

APPLICATION  
TOWN OF MILO - ZONING BOARD OF APPEALS

• PART 1 OFFICIAL USE ONLY

DATE \_\_\_\_\_ FEE \_\_\_\_\_ APPLICATION No. \_\_\_\_\_

The undersigned, being the applicant(s) hereby petition(s) the Zoning Board of Appeals for

- ( ) Use Variance                      ( ) Appeal of a Decision by the Building Inspector
- ( ) Interpretation

According to the provisions of the Ordinance, Local Laws, Rules and Regulations constituting the Zoning and Planning Ordinances and regulations of the Town of Milo.

Location of Property: \_\_\_\_\_  
Tax Map No. \_\_\_\_\_ Zoning District \_\_\_\_\_

Description of proposed request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Building permit request denied by the Building Inspector because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attached to this Application is the following documentation:

- ( ) Site Plan ( ) Construction Plans ( ) Survey Map ( ) Additional Information

The Town of Milo Zoning Board of Appeals, at a regular meeting on \_\_\_\_\_

( ) APPROVED ( ) DENIED

a variance from the Town Zoning Ordinance as outlined in the attached decision.

Building Inspector \_\_\_\_\_ Date \_\_\_\_\_

• PART 2 Applicant

Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

Interest in the Property \_\_\_\_\_  
Property Owner, If different from applicant \_\_\_\_\_  
Owners Address \_\_\_\_\_  
Owners telephone \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

**APPLICATION FOR A USE VARIANCE**

To enable the Zoning Board of Appeals to grant a use variance, the applicant must demonstrate to the Zoning Board of Appeals that the zoning has caused an unnecessary hardship, which is defined to require a showing that the following four items are true. Attach additional sheets if necessary.

1. That under the applicable zoning regulations, the applicant is deprived of all economic use or benefit from the property (the applicant must provide "dollars and cents proof").

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2. That the hardship is unique, and does not apply to a substantial portion of the district or neighborhood.

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3. That the variance will not alter the essential character of the neighborhood.

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4. That the hardship is not self-created.

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Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

TOWN OF MILO  
YATES COUNTY, NEW YORK

CERTIFICATION PURSUANT TO SECTION 809  
OF THE GENERAL MUNICIPAL LAW

In accordance with Section 809 of the General Municipal Law of the State of New York, the undersigned certifies in submitting this application that no officer or employee of the Town of Milo is interested in granting said application:

It is understood that:

- (1) A person is "interested" in such an application when he or his spouse or their brothers, sisters, parents, children, grandchildren or spouse of any of them
  - (a) is the applicant, or
  - (b) is an officer, director, partner or employee of the applicant, or
  - (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
  - (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit whether or not for services rendered dependent or contingent upon the favorable approval of such application, petition or request.
- (2) Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- (3) Any person who knowingly and intentionally violates the provisions of Section 809 of said General Municipal Law shall be guilty of a misdemeanor.

(NOTE: If in any case the applicant cannot make the foregoing certification, the applicant shall so state and shall furnish With the application a signed statement which sets forth in detail the reason therefore.)

The foregoing Certification as well as the contents of this entire application is hereby subscribed by the applicant and is hereby affirmed by the applicant as true under the penalties or perjury.

Date \_\_\_\_\_

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

**ZONING BOARD OF APPEALS  
CHECK LIST**

Application completed and signed in ink.

Complete description of proposal.

Complete description of the property.

Plot plan or Site Plan: 9 copies with exact measurements from center of road, from all property lines, from all other buildings, from septic and wells [if applicable]. Plan must also show exact sizes and set backs, heights, number of stories and percentage of lot coverage.



New construction, additions, etc , must be staked out for Board Members to view.

On area variances need to have survey pins located and marked if not located then a new survey well be required.

Additional information may be required by the Zoning Board at the first meeting.

By signing this application you are giving Town of Milo Zoning Board members permission to come on your property to review your request.

All of the above information along with application fee must be completed and received by Code Enforcement office on or before the 10<sup>TH</sup> of the month so it can be heard on the 4<sup>th</sup> Tuesday of the following month.

If property owner can not be at the hearing then we will need a notarized letter from the property owner giving person or persons named in the letter to act as personal agent for all matters in said hearing before the Town of Milo Zoning Board of Appeals. If the owner or agent is not present then the hearing well be adjourned until the following month.

**Legibility and Neatness** a must. Any information received that is not neat and legible will be returned and application will be viewed as incomplete and returned to applicant.