



## Zoning Interpretation Application

### City of Schenectady – Department of Development

Room 206, City Hall, 105 Jay Street, Schenectady, NY 12305

For further information, please contact the Zoning Officer at [518-382-5049](tel:518-382-5049)

#### Application Notes

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A Zoning Interpretation Application is used to appeal a decision made by an authorized administrative official based on the interpretation of the city's zoning ordinance. If an applicant believes that a section of the code was not correctly interpreted by the official, they may submit this document and the other required documents listed below to appeal the interpretation and related decision before the Board of Zoning Appeals.

The burden of proof for all applications is placed on the applicant, who should be prepared to describe the application in detail and show compliance with the zoning ordinance for review at the time of the public hearing.

Granting a Decision: The Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the administrative official charged with the enforcement of such ordinance or local law and to that end shall have all the powers of the administrative official from whose order, requirement, decision, interpretation or determination the appeal is taken.

#### **REQUIREMENTS FOR ALL APPLICATIONS**

A complete submittal consists of the following forms and materials. Except when otherwise specified, **9 copies** of each form and item should be collated into packets no larger than 8½" by 11". Additional information may be requested.

- Zoning Interpretation Application
- Owner Consent Form
- Photographs of Property (If Applicable)
- Application Filing Fee of \$50
- Decision of Administrative Official
- Denied Permit Application (If Applicable)
- Site Plan Drawings (If Applicable)



**Zoning Interpretation Application**  
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**Applicant Information** \_\_\_\_\_

Property Owner Name(s): \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Property Information** \_\_\_\_\_

Address: \_\_\_\_\_ Section, Block, Lot: \_\_\_\_\_  
Zoning District: \_\_\_\_\_

I, \_\_\_\_\_ hereby make an application to seek an Appeal to the administrative official's interpretation to the requirements of Section \_\_\_\_\_ of the City of Schenectady's Zoning Ordinance as herein requested. (Specifically describe the section of the ordinance for which an Appeal is requested. If the applicant seeks an Appeal to more than one section of the ordinance, please list each section separately and fully describe why you believe the decision made by the administrative official is incorrect. Please provide contested facts based upon competent, material, and substantial evidence. Failure to provide evidence to the specific requirements of the Ordinance will result in denial of the Appeal request.)

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PLEASE USE AN ATTACHMENT IF NECESSARY



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New York State law provides the Board of Zoning Appeals (BZA) with the power to hear and decide appeals from and review decisions of the administrative official responsible for the enforcement of the zoning regulations. The state statutes allow the (BZA) to reverse or affirm, wholly or partly, or to modify the decisions appealed to it. This application is to request an interpretation of the zoning ordinance regarding specific language and or to appeal a determination that was made by an administrative official based on the city’s zoning ordinance.

### Disclosure Affidavit \_\_\_\_\_

I maintain that the information provided above and or attached is true and accurate to the best of my knowledge:

Property owner or applicant name (print): \_\_\_\_\_ Date: \_\_\_\_\_

Property owner or applicant signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Office Use Only \_\_\_\_\_

Date Application Received: \_\_\_\_\_ Application#: \_\_\_\_\_

Internal Checklist:

- |  |  |
|--|--|
| <input type="checkbox"/> Zoning Interpretation Application       | <input type="checkbox"/> Decision of Administrative Official       |
| <input type="checkbox"/> Owner Consent Form                      | <input type="checkbox"/> Denied Permit Application (If Applicable) |
| <input type="checkbox"/> Photographs of Property (If Applicable) | <input type="checkbox"/> Site Plan Drawings (If Applicable)        |
| <input type="checkbox"/> Application Filing Fee of \$50          |  |