

PLEASE TYPE OR PRINT (LEGIBLY)

For Office Use Only:	Application Number: V- _____ - _____
Tax map Section: _____ Block: _____ Lot: _____	Zoning District: _____

1. Address of subject property: \_\_\_\_\_

2. Year property was purchased by current owner: \_\_\_\_\_

3. Applicant/contact information:

a. Owner(s) (current titleholder):

Name(s): \_\_\_\_\_

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

Zip: \_\_\_\_\_ Daytime phone number: \_\_\_\_\_ home phone number: \_\_\_\_\_

E-mail (alternate contact for additional information request): \_\_\_\_\_

b. Contract purchaser(s) , Lessee , or Co-applicant  (if applicable)

**\*note: Copy of contract to purchase must be included with application if this contract purchaser or lessee applies.**

Name(s): \_\_\_\_\_

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

Zip: \_\_\_\_\_ Home phone number: \_\_\_\_\_ Day Phone: \_\_\_\_\_

E-mail (alternate contact for additional information request): \_\_\_\_\_

c. Representative: Attorney , Architect , Contractor , Other  \_\_\_\_\_  
**(Only if involved in this application)**

Name(s): \_\_\_\_\_

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

Zip: \_\_\_\_\_ Telephone number: \_\_\_\_\_

4. Current use of property: (i.e., 1 family, 2 family, grocery store, etc.): \_\_\_\_\_  
\_\_\_\_\_

Proposed use and occupancy of property: \_\_\_\_\_  
\_\_\_\_\_

Current number of onsite (off-street) parking spaces: \_\_\_\_\_

Proposed number of onsite (off-street) parking spaces: \_\_\_\_\_

Days and hours of operation (for any business uses):

Explain in detail what (if any) new additions or construction is proposed on the site:

**Reason for request:**

The courts have distinguished between use variances (for uses which are not permitted) and area variance (for excess lot coverage, additions into required yards, etc.). Be aware that *the standards of proof for a use variance are much more demanding* than for an area variance and that *the burden is on the applicant* to provide such proof in arguing their case. (See Standard of Proof requirements on required submittal page.)

Use additional sheets of paper to present proof if necessary.

The following affirmation must be signed and dated by the CURRENT PROPERTY OWNER or the owner’s LEGAL representative (attorney, power of attorney, partner in the business, etc.).

**DECLARATION**

I understand that false statements made herein are **punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York**. I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct.

I also understand that any false statements and/or attachments presented knowingly in connection with this application **will make consideration of this application null and void**.

**CURRENT PROPERTY OWNER SIGNATURE**

As listed on the City of Syracuse Tax Assessment Roll. If not listed as the owner on the current rolls, please include a proof of ownership, for example, a copy of the deed. Attorney’s signing on behalf of the owner must include a one page letter describing the legal representative arrangement. Architects, engineers, contractors, tenants, etc. cannot sign on behalf of the property owner. If property owner is a Corporation or an Organization, then the person signing must provide verification they are a member of such, and can sign on the owners’ behalf.

\_\_\_\_\_  
**CURRENT PROPERTY OWNER SIGNATURE** **DATE**

\_\_\_\_\_  
Please legibly PRINT SIGNATURE NAME and TITLE

SYRACUSE BOARD OF ZONING APPEALS  
CITY HALL COMMONS, ROOM 101  
201 EAST WASHINGTON STREET  
SYRACUSE, NY 13202  
(315) 448-8640

**Board of Zoning Appeals application Procedures**

Variance applications involve public hearings with the Board of Zoning Appeals. A variance application will not be considered complete on the applicant's part until all required submittals have been received and have been through a preliminary review by Zoning Office staff (and possibly other departments), including an evaluation of the application under the New York State Environmental Quality Review Act (SEQR).

Once an application has been determined to be ready for a public hearing with the Board of Zoning Appeals, it will be scheduled for the **next available** hearing date (allowing the necessary time from for the Board's authorization, newspaper publication, mailing schedules, etc.). A "Public Notice" regarding the hearing date will then be mailed to the applicant (and representative, if any), approximately ten (10) days prior to the hearing date.

The public notice is also published in the Syracuse Post Standard newspaper ten (10) days prior to the hearing date. Public notices are also sent to property owners contiguous to any property subject to a public hearing, and to other city departments and neighborhood organizations.

The application, and its contents, will then be open for inspection at the Syracuse Office of Zoning Administration during regular office hours.

Unless otherwise notified, all meetings at which public hearings are to be held will begin at 1:00 p.m. in the Common Council Chambers on the third floor of City Hall.

The applicant or his or her representative **must attend** the public hearing to explain the case request to the Board of Zoning Appeals. (The rules of the Board of Zoning Appeals **do not permit postponements** due to the absences of applicants or their representatives.) A variance decision is not final until a written resolution is adopted by the Board of Zoning Appeals and filed with the secretary to the Board. Depending upon the situation, the resolution may possibly not be adopted until a later meeting. A copy of the resolution will be mailed to the applicant.

Depending upon the type and complexity of the application, additional necessary reviews, and the hearing schedule, the entire variance application process from the submission of the application to the release of the resolution may take approximately two months.

***Please sign that you have read and understand the above information and return this page with the application.***

Signed:  Date:

This application may be mailed or delivered in person to the Syracuse Office of Zoning Administration, located in Room 101 at City Hall Commons, 201 East Washington Street, Syracuse, NY 13202-1426. If you wish to discuss the application with a member of our staff, please call ahead for an appointment (448-8640).

