

# Town of Hague

## Instructions for Application for Zoning Board of Appeals Variance

Zoning Enforcement Office  
Town of Hague  
PO Box 509  
Hague, NY 12836  
(518) 543-6161

### General Information

An application for variance is required whenever the proposed project would be in non-compliance with respect to the requirements contained in § 160-20 to § 160-32 of The Hague Zone Code. These requirements pertain to lot size, yard dimensions and building size. These requirements are summarized in the attached table. A variance request will also be needed when the intended use is not one which may be approved by the Zoning Enforcement Officer or the Planning Board.

In determining whether to grant the requested variance, the Zoning Board of Appeals Board must address issues identified in this application. Therefore, the applicant is advised to provide the information requested (additional sheets may be used).

Applicants are encouraged to visit the Zoning Enforcement Officer to discuss the proposed project prior to submitting applications. This will permit the applicant to understand the specific information required and the procedures to be followed.

### Instructions

1. This application must be completely filled in by typewriter or ink and submitted to the above address with the appropriate fee (\$200.00). Checks should be made out to Town of Hague.
2. This application must be accompanied by a completed Land Use Permit Application (including fee) if one had not been previously submitted. An application for a Site Plan Review may also be required.
3. This application must be accompanied by:
  - a. Completed Application for Land Use Development Zoning Compliance Certificate (including fee)
  - b. Completion of the *Consideration for Variance Determinations* form. (This may be supplemented by additional narrative)
  - c. Seven additional copies of house plan and plot plans as required above. Reduced size (up to 11"x17") drawings will be accepted
4. Applications for use variances shall include such information as may be required by Section 160-70 B of the Zoning Code.
5. Following submission of this application, the Zoning Enforcement Officer will submit it to the Zoning Board of Appeals for review for completeness. A public hearing will normally be scheduled for the date of the following Zoning Board of Appeals meeting. In order to provide adequate review time, and inclusion on the agenda, Variance Applications must be received 10 days prior to the meeting.
6. Variances for wastewater proposals must be presented to the Local Board of Health (Town Board) for approval.
7. The final decision by the Zoning Board of Appeals will be forwarded to Adirondack Park Agency which will have 30 days to review decision.
8. Additional information is available in the Hague Zoning Code which can be accessed from the Town website, [www.townofhague.org](http://www.townofhague.org).

# Town of Hague

## Application for Land Zoning Board of Appeals Variance

As Requires by Code of the Town of Hague, Chapter 160 – Zoning

### Applicant Information

Tax Map # Sec. \_\_\_\_\_ Block \_\_\_\_ Lot \_\_\_\_\_ Zoning District: Hague \_\_\_\_\_ APA \_\_\_\_\_

Name of Applicant \_\_\_\_\_ Mailing Address \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Check whether applicant is: Owner \_\_\_\_\_ Agent \_\_\_\_\_ Architect/Engineer \_\_\_\_\_ Builder \_\_\_\_\_

Name and address of owner of different than above \_\_\_\_\_

Address of proposed work \_\_\_\_\_

Type of Variance Requested: Area \_\_\_\_\_ Use \_\_\_\_\_

Description of project and reason for variance requested:

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

Signature of applicant \_\_\_\_\_ Date \_\_\_\_\_ Signature of owner \_\_\_\_\_ Date \_\_\_\_\_

### To Be Completed by Zoning Enforcement Officer

Application # VAR- \_\_\_\_\_ - \_\_\_\_\_ Date Received \_\_\_/\_\_\_/\_\_\_ Required Fee (\$200.00) paid \_\_\_\_\_

Is Site Plan Review and approval also required? Yes \_\_\_\_\_ No \_\_\_\_\_

Action Taken: Accepted By Zoning Enforcement Officer \_\_\_\_\_ Date \_\_\_/\_\_\_/\_\_\_ Referred to ZBA \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_  
Hague Zoning Enforcement Officer

\_\_\_\_\_  
Date

Agency referrals (Date sent if applicable) WCPC \_\_\_\_\_ LGPC \_\_\_\_\_ APA \_\_\_\_\_

Section(s) of Code requiring variance \_\_\_\_\_

Action by Zoning Board of Appeals: Approved \_\_\_\_\_ Approved with conditions \_\_\_\_\_ Denied \_\_\_\_\_

Describe conditions or reason for denial \_\_\_\_\_

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

Final action by Zoning Board of Appeals is contained in minutes of the meeting dated \_\_\_/\_\_\_/\_\_\_

# Town of Hague

## Considerations for Variance Determinations:

Additional sheets may be included

### Complete information for either Area Variance or Use Variance (not both).

**Area Variances:** Benefit to the applicant must be weighed against the detriment to the health, safety and welfare of the neighborhood or community

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?

No. the abutting property has 2 sheds with rear setbacks of the property, so we believe it will be a good placement for the proposed garage.

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- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?

Yes, but other options would be a detriment to the neighbor's view of the lake.

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- c. Is the requested variance substantial?

No. but it would be better if the placement could come closer to the required setback.

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- d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No the proposed garage will not be visible from the road and will not be a detriment to the environment.

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- e. Is the alleged difficulty self-created?

Yes

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**Use Variance:** Applicable zoning regulations must have caused an unnecessary hardship to the applicant? Applicant must show that for permitted uses:

- a) Can the applicant realize a reasonable return without a variance (financial evidence is required)?

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- b) Is the alleged hardship unique and does it apply to a substantial portion of the neighborhood or district?

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- c) Will the requested use variance alter the essential character of the neighborhood?

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- d) Is the alleged hardship self created?

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