



## City of Elmira

Code Enforcement Department

Phone: (607) 737-5653

<http://www.cityofelmira.net>

101 W. Second St.

Elmira, NY 14901

Fax: (607) 733-5235

## Zoning Board of Appeals Application Instructions

1. a. For all Major Projects, the applicant **MUST** participate in one or more Pre-Application Conference(s) prior to an appearance before the Zoning Board of Appeals.

*110.76.1 "Major Project" shall mean a specific plan, design or planned undertaking determined by a representative of the City of Elmira Bureau of Inspection Services which requires Planning Commission or Zoning Board of Appeals action and approval including, but not limited to, new industrial, commercial or residential construction, subdivisions, or business expansion, as well as any project requiring a special permit or a variance. In addition, fencing and plantings in a Junkyard, as defined in section 452 of the Zoning Ordinance, shall be considered Major Projects.*
2. a. All applicants **MUST** attend the Zoning Board of Appeals meeting.  
b. The Zoning Board of Appeals meets on the **FIRST** Tuesday of the month at 6:00 pm in the Courtroom on the second floor at City Hall, 317 E. Church Street, Elmira, New York. For agendas and minutes, see <http://www.cityofelmira.net/boards>.
3. Applications for an Appeal, Variance or Special Permit **MUST** be received by the Clerk to the Board at the Code Enforcement Department no later than 12:00 noon, on the 20<sup>th</sup> of each month or the next business day if the 20<sup>th</sup> of the month falls on a Saturday, Sunday, or a Federal Holiday, prior to the Zoning Board of Appeals meeting date. Failure to meet the deadline will result in placement on the agenda for the following meeting. If you are submitting prints or attachments with your application, please provide **8 1/2 X 11 size only** and one (1) **full size** set for the Director of Code Enforcement.
4. Application must be complete with all necessary information, including, but not limited to:
  1. Name of Applicant with legal address and relationship to the property.
  2. Name and address of the property owner.
  3. Reason for request.
  4. Lot size square footage, length, width, frontage, and location of any existing structures.
  5. Name and address of Applicant's attorney (if applicable).
  6. Specific Zoning Ordinance sections in question.
  7. If application is for a special permit, the following **MUST** be included if applicable:
    - a. Survey
    - b. A plan showing:
      1. Building location, existing and proposed
      2. Parking areas (if any)
      3. Curb cuts, existing or proposed
      4. Landscaping
      5. Drainage
      6. Traffic access and circulation
      7. Open spaces
      8. Height an number of buildings
      9. Such other information required in the standards for each special permit use as set forth by ordinance

## City of Elmira Code Enforcement: CPC/ZBA Application

- c. Building elevations and floor plans
  - d. Site lighting proposed
  - e. Signage proposed
5. Environmental Assessment Form: one of the two below MUST be completed
  - a. Short Form (available on Page 5 and 6 of the application)
  - b. Long Form (available online a <http://www.dec.ny.gov/>)
6. When completing the application, please use **BLUE or BLACK INK**. Completed forms are to be submitted to the Clerk to the Board at the Code Enforcement Department.
7. Please be sure to fill in all necessary information on the ZBA Application. Failure to provide all the details of the proposed request could result in your application being tabled until the next regularly scheduled meeting date.
8. A \$75.00 application fee is required for all applications for the Zoning Board of Appeals. This fee covers the cost of the legal advertisement, which is placed by the City of Elmira.
9. The appellant or his/her authorized agent shall also post a sign on each frontage of the subject property giving notice that an application is pending before the Zoning Board of Appeals and the nature of that application, as well as the date, time and place at which the public hearing will take place. The sign shall be supplied to the applicant by the City Code Department for a fee of \$100.00. The fee shall be refunded upon return of the undamaged sign. Such sign shall be located at the center of the frontage of the subject property not more than 15 feet back from the property line. The sign shall be not less than two feet nor more than four feet above grade and it must be clearly visible from the street. On or before the date and time of the public hearing, the appellant or his/her agent shall certify, in writing, in a notarized affidavit to the board that he/she has erected the sign as described herein. At the discretion of the board, failure to erect the sign or submit the affidavit may result in adjournment of the hearing or denial of the application. Such sign shall be displayed for a period of not less than seven days immediately preceding the public hearing and shall be removed by the appellant or his/her agent within two days after the hearing has been held.
10. If a variance or special permit is requested, the appellant shall send notice of same to all property owners within two hundred feet (200') from the boundaries of the lot or lots under consideration. Such notice shall be by mail and shall state the time and day of the public hearing, the relief sought, the type of use contemplated, the appellant's name and the location of the property in question. Such notices shall be mailed so as to arrive at least five (5) days prior to the public hearing date. On or before the date and time of the public hearing, the appellant or his/her agent shall certify, in writing, in a notarized affidavit to the board that he/she has complied with the said mailing requirement as described herein. At the discretion of the board, failure to mail notices or submit the affidavit may result in adjournment of the hearing or denial of the application.
11. Mail or bring your completed application and the fee to:  
**City of Elmira Code Enforcement Department**  
**Clerk to the Elmira City Zoning Board of Appeals**  
**101 W. Second Street**  
**Elmira, NY 14901**