

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

COMPANY: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

MAILING  
ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

(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): \_\_\_\_\_

Year Owner 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:

\_\_\_\_\_ DENIAL OF A BUILDING PERMIT APPLICATION

\_\_\_\_\_ TOWN OF FISHKILL PLANNING BOARD ACTION

\_\_\_\_\_ INTERPRETATION OF TOWN CODE: \_\_\_\_\_

VARIANCE REQUESTED FOR THE CONSTRUCTION OF: \_\_\_\_\_

VARIANCE REQUESTED FOR THE LEGALIZATION OF: \_\_\_\_\_

VARIANCE FOR OTHER ACTION: \_\_\_\_\_

VIOLATION WITH WHICH ZONING CODE(S): \_\_\_\_\_

DATE OF ZONING ENFORCEMENT OFFICER'S DENIAL LETTER: \_\_\_\_\_

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

IS IT POSSIBLE TO ACHIEVE YOUR GOAL WITHOUT A  
VARIANCE?: ( ) YES ( ) NO (If no, must explain)

Application # **V**

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(OFFICE USE ONLY)		TA - _____
Date of Receipt of Appeal:		
Date of Public Hearing:		
Application Fee:	\$	Ck #
Escrow Fee:	\$	Ck #
Date Mailed to DC Planning:		
Date of ZBA Decision:		
Date Decision Filed with Town Clerk:		
Date Decision Mailed To DC Planning:		

Zoning District: _____	Minimum allowed by Code	Current Setback	New Setback	Variance Required
<b>Front Yard Setback</b> (R15, R20, RMF3, RMF5 - 35ft) (R40, R2A - 50ft) (R4A - 75ft) (Beacon Hills District - 35ft)	_____ft	____ft. ____in.	____ft. ____in.	____ft. ____in.
<b>Rear Yard Setback</b> (R15, RMF3, RMF5 - 30ft) (R20 - 40ft) (R40, R2A - 50ft) (R4A - 60ft) (Beacon Hills District - 40ft)	_____ft	____ft. ____in.	____ft. ____in.	____ft. ____in.
<b>Left Side Yard Setback</b> (R15, RMF3, RMF5 - 15ft) (R20 - 20ft) (R40 - 25ft) (R2A - 40ft) (R4A - 50ft) (Beacon Hills District - 20ft)	_____ft	____ft. ____in.	____ft. ____in.	____ft. ____in.
<b>Right Side Yard Setback</b> (R15, RMF3, RMF5 - 15ft) (R20 - 20ft) (R40 - 25ft) (R2A - 40ft) (R4A - 50ft) (Beacon Hills District - 20ft)	_____ft	____ft. ____in.	____ft. ____in.	____ft. ____in.
<b>Maximum Lot coverage (impervious Surfaces)</b> (R15 - 22%) (R20, RMF3 - 20%) (R40 - 12%) (R2A - 10%) (R4A - 5%) (RMF5 - 30%) (Beacon Hills District - 20%)	(Maximum Lot Coverage) _____%	(Current Lot Coverage) _____%	(New Lot Coverage) _____%	_____%
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 or 9D, Route 52 or 82, DC-34, DC-35, DC-36)  
 \_\_\_\_\_ State Park or other recreation area,  
 \_\_\_\_\_ Existing or proposed right - of - way of any stream, creek or river (explain: \_\_\_\_\_)  
 \_\_\_\_\_ Wetlands, or wetland buffer zones

**Application Check List:**

- \_\_\_\_\_ Check made to the Town of Fishkill for the Application Fee (\$300 Residential or \$750 Commercial)  
 \_\_\_\_\_ Check made to the Town of Fishkill for the Escrow Deposit (\$1,000 Residential or \$2,500 Commercial)

Required: One (1) Original and Twelve (12) Copies of the Following (13 Total) **(DO NOT STAPLE)**

- \_\_\_\_\_ Application (3 pages)  
 \_\_\_\_\_ Environmental Assessment Short Form (1 page)  
 \_\_\_\_\_ Financial Disclosure Form (4 pages) notarized  
 \_\_\_\_\_ Professional drawings outlining project along with a plot or site plan  
 \_\_\_\_\_ Copy of the Building Permit Denial Letter  
 \_\_\_\_\_ 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: \_\_\_\_\_