



Zoning Board of Appeals Application

*****YOU MUST PAY FOR THE FOLLOWING:*****

Application Fee - Due at the time of filing:
Single Family or Two Family Dwelling \$100.00
All other Occupancies \$300.00

*****Please read ALL of the instructions carefully before proceeding*****

APPLICATION INSTRUCTIONS

1. The application must be completely filled in and submitted with the required information to the Code Enforcement Office. **Only Submit the application page for the Type of variance you are requesting; Area, Use or Sign variance.**
2. The work covered by this application may not be commenced before the Area, Use or Sign variance is granted.
3. Any deviation from the approved plans must be authorized by the approval of revised plans subject to the same procedure established for the examination of the original plans. An additional fee may be charged due to the deviation.
4. Submit Seven (7) copies of the Application form and the required documentation of plans and specifications in sufficient detail plus an electronic PDF. The maximum size of the drawings submitted shall be 24" x 36". Insufficient detail may cause your application to be delayed or denied. Plans required for submission vary depending on the project. In most cases a survey map TO SCALE is required to be submitted with additional drawings of the project. Additional drawings should include all dimensions of the project. Typical information to include;
Survey map of property, Detailed drawing to scale, showing the property and all of its holdings, including but not limited to; Lot size, All buildings and structures, Dimensions of buildings and structures, Distances to property lines, Distances to abutting buildings, Easements and abutting property, Abutting streets or alleys, Detailed construction drawings to scale, Affidavit from the owner of the property stating the applicant is authorized to make such application
5. **Submissions MUST be received before 4:00pm on or before the deadline date.**
6. It is recommended that you meet with the Code Enforcement Officer to review application materials prior to submission. For an appointment, please call the Office at 607-962-0340 ext. 4. The Zoning Code is available online at www.cityofcorning.com/cityclerk
7. **UNLESS OTHER ARRANGEMENTS ARE MADE WITH THE CITY OF CORNING, DO NOT USE A COURIER OR DELIVERY SERVICE TO SUBMIT YOUR APPLICATION.**
8. **WHEN YOU DROP OFF YOUR APPLICATION, YOU WILL RECEIVE AN INVOICE FOR THE FEE AND SIGNS TO BE PLACED ON THE PROPERTY. YOUR APPLICATION WILL NOT BE ON THE AGENDA IF YOU FAIL TO RECEIVE AND PAY AN INVOICE AND PLACED THE SIGNS ON THE PROPERTY.**
9. **DO NOT SUBMIT THIS APPLICATION IN THE SAME PACKAGE WITH ANY OTHER APPLICATION (PLANNING COMMISSION, SIGN, ZBA, PERMIT, ETC.), EACH APPLICATION SHALL BE SUBMITTED SEPARATELY. YOUR APPLICATION WILL NOT BE ON THE AGENDA IF YOU FAIL TO SUBMIT APPLICATIONS SEPARATELY.**

**SEVEN (7) COPIES, PLUS ONE (1) ELECTRONIC PDF OF ALL INFORMATION
MUST BE PROVIDED**

**SIGN POSTING REQUIREMENTS
APPLICANT'S CERTIFICATION FORM**

Required for Zoning Board of Appeals Applications

**CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS
Per Section 240-105 (D)(1)**

Upon receipt of an application by the Zoning Board of Appeals The applicant shall cause the property for which the application is filed to be posted with a notice indicating that a variance application has been made, the date of the public hearing and that interested persons may obtain more detailed information from the Code Enforcement Office. The notice shall meet the following standards:

- (A) The notice shall be placed on weatherproof signs that have been provided by the Code Enforcement Office and placed on the property that is the subject of the application.
- (B) All such notice shall be posted no later than two days after the date the application is filed to ensure that notice is posted early in the review process.
- (C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.
- (D) The signs shall remain in place during the period leading up to a decision by the Zoning Board of Appeals, but not less than ten days.
- (E) On or before the date that the Zoning Board of Appeals is scheduled to make a decision on the application the applicant shall certify in writing that required notice was posted according to the requirements of this section.

I, _____, am filing a Site Plan Approval,
Subdivision or Zoning Board of Appeals (PRINT NAME OF APPLICANT)

application on behalf of _____ for the property located at
(PRINT NAME OF OWNER(S))

(PRINT PROPERTY ADDRESS OR LOCATION)

I have read the City's sign posting requirements above and acknowledge and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 240-105 (D)(1) listed above, including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

I HEREBY CERTIFY THAT THE PROPER POSTING OF THE SIGNS REQUIRED BY THE ZONING WAS COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF ' 240-15.

