

APPLICATION FOR AN AREA VARIANCE
TOWN OF FISHKILL, COUNTY OF DUTCHESS, NEW YORK

Application # **V**

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APPLICANT: _____
 COMPANY: _____
 MAILING ADDRESS: _____
 PHONE: _____

(OFFICE USE ONLY)		
Date of Receipt of Appeal:		
Date of Public Hearing:		
Application Fee:	\$	Ck #
Escrow Fee:	\$	Ck #
Date Mailed to County:		
Date Given to ZBA Members:		
Date of ZBA Decision:		
Date Decision Filed with Town Clerk:		

(If property is not owned by the applicant, the applicant must submit a statement by the property owner authorizing the applicant to appeal on his/her behalf.)

NAME OF PROPERTY OWNER (if different than applicant): _____

Date Applicant Acquired Property: _____

APPEAL CONCERNS PROPERTY AT THE FOLLOWING ADDRESS: (must be full street address)

TAX GRID NUMBER: #06

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THE APPLICANT'S APPEAL, AS PERMITTED BY STATE LAW, CONCERNS THE FOLLOWING:

- _____ REFERRAL FROM TOWN OF FISHKILL PLANNING BOARD (ATTACH COPY TO APPLICATION)
- _____ DENIAL OF AN APPLICATION FOR A BUILDING PERMIT (ATTACH COPY TO APPLICATION)
- _____ INTERPRETATION OF TOWN CODE: _____

VARIANCE REQUESTED FOR THE CONSTRUCTION OF: _____

VARIANCE REQUESTED FOR THE LEGALIZATION OF: _____

VIOLATION WITH WHICH ZONING CODE(S): _____

DATE OF ZONING ENFORCEMENT OFFICER'S DECISION: _____

STATE THE REASON YOU ARE APPLYING FOR THE VARIANCE(S): _____

IS IT POSSIBLE TO ACHIEVE YOUR GOAL WITHOUT A VARIANCE?: (If not, please describe why not) _____

Zoning District: _____	Required by Code	Current Setback	New Setback	Variance Required
Front Yard Setback (R15, R20, RMF3, RMF5 - 35ft) (R40, R2A – 50ft) (R4A – 75ft)				
Rear Yard Setback (R15, RMF3, RMF5 – 30ft) (R20 – 40ft) (R40, R2A – 50ft) (R4A – 60ft)				
Left Side Yard Setback (R15, RMF3, RMF5 – 15ft) (R20 – 20ft) (R40 – 25ft) (R2A – 40ft) (R4A – 50ft)				
Right Side Yard Setback (R15, RMF3, RMF5 – 15ft) (R20 – 20ft) (R40 – 25ft) (R2A – 40ft) (R4A – 50ft)				
Maximum Lot coverage (impervious surfaces) (R15 – 22%) (R20, RMF3 – 20%) (R40 – 12%) (R2A – 10%) (R4A – 5%) (RMF5 – 30%)				
Other: (Please Specify) _____				

Is property within 500 feet of any of the following?

- Village of Fishkill, Town of Wappinger, Town of East Fishkill,
 City of Beacon I - 84
 State or County Rd (Route 9, 52, DC-36, DC-34 etc...)
 State Park or other recreation area,
 Existing or proposed right - of - way of any stream, creek or river
 Wetlands, or wetland buffer zones

Application Check List:

- Check made to the Town of Fishkill for the Application Fee (\$300.00 Residential or \$750.00 Commercial)
 Check made to the Town of Fishkill for the Escrow Deposit (\$1,000.00)

Required: One (1) Original and Twelve (12) Copies of the Following

- Application (3 pages)
 Environmental Assessment Short Form (1 page)
 Professional drawings
 Plot plan or site plan
 Denial Letter for Building Permit (or Referral Letter from Planning Board)
 Owners consent letter (if necessary)

Acknowledgement

In accordance with Town of Fishkill Town Code §150-98, the undersigned owner and, if different, the undersigned applicant acknowledge and agree that, in the event of failure to reimburse the engineering, legal or consulting expenses incurred by the Town, with regard to this application, the Town may seek recovery of such fees by action venued in a court of appropriate jurisdiction, and the owner and the applicant, if different, shall be jointly and severally responsible for the reasonable and necessary attorney's fees expended by the Town in prosecuting such action. In the alternative, and at the sole discretion of the Town, a default in reimbursement of such expenses incurred by the Town, with regard to this application, shall be remedied by charging such unpaid sums against the subject property and collecting them along with any other charges against the subject property.

Applicant's
Signature: _____

Date: _____

Owner's
Signature: _____

Date: _____