

Zoning Appeal Form Instruction Sheet:

The Town of Cairo Zoning Board of Appeals (ZBA) meets as needed when a Zoning Appeal form is completed and presented to the Board.

It is strongly recommended that before you file an appeal that you familiarize yourself with the Department of State's "**Guidelines for Applicants to the Zoning Board of Appeals**" which can be found at

[http://www.dos.ny.gov/LG/publications/Guidelines for Applicants to the Zoning Board of Appeals.pdf](http://www.dos.ny.gov/LG/publications/Guidelines%20for%20Applicants%20to%20the%20Zoning%20Board%20of%20Appeals.pdf)

The following information is required to be submitted before the ZBA can address the application as complete:

1. A denial letter by the Zoning Officer.
2. Completed Appeal form and fee of \$75.00 made payable to the Town of Cairo.
3. Plot Plan of the parcel depicting the well, septic, existing buildings and proposed new construction.
4. Delineate the area from building structures existing and proposed to all property lines.

Plan must be drawn to scale and accurately dimensioned.

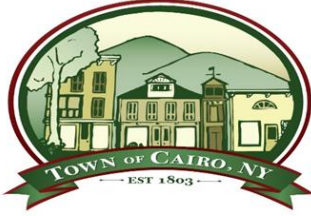
5. Map of surrounding area. (Greene County's "Image Mate Online" is a good source for a map) <http://greene.sdgny.com/index.aspx>

The completed application must be submitted to the ZBA at least ten (10) days prior to their scheduled meeting in order to be placed on the agenda. Once your application is on the agenda the ZBA will review it at that meeting. The ZBA will schedule a Public Hearing on your application within 62 days of the filing of a complete and proper application. The applicant should be present to answer any questions the ZBA may have.

All property owners within 500 feet of your property boundaries will be notified of the hearing. These notices will be sent **certified return receipt** and returned to the ZBA. Notice of your hearing is also required by law to be published in the local newspaper and the ZBA will publish the Public Hearing Notice for you in the Catskill Daily Mail. The cost of all such notices shall be borne by the applicant.

You are required to appear in person or by agent or attorney at the Public Hearing. After the Public Hearing, the ZBA has 62 days to make a decision on your application. The ZBA will try to render a decision as soon as possible. The applicant will be notified by mail of the ZBA decision within five business days after the decision is rendered.

6. **Mail originals of 1 thru 5 above to:** Town of Cairo Zoning Board of Appeals, PO Box 728, Cairo, NY 12413 and **also mail copies of those items** to George Kleinmeier, ZBA Chairman, PO Box 351, Round Top, NY 12473. He can be reached at **(518) 469-3387**



TOWN OF CAIRO ZONING BOARD of APPEALS

PO Box 728, Cairo, NY 12413

Attn: George Kleinmeier, Chairman

APPLICATION FOR AN AREA VARIANCE

Appeal Concerns Property at the following address:

County Tax Map Number: _____

Zoning District Classification: _____

Date Applicant Acquired Property: _____

(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.)

The applicant's appeal from a decision of the Zoning Enforcement Officer, or on direct appeal from the planning board as permitted by State Law, concerns the following:

_____ Denial of an Application for a Building Permit (Attach to Application)

_____ Denial of an Application for a Certificate of Occupancy (Attach to Application)

For the Proposed Activity: _____

Denial was made because of a violation or conflict with the Zoning Code(s): _____

Date of Zoning Enforcement Officer's Decision: _____

State what type and size of an area variance you are requesting, ex. 3 foot side yard variance: _____

State the reason you are applying for the area variance: _____

Describe the character of the neighborhood: _____

Applicant: _____ Telephone: _____

Mailing Address: _____

Signature: _____ Date: _____

OFFICE USE ONLY

Application fee paid _____ Check #/Receipt # _____

Application No. V- _____, Date of Appeal: _____, (Postmark or Hand Delivered)

Date of Receipt by Board: _____, Date of Public Hearing: _____,

Date of Final Action: _____, Date of Filing of Decision with the Municipal Clerk: _____,

List all Owners whose property bounds upon any portion of subject property including the property directly across the street and bordering it. (Please use an additional sheet if needed)

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Please be aware that per New York Town Law § 267-b (items 1 through 5 below), that the zoning board of appeals must take into consideration the following factors and base their decision on them:

“(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 or impact on the physical or environmental conditions in the neighborhood or district.”

“(5) Whether the alleged difficulty was self-created.”

You can find further information online at the Department of State website:

[http://www.dos.ny.gov/lg/publications/Guidelines for Applicants to the Zoning Board of Appeals.pdf](http://www.dos.ny.gov/lg/publications/Guidelines_for_Applicants_to_the_Zoning_Board_of_Appeals.pdf)