

**Village of Corinth  
Zoning Board of Appeals  
244 Main Street  
Corinth, New York 12822  
654-2012**

**ZBA Chairman**

Patricia Raufman  
654-6526

**ZBA Secretary**

Lynn Summers

**ZBA Board**

Timothy Murphy  
James Murray

**Attorney**

Martin Auffredou  
792-2117 ext 436

Dear Applicant,

Welcome and thank you for your interest in the Village of Corinth. The Zoning Board of Appeals was established in 2004 by the Board of Trustees of the Village of Corinth to hear and decide, upon appeal from a decision or determination of the Code Enforcement Officer, interpretation of the Local Zoning Law and on variances to the Local Zoning Law in area or in use and signage. We are committed to encouraging proper growth and development within the Village of Corinth.

Attached is an application packet. Please complete this packet as fully as possible. A Plot Plan and SEQR application must be included. Bring the original and eight copies of the application to the Village Clerk at least six days prior to a scheduled Zoning Board of Appeals meeting. The zoning Board of Appeals meets on a monthly basis at 7:00PM at the Village Hall located at 244 Main Street, Corinth. Please check with the Village Clerk for any changes. The Board will consider your application at the next meeting following receipt of it. When your application is considered complete, you will be asked to submit the required non refundable fee of \$100.00 before a public hearing can be scheduled.

If you have questions or need assistance, please feel free to contact any of the members of the Zoning Board of Appeals, or attorney. Copies of the Village Code are located at the Village Hall and the Corinth Free Library. We look forward to working with you.

Sincerely,

The Village of Corinth Zoning Board of Appeals

Enclosures:

Zoning Variance Application  
Guidelines and Instructions for Application  
Short Environmental Assessment Form  
Notice to Adjacent Property Owners Form  
Affidavit by Applicant Form  
Sample Plot Plan

**APPLICATION TO THE ZONING BOARD OF APPEALS OF THE  
VILLAGE OF CORINTH**

To be completed by Zoning Officer:

Application for: _____ Use Variance	Case Number _____
_____ Area Variance	Submittal Date _____
_____ Sign Variance	Application Complete _____
_____ Interpretation	SEQR Determination _____

The applicant hereby appeals to the Zoning Board of Appeals of the Village of Corinth in Saratoga County, New York from the decision of the Zoning Inspector and denying application for a :

- ( ) Building Permit (attach copy)
- ( ) Certificate of Occupancy (attach copy)
- ( ) Sign Permit (attach copy)
- ( ) Other attach copy) \_\_\_\_\_

1. Applicant's Name \_\_\_\_\_ Telephone \_\_\_\_\_
2. Mailing Address \_\_\_\_\_
3. Address of subject property \_\_\_\_\_
4. Name of applicant's attorney (if applicable) \_\_\_\_\_
5. Attorney's address \_\_\_\_\_
6. County Tax Map: \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_
7. Name of owner of record \_\_\_\_\_
8. Applicant acquired subject property by deed (attach copy) from \_\_\_\_\_  
\_\_\_\_\_ or,
9. Applicant is lessee (attach copy of lease and a written statement signed by the owner and notarized permitting the applicant to act on the owner's behalf) of subject property from \_\_\_\_\_
10. Zoning district in which the property is located \_\_\_\_\_  
a. Is property located in the Adirondack Park? Yes \_\_\_\_\_ No \_\_\_\_\_
11. Current use of property \_\_\_\_\_
12. Length of time so used \_\_\_\_\_
13. The relief sought is \_\_\_\_\_

14. Are there any zoning violations on the property? Yes \_\_\_ No \_\_\_ If yes, please explain

---

---

---

---

---

15. Has this property been part of a previous Zoning Board action? Yes \_\_\_ No \_\_\_ If yes,  
Give date and explanation. Attach additional pages if necessary.

---

---

---

---

A. Area / Sign Variance reducing:

Front yard setback from \_\_\_\_\_ feet to \_\_\_\_\_ feet, sec. \_\_\_\_\_

Side yard setback from \_\_\_\_\_ feet to \_\_\_\_\_ feet, sec. \_\_\_\_\_

Rear yard setback from \_\_\_\_\_ feet to \_\_\_\_\_ feet, sec. \_\_\_\_\_

Lot area from \_\_\_\_\_ feet to \_\_\_\_\_ feet sec, \_\_\_\_\_

Other \_\_\_\_\_ feet to \_\_\_\_\_ feet, sec. \_\_\_\_\_

The following questions reflect the criteria for granting this type of variance. Please complete them, using additional sheets if needed.

