

**INSTRUCTIONS FOR APPLICATION FOR VARIANCE
TOWN OF BRANT, ERIE CO., NEW YORK**

The Board of Appeals meets upon request at 8:00 PM in the Brant Town Hall, to consider applications for relief from the provisions of the Zoning Ordinance of the Town of Brant.

After your application has been filed, as outlined below, you will be advised of the date of the meeting at which your case will be heard.

At least thirty (30) days before the date of the hearing of the Planning Board will receive a copy of the notice of the hearing. The Planning Board will submit to the Board of Appeals its opinion on you appeal.

The following steps must be taken in preparation for your appearance before the Board:

1. Prepare and file an original copy of Application for Variance (Form 1) and pay the \$25.00 fee, prior to service of the notice on adjoining landowners.
2. Obtain a list of all property owners, from the Current Tax Map, who are within 1000 feet of the premises involved and serve a Notice of the Hearing, on the Form of Notice as provided by the Town, at least ten (10) days prior to the hearing. The persons must be served by Certified or Registered Mail, Return Receipt Requested, or by personally handing a copy of the Notice to them. Do not count the day of mailing or of service as part of the ten (10) days.
3. Submit an Affidavit of Service, which you have sworn to before a Notary Public. The Affidavit must be submitted to the Chairman of the Board of Appeals by the Friday preceding the hearing date and the instructions at the foot of the Form 3 should be followed.
4. Submit for the hearing, a plot plan showing (a) Block and Lot numbers, (b) dimensions of lot, (c) dimensions of present proposed structures, (d) location of all structures in relation to all other structures and to property lines, and (e) ownership of adjoining properties. If this plot plan is prepared by someone other than a licensed surveyor or architect, furnish an affidavit stating that all information on the plan is correct.
5. If you are an individual, you may appear on your own behalf at the meeting, or be represented by counsel.

**APPLICATION FOR VARIANCE
TOWN OF BRANT
ZONING BOARD OF APPEALS**

Received Date: _____
Hearing Date: _____
Disposition: _____
Building Permit No. _____

Instructions: This application for a variance should be filed within 30 days after a permit has been denied. A fee of \$25.00 must be paid at the time of application, and two notarized copies must be presented for filing. Please type or write legibly.

**APPLICATION FOR A VARIANCE FROM THE TERMS OF THE ZONING ORDINANCE
OF THE TOWN OF BRANT:**

To the Board of Appeals:

An appeal is hereby made for a variance from the terms of Article _____, Section _____ of the Town of Brant Zoning Ordinance so as to permit (explain what you re planning to do): _____

This appeal is based on the decision made by the Zoning Inspector of the Town of Brant on (Date:) _____: that this could not be done because (explain why you cannot do so) _____

Appellant seeks a variance under Article 18, Section 30-71 of the Laws of 1956, as amended.

Explain in detail below wherein your case conforms to the requirements of the Section of the aforesaid stature, under which this variance is sought.

Premises affected: Street Address _____
If street address is unknown, state specific location of lot or lots on street with reference to nearest intersection.

Lot No. (s) _____ Block No. (s) _____
On the current tax map of the Town of Brant.

Applicant: _____

Address: _____

Owner: _____

Address: _____

Lessee: _____

Address: _____

Zone: Agricultural _____ Residential _____ Business _____

State prior use _____

Size of Lot _____

Size of Building (at street level) _____ feet front
_____ feet deep

Percentage of lot occupied by buildings _____ %

Height of Building _____ stories _____ feet

Set back from front property line _____ feet

Set back from side property line _____ feet

Prevailing set-back of adjoining buildings within block average _____ feet

If so, state character of appeal and date of disposition _____

AFFIDAVIT OF APPLICANT

State of New York

County of Erie ss.

Town of Brant

_____ Of full age, being duly sworn according to law, on
oath deposes and says that all of the above statements are true.

Sworn to and subscribed before me this
_____ Day of _____, 20____.

Signature of Applicant before Notary

Notary Public, State of New York

FORM OF NOTICE

TO: _____

Owner of Premise: _____

Please take notice

That the undersigned has appealed to the Board of Appeals of the Town of Brant for a variance from the terms of Article _____ Section _____ of the Town of Brant Zoning Ordinance (see Application for variance _____

_____ on them premises _____

(insert street address – if unknown state specific location of lot) or lots on street with reference to nearest intersection.

Lot No. ____ on the current tax map of the Town of Brant, which is 1000 feet within the property owned by you. This appeal will be given a public hearing on _____, 2005 at _____ P.M. at the Brant Town Hall, Brant, New York at which time you may either appear in person or by agent or attorney and present any objections which you may have to the granting of this appeal.

The applicant, by order of the Board of Appeals, sends this notice to you.

Respectfully,

Applicant

Instructions: This notice should be in the hands of each property owner within 1000 feet of the premises affected at Least 10 days prior to the date of the hearing. The notice should be delivered personally to each local property owner, or left at their usual place of abode, and sent by registered or certified mail, return receipt requested, to each out of town property owner.

