				
Side 2 (N)(E)(W)(S)	20				
Lot Not On Water					
Front: private road	30				
town/county road	75 (50+25)				
state highway	90 (50+40)				
Rear (from lot line)	20				
Side 1 (N)(E)(W)(S)	20				
Side 2 (N)(E)(W)(S)	20				

<b><u>AGRICULTURAL</u></b> description	Setback Law (feet)	Existing Area	Proposed setback	Variance request
Front ( from center) road				
private road	30			
town/county road	75 (50+25)			
state highway	90 (50+40)			
rear from lot line	20			
side ( with public water):				
Side 1 (N)(E)(W)(S)	20			
Side 2 (N)(E)(W)(S)	20			
side (without public water):				
Side 1 (N)(E)(W)(S)	25			
Side 2 (N)(E)(W)(S)	25			

Measurements taken by: \_\_\_\_\_  
(signature)

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### **Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>
			<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>
			<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<b>NO</b>	<b>YES</b>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: D Shoreline      D Forest                  D Agricultural/grasslands                  D Early mid-successional D Wetland        D Urban                          D Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties?                          D NO      D YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:    D NO      D YES	<b>NO</b>	<b>YES</b>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		