

Town of Lyons

43 Phelps St., Lyons, New York 14489

Phone (315) 946-6552

Fax (315) 946-0060

USE VARIANCE REVIEW PROCESS

Submit completed application

Pay two-hundred fifty dollar (\$250) **non-refundable** application fee

Submit letter of intent

To allow a use not allowed in zoning, an applicant must demonstrate to the Board of Appeals *unnecessary hardship*. Such demonstration includes all of the following, for each and every permitted use:

- ❖ that under the applicable zoning regulations, the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence
- ❖ that the hardship is unique, and does not apply to a substantial portion of the district or neighborhood, and
- ❖ that the variance will not alter the essential character of the neighborhood, and
- ❖ that the hardship is not self-created

Applicant shall adhere to all requirements set forth in 6 NYCRR Part 617 as they relate to the State Environmental Quality Review (SEQR)

If required by General Municipal Law Section 239-m, attend the Wayne County Planning Board meeting (see schedule)

Attend Village of Newark Planning Board meeting (see schedule)

Attend Village of Newark Zoning Board meeting (see schedule)