Reference: Article XIX, Town of Torrey Zoning Law

### Use Variance Application

**Instructions:** Please complete Items 1 – 7. If an Item is not applicable, enter NA. Return the original completed application and attachments with 9 copies to the Town Clerk.

- [ ] Initial Application  
- [ ] Revised Application (prior application No.)

#### 1. Subject Property

Address _____________________________  Tax Map No. ___________________

#### 2. Applicant

Name ________________________________________________________________
Street Address ____________________________________________________________
City ___________________________ State ___________ Zip Code ________________
Telephone: Day __________________ Night _______________ Cell __________________
E-Mail Address __________________________________________________________

#### 3. Property Owner (If Applicant is not the Property Owner)

Name ________________________________________________________________
Street Address ____________________________________________________________
City ___________________________ State ___________ Zip Code ________________
Telephone: Day __________________ Night _______________ Cell __________________
E-Mail Address __________________________________________________________

Form Date 12/15/10
4. Description

Describe the use for which the variance is sought.

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5. Justification for the Variance

New York State Town Law §267-b.2 mandates that a Zoning Board of Appeals consider the following four (4) criteria in determining whether to grant a Use Variance. The applicant must convince the Board that the applicable zoning regulations and restrictions have caused an unnecessary financial hardship. Please respond to each of the following criteria and attach credible financial information to support your responses.

A. Explain why the applicant cannot realize a reasonable and substantial return on the investment in the property within the zoning regulations and restrictions.

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B. Explain why the financial hardship relating to the property is unique, and does not apply to a substantial portion of the neighborhood or district.

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C. Explain why the proposed variance will not alter the essential character of the neighborhood.

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D. Explain why the financial hardship described in Item 5.A. above has not been self-created.

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6. Supporting Documents

The applicant must attach the following documentation.
A. A copy of the building permit application signed by the Zoning Officer.
B. A drawing or sketch of the subject property that shows:
   1. the property lines;
   2. the relevant structures on the property;
   3. any proposed structures or internal changes to existing structures;
   4. any watercourse or water body on or adjacent to the property.
C. Copy of the Tax Map that shows the subject property and adjacent properties.
D. Any letters of support from adjacent property owners and any other material that the applicant feels is relevant for the Board’s consideration.

Form Date 12/15/10
I declare that the contents of this application are true and correct to the best of my knowledge. I grant permission for the Torrey Town Board or its designees to inspect the subject property identified in this application.

Applicant Signature __________________________________ Date _________________

Property Owner Signature ________________________________ Date _________________
(Required if the Applicant is not the Property Owner)

State of New York                          Sworn to this _____ day of ______________, 20___
County of __________       Notary Public _______________________

Form Date 12/15/10