

**TOWN OF RUSH
ZONING BOARD OF APPEALS
AREA VARIANCE APPLICATION**

COMPLETED BY TOWN

TAX ACCT. # _____ APPLICATION # _____
WORKSHOP DATE _____ FEE _____ HEARING DATE _____

COMPLETED BY CODE ENFORCEMENT OFFICER

Reason for appeal:

Zoning Class: R-30 _____ R-20 _____ Commercial _____ Other _____

Code Enforcement Officer Signature _____ Date of Denial _____

COMPLETED BY APPLICANT

PROPERTY OWNER(S) _____

PROPERTY ADDRESS _____

PHONE _____

- 1) Briefly describe your proposed project and the reason for your request for an area variance.

- 2) Will the proposed variance produce an undesirable change to the character of the neighborhood or be a detriment to nearby properties? _____

- 3) Can the benefit sought by this requested variance be achieved by some other feasible method that would not require a variance? _____
- 4) How substantial is this request as applied to the Rush Zoning Law (amount of relief required)?

- 5) Would the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? _____
- 6) Is the alleged difficulty self-created by the applicant or property owner? _____
- 7) The following documentation is required to describe your project and to help the Zoning Board of Appeals understand your situation. Please use the following checklist to verify that all necessary information has been provided. Failure to provide the following maps and drawings may result in postponement of your workshop and hearing.

- _____ Scaled map(s) of your property (instrument survey, tape location map).
- _____ All maps must contain direction North.
- _____ Boundaries and dimensions of the property must be clearly labeled.
- _____ Location of adjoining roads or right of ways.
- _____ Location of all structures on the subject property (existing and proposed) show dimensions.
- _____ Location of all structures on adjacent properties (all sides including opposite side of road or street) show dimensions.
- _____ Location of septic systems, water wells and utility services.
- _____ Architectural drawings or "reasonable" hand sketches of your proposed project (for new structures or modifications to existing structures).

ALL MAPS AND DRAWINGS MUST BE TO SCALE

OWNER'S SIGNATURE _____ DATE _____

CO-OWNER SIGNATURE _____ DATE _____

COMPLETE IF APPLICANT IS OTHER THAN PROPERTY OWNER

NAME OF APPLICANT _____ PHONE # _____

ADDRESS _____

APPLICANT'S SIGNATURE _____ DATE _____

INSTRUCTIONS

The Rush Zoning Board is required by law to insure that projects such as yours, if permitted, will cause minimal adverse effect to the health, safety, general welfare, and character of the neighborhood. The Board can grant only the minimum variance deemed necessary and adequate. To make a proper assessment of the effect of this project, the following steps must be taken to provide the Zoning Board of Appeals with the information needed to base their decision:

- 1) Submit the required signed application form with all questions (1-7) answered in full.
- 2) Pay required fee.
- 3) Submit 17 copies of all supporting documentation (Town Clerk's office will provide copies at applicant's request for a nominal fee):

Process

The appeal process for an area variance begins when the applicant is denied permission by the Code Enforcement Officer to execute a project that does not conform to the Town's Zoning Laws.

Applications are normally discussed at a Zoning Board of Appeals Workshop before a public hearing is held. This provides an opportunity for you to review your particular situation and supporting documentation with the Board at an informal meeting.

A sign may be posted on your property to alert neighbors and other interested parties of your public hearing.

Notices may be sent to your neighbors informing them of your public hearing.

A notice of your impending public hearing will be posted in the Town's official newspaper.

A hearing or workshop for a proposed project will not be held unless the applicant, property owner, or the applicant's representative are present with the required documentation on the scheduled dates.

Applications must be submitted by 4:30PM of the last day of the previous month in order to be discussed at the next available workshop.

YOUR APPLICATION CANNOT BE ACCEPTED AND SCHEDULED FOR WORKSHOP OR HEARING UNTIL THE ABOVE REQUIREMENTS ARE COMPLETED.

ALTHOUGH AN AREA VARIANCE MAY HAVE BEEN GRANTED BY THE ZBA, A BUILDING PERMIT WILL STILL BE REQUIRED. PLEASE CONTACT THE RUSH CODE ENFORCEMENT OFFICER BEFORE BEGINNING ANY PROJECT.

Adopted by Board Motion
Date 4/10/2003