The signs will be installed on ____ / ____ / ____ and will be removed after the decision by the Zoning Board of Appeals.

SIGNATURE

DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 607-962-0340.

**THIS FORM MUST BE PROVIDED TO THE CODE ENFORCEMENT OFFICE PRIOR
TO THE MEETING, OR BROUGHT TO THE MEETING**

Application to the Zoning Board of Appeals - AREA VARIANCE

Information Needed	Description
Address of Work Site:	
Tax Map Number:	
Zone District: (check one)	<input type="checkbox"/> R1 <input type="checkbox"/> R2 <input type="checkbox"/> MR <input type="checkbox"/> RT <input type="checkbox"/> C <input type="checkbox"/> CL <input type="checkbox"/> I <input type="checkbox"/> BD <input type="checkbox"/> PC <input type="checkbox"/> PDD
Property Owners Name / Signature:	<i>Signature - Authorization to Apply</i>
Owners Address / Phone:	Phone:
Owners E-mail Address:	
Description of proposed request/relief:	

I hereby apply under the Code of the City of Corning, New York for an Area Variance as set forth above, and I certify that the information contained in this application are true and accurate to the best of my knowledge and belief. The above signed owner(s) grant the Board and its agents permission to enter the property to review this application; I understand all documents will be entered into the public record.

Applicant's Name: _____ (Owner) (Lessee) (Agent)

Address (if not owner) _____ Phone Number _____

Applicant's E-mail Address: _____

Signature of Applicant _____ Date: _____

Has property notification posting been completed?	G Certification form received	G No	<i>Office Use Only</i>
Public Hearing Date on Application: (45 days) _____ / _____ / _____			
ZBA Action (Within 62 days of Public Hearing) _____ / _____ / _____			
#	<i>Variances petitioner is seeking relief from;</i>		
1	Article _____, '240- _____, <input type="checkbox"/> And the Density Control Schedule Which states: _____ A variance of _____ is desired by the petitioner.		
2	Article _____, '240- _____, <input type="checkbox"/> And the Density Control Schedule Which states: _____ A variance of _____ is desired by the petitioner.		
3	Article _____, '240- _____, <input type="checkbox"/> And the Density Control Schedule Which states: _____ A variance of _____ is desired by the petitioner.		
4	Article _____, '240- _____, <input type="checkbox"/> And the Density Control Schedule Which states: _____ A variance of _____ is desired by the petitioner.		
County Review Required G Setback from County or State Road or land. G Yes G No G Structure exceeds 50' in height. G Yes G No		SEQR Action G Type I action - Full EAF required G Type II action - No further action required G Unlisted action - Short EAF required	
In weighing the benefit sought by the applicant vs. the detriment of the community, the Board is required to consider the following:			
1 a. Will an undesirable change be produced in the character of the neighborhood?		G Yes	G No
1 b. Will a detriment to nearby properties be created by granting this variance?		G Yes	G No
2. Can the benefit the applicant is seeking be achieved by some method, feasible other than a variance?		G Yes	G No
3. Is the requested variance substantial?		G Yes	G No
4. Will the proposed variance have an adverse effect or impact on the neighborhood or district?		G Yes	G No
5. Was the hardship or difficulty self created?		G Yes	G No
Strict compliance with the Code of the City of Corning would be <input type="checkbox"/> Necessary <input type="checkbox"/> Unnecessary to ensure the achievement of the code's intended objective and which, the benefit of the applicant <input type="checkbox"/> Does <input type="checkbox"/> Does Not outweigh the detriment to the community, therefore your application has been;			
<input type="checkbox"/> GRANTED		<input type="checkbox"/> DENIED - See Explanation	
Furthermore, it shall be noted that the decision is limited to the specific application before it, as contained within the petition, and shall not be interpreted to give implied approval of any general plans or specifications presented in support of this application.			
<u>Explanation:</u>			
_____		_____ / _____ / _____	
Chairman		Date	

Application to the Zoning Board of Appeals - USE VARIANCE

Information Needed	Description
Address of Work Site:	
Tax Map Number:	
Existing Use / Proposed Use:	
Zone District: (check one)	<input type="checkbox"/> R1 <input type="checkbox"/> R2 <input type="checkbox"/> MR <input type="checkbox"/> RT <input type="checkbox"/> C <input type="checkbox"/> CL <input type="checkbox"/> I <input type="checkbox"/> BD <input type="checkbox"/> PC <input type="checkbox"/> PDD
Property Owners Name:	<i>Signature - Authorization to Apply</i>
Owners Address / Phone:	Phone:
Owners E-mail Address:	
Description of proposed request/relief:	

I hereby apply under the Code of the City of Corning, New York for a Use Variance as set forth above, and I certify that the information contained in this application are true and accurate to the best of my knowledge and belief. The above signed owner(s) grant the Board and its agents permission to enter the property to review this application; I understand all documents will be entered into the public record.