For Area/Sign Variance, submit site photographs and a photo location sketch showing the location of the Variance request.

1. How would you benefit from the granting of this Variance?

---

---

---

---

2. What effect would the requested Variance have on the character of the neighborhood and nearby properties?

---

---

---

---

3. Could the benefit sought be achieved by some feasible method other than a Variance?

---

---

---

---

4. Is the Variance sought substantial relative to the Zoning Law?

---

---

---

---

5. What impact will the proposed Variance have on the physical or environmental Conditions in the neighborhood or district?

---

---

---

---

6. Is the requested Variance the minimum necessary to relieve the alleged practical difficulty?

---

---

---

---

Note: If property abuts a State or County road, the variance must be reviewed by the Saratoga County Planning Board.

B. **Use Variance** to allow subject premises to be used for \_\_\_\_\_  
\_\_\_\_\_ on the grounds that applicant cannot derive a

Reasonable return from any of the uses allowed in \_\_\_\_\_(zoning district).

The following questions reflect the criteria for granting this type of variance. Please complete them, using additional sheets if needed.

1. What competent financial evidence can you provide to demonstrate that the applicant cannot realize a reasonable return and that lack of return is substantial of the property is used for a permitted use?

---

---

---

2. How is the alleged hardship unique and not applicable to a substantial portion of the district or neighborhood?

---

---

---

3. Would the use variance, if granted, alter the essential character of the neighborhood?

---

---

---

4. Is the alleged hardship self-created?

---

---

---

5. Is the requested variance the minimum necessary to relieve the alleged hardship?

---

---

---

C. **Interpretation** of section \_\_\_\_\_ of the Zoning Ordinance of the Village of Corinth and/or Chapter 117 of the Village Code to allow \_\_\_\_\_

---

---

---

---

---

To the best of my knowledge, information and belief, the information presented in this Application, and any attachments to it, is true, correct and complete and no material facts have been omitted. I understand that a decision by the ZBA of any appeal or request for a variance **SHALL** expire if the applicant fails to obtain any necessary building permit or comply with the conditions of said authorized permit within one (1) year from the date of authorization.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

I hereby designate \_\_\_\_\_  
to represent me before the Zoning Board of Appeals of the Village of Corinth in all procedures relative to the above application.

\_\_\_\_\_  
Application's Signature

\_\_\_\_\_  
Date

**SECTION 138-30 C. 2**

As part of the Public Hearing process, the Applicant is to provide notice of the public hearing and data regarding the substance of the appeal to the owners of all property abutting that property held by the Applicant and all other owners within five hundred (500) feet, or such additional distances that the Board of Appeals may deem advisable, of the land involved in such appeal. Notice shall be provided by certified mail at least five (5) calendar days prior to the hearing, with compliance with this notification procedure certified to by a US Postal Service receipt. The names of owners notified shall be taken from the last completed tax roll of the Village.

List of Adjoining Property Owners

	<b>NAME</b>	<b>ADDRESS</b>
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**GUIDELINES**

**INSTRUCTIONS FOR APPLICATION FOR ZONING VARIANCES AND INTERPRETATIONS**

**GENERAL:**

1. Discuss the need for a Variance or interpretation with the Code Enforcement Officer. If a Variance or interpretation is required, obtain an application from the Code Enforcement Officer or Village Clerk. The Code Enforcement Officer will assist you in the completion of the application. (Please type or print clearly.)
2. **DEADLINE** – Applications must be received no later than three o'clock p.m. on the deadline date. Deadline dates for submissions are six days prior to the regularly scheduled ZBA meeting. Meetings are normally held on a monthly basis. Check with the Village Clerk for the date and time.
3. A plot plan drawn to a scale of no less than one (1) inch equals fifty (50) feet (see 138-30B. 4 of the Zoning Law) or other appropriate scale must be submitted with an application. The site plan shall show the size and placement of the lot, including Tax Map reference numbers, (Section, Block, Lot), surrounding land use, design and location of proposed buildings, driveways, parking areas, landscaping and screening, proposed drainage and utility systems, existing and proposed contours of the land, legend, scale, orientation arrow and any other information deemed necessary by the Zoning Board of Appeals.
4. Upon determination by the Zoning Board of Appeals, a public hearing date will be assigned. Applicants **must** then send notices of the hearing to each property owner within 500 feet of **all** exterior boundaries of the subject parcel. Notices **must** be sent certified mail **at least 5 days prior** to the public hearing. Return receipt requested is recommended. Bring proof of the mailing with you to the hearing. Included with this application is an Affidavit by Applicant as to Serving Notice to Adjacent Property Owners. This must be completed and signed by a Notary Public and returned to the Zoning Board of Appeals no later than the date of the public hearing. Applicants or their representative must attend the zoning meeting/hearing involving the Variance under consideration. It is suggested that the applicant solicit endorsements from neighbors that that may be affected by the Variance.
5. Applicants within the Adirondack Park are responsible for obtaining an APA jurisdiction review, if needed, before they proceed with their application before the Village.
6. **ADDITIONAL INFORMATION** – The Board may request such additional information as it considers necessary in order to evaluate your request thoroughly.

