

F.A.Qs

1. **What is an area variance?** This type of variance is needed when a building application does not comply with the setback, height, lot, or area requirements allowed by the dimensional or physical requirements of the applicable zoning regulations.
2. **What is a use variance?** A variance that allows landowners to put their land to a use that is not permitted under the zoning law.
3. **What is required to apply for a variance?** a) CEO denial letter to a submitted building permit, b) a complete ZBA application, c) 3 copies of a current certified survey, d) 9 copies of a certified site development plan with existing and proposed impermeable, permeable and open space lot coverage calculations. This application must be received no later than ten days before the Zoning Board of Appeals meeting.
4. **When and where are the Zoning Board of Appeals meetings?** The meetings are usually held on the first Tuesday of each month at the Skaneateles Town Hall at 7 p.m., but may vary due to holidays or elections.

More F.A.Qs

5. **Will I receive notice of an upcoming application to the Board?** For all issues before the ZBA, property owners are personally notified if their property adjoins or is directly across the road/highway of the parcel in question. In addition, a legal notice is published in the official Town newspaper at least five days in advance.
6. **How can I let a Board know my thoughts?** You may communicate with the Board by speaking at the public hearings or you may write a letter to the Board.
7. **How can I get a copy of the zoning ordinances?** The zoning ordinance book may be purchased at the Skaneateles Town Hall or can be downloaded from our website at townofskaneateles.com.
8. **How long does the process take?** The normal process time is approximately 60-90 days.
9. For any further information please contact our office at 315-685-1384.

PLANNING AND ZONING DEPARTMENT

Zoning Board of Appeals Process



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TOWN OF SKANEATELES

What is the Zoning Board of Appeals?

The Zoning Board of Appeals (ZBA) interprets zoning regulations and issues or denies appeals for variances. Before an appeal can be made, the Codes Enforcement Officer (CEO) must deny a permit, make a decision on how to apply the zoning regulation, issue a citation for a violation or take another enforcement action. (If your proposal is already in front of the Planning Board then a denial is not required for a variance).

You can bring an appeal if you are a person who has been denied a permit, has been cited for a violation, a third party who stands to be harmed by the CEO decision or any officer, department, or board of the town.

What do I do next?

An appeal should be filed within sixty days after the CEO files a copy of his/her action and should be filed with a ZBA application. The completed application should include nine copies of a current survey (certified within five years of the date of the application) reflecting the current location of all buildings and surfaces; nine copies of a certified site development plan with existing and proposed impermeable, permeable and open space lot coverage calculations; copies of the application to the City of Syracuse Water Department (if in the Lake Watershed Overlay District) and any other approvals (Onondaga County Department of Health approved septic system, driveway permit, NYS DEC, Army Corps of Engineers). This application should be received no later than ten days before the Zoning Board of Appeals meeting.

Preliminary Meeting

The ZBA customarily hold meetings on the first Tuesday of every month. These meetings are held at the Town Hall and begin at 7 p.m. The monthly agenda of the ZBA is available at the Town Hall or on the Town's website approximately ten (10) days before the meeting.

The first meeting will be a preliminary hearing to present your appeal. You and/or your representative will explain to the ZBA what you would like to do and why a variance is being requested. Any representative of the owner must furnish to the ZBA a signed authorization from the record owner that the representative is an authorized agent of the owner. The Board members may ask questions regarding your proposal for clarification and accuracy of the materials. If the Board determines the proposal is complete and can move forward, then a public hearing date and time is assigned. The ZBA members will conduct a site visit sometime prior to the public hearing.

Public Hearing

Public hearings are opened according to the published schedule on the agenda. The Chair will read the notice of public hearing and then invite the applicant to begin their presentation. The Applicant and his/her representative must present the application and attend all Board deliberations.

The applicant has the burden of proof to support the application. The applicant is expected to address the appropriate criteria set forth in New York State Town Law. The ZBA may question the applicant and offer comments on the application.

The ZBA shall then offer the public an opportunity to comment on the application. Persons offering public comment shall pro-

vide their name and address for the record. Each speaker may comment or submit material.

All comments should be directed to the Chair. The ZBA, Town staff or applicant is not required to respond to any public comment. Additional public comment, verbal or written, will not be accepted after a public hearing is closed.

Decision

A decision on the application shall be available within sixty-two (62) days after the close of the public hearing. If the application requires a referral to the county planning agency, then the ZBA cannot take final action until the earlier of the following occurs: receipt of the report of the county planning agency or thirty (30) days have passed after the county's receipt of the full statement.

A motion/resolution of the ZBA will only pass if it gets the support of a majority (quorum) of the whole membership of the board. All Zoning Board of Appeals business, with the exception of an executive session, is open to the public. Decision for the ZBA will be filed with the Town Clerk within five (5) days from the date of the decision.

The ZBA may decline to hear applications deemed incomplete by the Town Codes Enforcement Officer