Applicant's Name: _____ (Owner) (Lessee) (Agent)

Address (if not owner) _____ Phone Number _____

Applicant's E-mail Address: _____

Signature of Applicant _____ Date: _____

Has property notification posting been completed? <input type="checkbox"/> Certification form received <input type="checkbox"/> No		<i>Office Use Only</i>
Public Hearing Date on Application: (45 days) _____ / _____ / _____ ZBA Action (Within 62 days of Public Hearing) _____ / _____ / _____		
County Review Required G Setback from County or State Road or land. G Yes G No G Structure exceeds 50' in height. G Yes G No	SEQR Action G Type I action - Full EAF required G Type II action - No further action required G Unlisted action - Short EAF required	
For every permitted use under the zoning regulations for the particular zone where the property is located;		<u>DENY</u>
1.	Can the property yield a reasonable return for any allowed use in that zone? (demonstrated by financial evidence)?	G Yes G No
2 a.	Is the alleged hardship unique, or the circumstances highly uncommon?	G No G Yes
2 b.	Does the alleged hardship apply to a substantial portion of the district or neighborhood?	G Yes G No
3.	Will the requested variance alter the essential character of the neighborhood, if granted?	G Yes G No
4.	Was the hardship self created?	
Strict compliance with the Code of the City of Corning would be <input type="checkbox"/> Necessary <input type="checkbox"/> Unnecessary to ensure the achievement of the code's intended objective and which, the benefit of the applicant <input type="checkbox"/> Does <input type="checkbox"/> Does Not outweigh the detriment to the community, therefore your application has been: <div style="display: flex; justify-content: space-around; align-items: center;"> <input type="checkbox"/> GRANTED <input type="checkbox"/> DENIED - See Explanation </div> Furthermore, it shall be noted that the decision is limited to the specific application before it, as contained within the petition, and shall not be interpreted to give implied approval of any general plans or specifications presented in support of this application. <u>Explanation:</u> <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 5px;"></div>		
_____ / _____ / _____ Chairman	_____ / _____ / _____ Date	

Application to the Zoning Board of Appeals - ***SIGN VARIANCE***

Information Needed	Description
Address of Work Site:	
Business:	
Tax Map Number:	
Zone District: (check one)	<input type="checkbox"/> R1 <input type="checkbox"/> R2 <input type="checkbox"/> MR <input type="checkbox"/> RT <input type="checkbox"/> C <input type="checkbox"/> CL <input type="checkbox"/> I <input type="checkbox"/> BD <input type="checkbox"/> PC <input type="checkbox"/> PDD
Property Owners Name:	<i>Signature - Authorization to Apply</i>
Owners Address / Phone:	Phone:
Owners E-mail Address:	
Description of proposed request/relief:	

I hereby apply under the Code of the City of Corning, New York for a Sign Variance as set forth above, and I certify that the information contained in this application are true and accurate to the best of my knowledge and belief. The above signed owner(s) grant the Board and its agents permission to enter the property to review this application; I understand all documents will be entered into the public record.

Applicant's Name: _____ (Owner) (Lessee) (Agent)

Address (if not owner) _____ Phone Number _____

Applicant's E-mail Address: _____

Signature of Applicant _____ Date: _____

Public Hearing Date on Application: (45 days) _____ / _____ / _____	<i>Office Use Only</i>
ZBA Action (Within 62 days of Public Hearing) _____ / _____ / _____	

#	Variances petitioner is seeking relief from
1	'180-_____, Which states: _____ A variance of _____ is desired by the petitioner.
2	'180-_____, Which states: _____ A variance of _____ is desired by the petitioner.
3	'180-_____, Which states: _____ A variance of _____ is desired by the petitioner.
4	'180-_____, Which states: _____ A variance of _____ is desired by the petitioner.

- Variances may be granted in individual cases upon the consideration by the Zoning Board of Appeals of the following criteria:
1. The granting of the variance will not have the effect of nullifying the intent and purpose of the code;
 2. The granting of the variance will not cause a substantial detriment to the public health, safety, or general welfare or be injurious to other property;
 3. The variance shall be the minimum necessary to meet the needs of the applicant;
 4. The conditions upon which the request for a variance is based are unique to the property and are not applicable generally to other property;
 5. There are extraordinary and exceptional conditions pertaining due to topographical conditions, sight distance, sight due to vehicular traffic, physical surroundings, or shape, that would result in a particular hardship to the owner, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 6. Such special circumstances are not the result of actions of the applicant.