AREA/SIGN VARIANCES:

In making a determination, the Zoning Board of Appeals is instructed by statute to “take into consideration the benefits to the applicant if the Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community.” The following criteria will be considered in making the Board’s determination.

- A. 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;
- B. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- 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 the alleged difficulty was self-created, which consideration will be relevant to the decision of the Board of Appeals, but will not necessarily preclude the granting of the area variance.

USE VARIANCES:

In making its determination, the Zoning Board of Appeals must request that the applicant prove unnecessary hardship by demonstrating that for each and every Permitted use in the district:

- A. The applicant cannot realize a reasonable return, provided that lack of return is Substantial as demonstrated by competent financial evidence;
- B. 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;
- C. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- D. That the alleged hardship has not been self-created.

INTERPRETATIONS:

In making a request for interpretation of any provision of the zoning law, an applicant may ask for:

617.20  
SEAppendix C  
State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
For UNLISTED ACTIONS Only

**PART 1 – PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION:	
Municipality _____	County _____
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS:	
<input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED:	
Initially _____ acres                      Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONIN OR OTHER EXISTING LAND USE RESTRICTIONS?	
<input type="checkbox"/> Yes <input type="checkbox"/> No                      If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?	
<input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?	
<input type="checkbox"/> Yes <input type="checkbox"/> No                      If yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?	
<input type="checkbox"/> Yes <input type="checkbox"/> No                      If yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: _____ Date: _____	
Signature: _____	
<b>If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form Before proceeding with this assessment</b>	

**NOTICE PURSUANT TO SECTION 138-30 C. 2  
OF THE VILLAGE OF CORINTH ZONING ORDINANCE**

***TO ALL OWNERS OF PROPERTY WITHIN 500 FEET OF THE EXTERIOR  
LIMITS OF SUBJECT PROPERTY***

**APPLICATION NUMBER** \_\_\_\_\_ **Date** \_\_\_\_\_  
Applicant \_\_\_\_\_

LOCATION OF SUBJECT PROPERTY:

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

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Zoning District \_\_\_\_\_

**TO:**

Dear Property Owner:

Please be advised that I have applied for a Variance on the above named parcel and you are recorded as a property owner within 500 feet of said property.

A public hearing on the above matter has been set by the Village of Corinth Zoning Board of Appeals for the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ PM at the Corinth Village Hall, 244 Main St., Corinth, NY 12822, at which time interested persons may be heard.

**Type(s) of Application:** ( ) Area Variance ( ) Use Variance ( ) Sign ( ) Interpretation

Description of Requests(s): \_\_\_\_\_

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

Copies of the proposed variance have been filed with the Clerk of the Zoning Board of Appeals and may be reviewed by contacting Village of Corinth Zoning Board of Appeals Clerk, 244 Main St., Corinth, NY 12822. (518-654-2012).

Signed: \_\_\_\_\_

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

**VILLAGE OF CORINTH ZONING BOARD OF APPEALS  
CORINTH VILLAGE HALL  
244 MAIN STREET  
CORINTH, NY 12822**

*AFFIDAVIT BY APPLICANT AS TO SERVING NOTICE TO ADJACENT PROPERTY OWNERS*

APPLICATION NO. \_\_\_\_\_

In the Matter of Application for Approval.

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

State of New York  
County of Saratoga County

\_\_\_\_\_-being duly sworn, deposes and says:  
Name

I reside at \_\_\_\_\_

and on or before the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

I mailed by Certified Mail to each of the persons named, a written notice stating that this application would be heard at the Corinth Village Hall, 244 Main St., Corinth, NY 12822 on the \_\_\_\_\_ ay of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_ PM and that application relates to premises described above.

The notice was served on the persons by Certified Mail. A list of the names and addresses has been attached to this affidavit, along with a copy of the letter being sent out.

No person other than those served, as set forth in the preceding parts of this affidavit, is listed on the tax rolls as an owner of property within 500 feet of the premises affected by this application.

\_\_\_\_\_  
Applicant's Signature

Jurat

Sworn and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public