

# ZONING APPLICATION

Town of Binghamton  
279 Park Avenue • Binghamton, NY 13903  
Phone: (607) 772-0357 • Fax: (607) 772-6911

Application Fee: \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

Date: \_\_\_\_\_

.....  
**APPLICATION TYPE**

Environmental Review \_\_\_\_\_

PUD Proposal \_\_\_\_\_

Rezone \_\_\_\_\_

Site Plan Review \_\_\_\_\_

Special Permit \_\_\_\_\_

Subdivision \_\_\_\_\_

Variance \_\_\_\_\_

### PROPERTY INFORMATION

Property Location: \_\_\_\_\_

Tax Map #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Code Reference(s): \_\_\_\_\_

239 Review Required?: Y/N If yes, date Submitted to Broome County: \_\_\_\_\_

Public Hearing Required?: Y/N If yes, date & by whom: \_\_\_\_\_

### APPLICANT INFORMATION

Applicant: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Phone #'s: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

Applicant's E-Mail Address: \_\_\_\_\_

### PROPERTY OWNER INFORMATION (if different from the applicant)

Property Owner: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Owner's Phone #'s: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

Owner's E-Mail Address: \_\_\_\_\_

### ARCHITECT/ENGINEER INFORMATION

Architect/Engineer: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #'s: Office \_\_\_\_\_ Cell \_\_\_\_\_ Fax \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

### DESCRIPTION OF PROPOSED ACTION - DETAILED SITE PLAN MUST ACCOMPANY THIS APPLICATION

Purpose/Brief Description of proposed action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **APPLICATIONS MUST BE SUBMITTED BY THE FIRST FRIDAY OF THE MONTH**

The undersigned being duly sworn, deposes and says that he/she is the owner/applicant or the authorized agent of the owner/applicant and that everything contained in this application is a true statement and representation of the proposal and that permission is herewith granted for inspections of the property by the Town Departments, Town Board, Planning Board and Zoning Board of Appeals members.

Sworn to this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Signature (Owner/Applicant)

**DEVELOPER/OWNER'S CLAUSE**

On behalf of \_\_\_\_\_ (Developer/Owner-Applicant), we hereby certify and agree that the submitted plans meet all the requirements and specifications described in any applicable sections of the Town of Binghamton Code. Notwithstanding any notes, provisions or specifications in the plans, we agree on behalf of the Developer-Applicant that Town of Binghamton Code specifications shall take precedence over any such notes, provisions or specifications which may be inconsistent with and/or not in conformance with the Town of Binghamton Code specifications. We further agree that in the event of any inconsistency or ambiguity between the notes, provisions or specifications on the final plans and the Town of Binghamton Code, that in all cases the Town of Binghamton Code specifications shall be controlling with respect to the work, materials or other requirements.

\_\_\_\_\_  
Signature of Developer/Owner

\_\_\_\_\_  
Signature of Developer's Engineer or Design Professional, applicable

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**ZONING APPLICATION FEES**

- Site Plan Review -**
- 1. Existing commercial, industrial or multiple-family structures -
  - 2. New commercial or industrial structure -
  - 3. New residential buildings -
  - 4. Minor site plan review -

**Special Permit -**

**Area Variance -**

**Use Variance -**

**Subdivision -**

**Rezone -**

**Telecommunications Tower Special Use Permit Application Fee -**

**SEE CODE OFFICER  
FOR FEE.**

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**TOWN DEPARTMENT RECOMMENDATIONS**

Town Attorney, Broome County Planning, Code Enforcement, Fire Department, Highway Department, Planning Board, Zoning Board of Appeals, Planning & ZBA Clerk, Town Board, Town Clerk

Comments Submitted by: \_\_\_\_\_ Dept.: \_\_\_\_\_

**Department Head Comments:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NYS Town Law Section 267-b sets forth the factors the ZBA must consider in granting or denying an application for a variance. Applicant should submit evidence demonstrating that the application satisfies every one of the factors applicable to the application.

**The factors for a use variance include:**

- (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- (2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- (3) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (4) that the alleged hardship has not been self-created.

**The factors for an area variance include:**

- (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; and
- (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.