

3833 WEST MAIN STREET ROAD

BATAVIA, NEW YORK 14020

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**Use Variance**

**Criteria To Support Zoning Appeal :**

**Applicants Name** \_\_\_\_\_ **Project Address** \_\_\_\_\_

**Applicants for a Use Variance must demonstrate to the Town of Batavia Zoning Board of Appeals that the Zoning has caused unnecessary *hardship*, which is defined to require a showing :**

1) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. \_\_\_\_\_

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2) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood. \_\_\_\_\_

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3) The requested use variance, if granted, will not alter the essential character of the neighborhood. \_\_\_\_\_

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4) The alleged hardship has not been self created. \_\_\_\_\_

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\_\_\_\_\_

**Applicant Signature** \_\_\_\_\_

**Date** \_\_\_\_ / \_\_\_\_ / \_\_\_\_