Strict compliance with the Code of the City of Corning would be Necessary Unnecessary to ensure the achievement of the code's intended objective and therefore your application has been;

GRANTED
 DENIED - See Explanation

Furthermore, it shall be noted that the decision is limited to the specific application before it, as contained within the petition, and shall not be interpreted to give implied approval of any general plans or specifications presented in support of this application.

Explanation:

Chairman

Date

THIS PAGE IS FOR YOUR INFORMATION - DO NOT SUBMIT THIS WITH YOUR APPLICATION

Density Control Schedule

District	Min. Lot Size	Lot Size Per Additional Principal Structure (7)	Yard Requirements			Maximum Lot Coverage		
			Front (feet)	Side (feet)	Rear (feet)		Feet	Stories
R1								
Single-family	6,250	NP	25	6	30	40%	35	3
Other permitted uses	15,000	NP	25	10	30	50%	12	1
R2								
Single-family	4000	7,000	25	6	30	40%	35	3
Two-family	5000	7,000	25	6	30	40%	35	3
Townhouse	4000 each	4,000	25 or 10 per story	6 per story	30 or 10 per story	40%	35	3
Multifamily 6 or less units	10000	10,000	25 or 10 per story	6 per story	30 or 10 per story	40%	35	3
Lodging/Boarding House	7,000	NP	25	6	30	40%	25	2
Other permitted uses	15,000	NP	25	10	30	50%	25	2
MR								
Single-family	5,750	5,750	25 or 10 per story	6 per story	30 or 10 per story	40%	60	5
Two-family	7000	5,750	25 or 10 per story	6 per story	30 or 10 per story	40%	60	5
Townhouse	4000 each	4,000	25 or 10 per story	6 per story	30 or 10 per story	40%	60	5
Multifamily 6 or less units	10,000	10,000	25 or 10 per story	6 per story	30 or 10 per story	40%	60	5
Multifamily 7 or more units	20,000	15,000	25 or 10 per story	6 per story	30 or 10 per story	40%	35	3
Other permitted uses	20,000	NP	25 or 10 per story	6 per story	30 or 10 per story	35%	35	3
RT								
Single-family	5000	5,750	25	6	30	40%	35	3
Two-family	7000	7,000	25	6	30	40%	35	3
Townhouse	4000 each	4,000	25 or 10 per story	6 per story	30 or 10 per story	40%	35	3
Multifamily 6 or less units	10,000	10,000	25	6	30	40%	35	3
Multifamily 7 or more units	20,000	15,000	25 or 10 per story	6 per story	30 or 10 per story	40%	35	3
Lodging/Boarding House	7,000	NP	25	6	30	40%	35	3
Other permitted uses	5,000	5,000	25	10	30	40%	35	3
C								
Multifamily 7 or more units	20,000	15,000	25 or 10 per story	6 per story	30 or 10 per story	50% (4)	45	4
Lodging/Boarding House	7,000	NP	25	10	30	40%	35	3
Fast Food Restaurant	10000 (6)	NP	N/A	10(2)	30(3)	50%(4)	45	4
Gas station, service and repair garage	7500 (5)	NP	35	10	30	50%(4)	45	4
Gas Station -Minimart combo	10000 (5)	NP	35	10	30	50%(4)	45	4
Other permitted uses	-1		N/A	10(2)	30(3)	50%(4)	45	4
CL								
Multifamily 7 or more units	20,000	15,000	25 or 10 per story	6 per story	30 or 10 per story	50%	45	4
Gas station, service and repair garage	7500 (5)	NP	35	10	30	50%	45	4
Gas Station -Minimart combo	10000 (5)	NP	35	10	30	50%	45	4
Commercial	6,250		10	10	30	50%	45	4
Industrial	10,000		20	15	30	50%	45	4
BD	-1		10	10	30	50%	75	6
I	10,000		20	15	30	50%	75	6

Notes:

1. The minimum lot area shall be that necessary to accommodate the proposed structures and comply with all applicable requirements of this chapter.
2. No side yard required, except that a ten-foot setback will be required where a lot line abuts a residential district.
3. Except where lot abuts existing alley, no rear yard setback shall be required.
4. Except for Commercial Business Districts of Market Street from Wall Street at Bridge and Bridge Street from the Chemung River to Pulteney Street.
5. At least one frontage and width shall be a minimum of 100 feet.
6. At least one frontage shall be a minimum of 100 feet.
7. The minimum lot size for additional principal structures is the combined value of the minimum lot size plus the additional lot size for each additional principal structure.