**NOTE:** After receipt of the application, it may be necessary to require additional information from the applicant. *An application must be complete before a public hearing can be scheduled.*

Items that are submitted with the application will not be returned so it is important that the applicant must make any copies of items they need prior to submitting the application. **Copies will not be made by staff to the Board of Zoning Appeals.**

**APPLICANT PLEASE NOTE:** Approval of your application by the Board of Zoning Appeals does not relieve you or your agent from compliance with any other regulatory or licensing provisions additionally required by other Federal, State, County, or City authorities. You are still required to pursue and obtain permits from the Division of Code Enforcement.

**USE VARIANCE**  
**REQUIRED SUBMITTAL SHEET FOR**  
**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

- DENIAL OF PERMIT** from DOCE, Permit Office – Room 101. (Required even if a Notice of Violation has been issued).
- SEQR (NYS ENVIRONMENTAL ASSESSMENT FORM)** – Must be completely filled out (side one only) and signed.
- STANDARDS OF PROOF (for a use variance)** If requesting a use variance, that is, permission to establish a use of property not otherwise permitted in the zoning district, the applicant must prove “unnecessary hardship.” To prove this, State law requires the applicant to show *all* of the following:
- a. that the property is incapable of earning a reasonable return on initial investment if used for *any* of the allowed uses in the district (**actual “dollars and cents” proof must be submitted**);
  - b. that the property is being affected by unique, or at least highly uncommon circumstances;
  - c. that the variance, if granted will not alter the essential character of the neighborhood; and
  - d. that the hardship is not self-created
- DETAILED LETTER EXPLAINING** the details of the proposal, for example: the hours of operation, number of employees on premise at one time, items to be sold, how many dwelling units, etc.
- NOTE:** If you are proposing to sell prepared food, it is important to list each item of food to be prepared and sold.
- PHOTOS** - Labeled photos of the subject property(ies).
- FEE of \$25.00** - MADE PAYABLE BY CHECK OR MONEY ORDER ONLY, to the COMMISSIONER OF FINANCE. **THIS FEE IS NON-REFUNDABLE.**
- Four (4) full sized and one (1) no larger than 11”x17” of **all** of the plans listed below:
- PROPERTY SURVEY** – Drawn by a licensed land surveyor.
  - SITE PLAN** – (Must be drawn to scale and labeled with dimensions). Must show all walkways, driveways, screening devices, signage and any new construction
  - FLOOR PLANS** (Must be drawn to scale and labeled with dimensions);
    - a. **Current** floor plans for all floors showing existing arrangement, and labeled with dimensions and current uses.
    - b. **Proposed** floor plans showing dimensions and proposed uses. (One copy submitted to DOCE, Room 101 at City Hall Commons) and one copy submitted with this application) If the use is a business all shelving, storage, restrooms, kitchen hardware (stoves, sinks, freezers etc.) must be shown.
  - ELEVATIONS** for all new construction or any changes to the existing structure (Must be drawn to scale and labeled with dimensions).

**AREA VARIANCE**  
**REQUIRED SUBMITTAL SHEET FOR**  
**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

- DENIAL OF PERMIT** form from DOCE, Permit Office - Room 101. (Required even if a Notice of Violation has been issued)
- STANDARDS OF PROOF (for Area Variance):** If requesting an area variance, that is, permission to build in an otherwise restricted portion of the property (such as in the required front, side, or rear yards, or above the required building height, or in excess of the lot coverage regulations), then State law requires the applicant to show that the benefit the applicant stands to receive from the variance will outweigh any burden to health, safety, and welfare that may be suffered by the community. State law requires the BZA to take the following factors into consideration in making its determination:
- a. whether the benefit sought by the applicant can be achieved by some method which will be feasible for the applicant to pursue but would not require a variance;
  - b. whether the requested area variance is substantial;
  - c. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
  - d. whether an alleged difficulty is self-created.
- DETAILED LETTER EXPLAINING** the details of the proposal, for example: the hours of operation, number of employees on premise at one time, items to be sold, how many dwelling units, etc.
- PHOTOS** Labeled photos of property(ies).
- All parts of the application form must be completed. Any blank sections will result in the application being returned and a delay in scheduling a public hearing.
- FEE of \$25.00** MADE PAYABLE BY CHECK OR MONEY ORDER ONLY, to the COMMISSIONER OF FINANCE. **THIS FEE IS NON-REFUNDABLE.**
- Four (4) full sized and one (1) no larger than 11"x17" of **all** of the plans listed below:
- PROPERTY SURVEY** – Drawn by a licensed land surveyor.
  - SITE PLAN** – (Must be drawn to scale and labeled with dimensions). Must show all walkways, driveways, screening devices, signage and any new construction
  - FLOOR PLANS FOR AREA VARIANCE** - No formal floor plans are necessary, but because the Board of Zoning Appeals looks at the property as a whole, it will be necessary to **provide a list of all rooms, by floor, in the structure.**
    - If the area variance is related to a new addition on the property, such as an extra room, porch, etc., **floor plans will be necessary (all rooms within the structure must be labeled with their use and dimensions).**
  - ELEVATIONS** for all new construction or any changes to the existing structure (Must be drawn to scale and labeled with dimensions).