

APPLYING FOR A VARIANCE

Appeals to the Board of Adjustment are considered at a public hearing. All applications must include:

1. Application form, signed and dated, which are available at the Town of Fulton office or website.
2. A legal description of the property
3. A \$410 filing fee, payable at the time of submitting the application, made payable to the "Town of Fulton." The fee is non-refundable if the variance is denied.
4. A site sketch, drawn to scale if possible, indicating the location of all existing structures and the proposed construction.

Applicants should be prepared to answer the following questions:

- A. What hardship is created by the application of the Zoning Ordinance to this property? Is reasonable use of the property denied by zoning regulations? In other words, is there an alternative plan that would comply with the ordinance?
- B. Is there a unique physical characteristic of the property which prevents development in compliance with the Zoning Ordinance?
- C. Would granting the variance harm the public interest in any way? For example, would public safety be compromised? What aesthetic impact would the project have? Would the proposal interfere with projected shore lands? What other impacts would the project have on the public interest?

It is suggested (but not required) that the answers to the questions above be submitted in writing one week prior to the hearing.

A notice of the date and time of the hearing will be mailed to all property owners within 500' of the lot identified for the variance in the application.

The property owner or a representative shall be present at the public hearing to present their request to the Board and answer any questions that may arise. Should an appearance not be made the appeal will not be considered.