



**CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT**

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City of Lackawanna Criteria for a Use Variance

(All applicants must answer questions below when a Use Variance is sought)

The Zoning Board of Appeals may not grant a Use without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- (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;
- (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (4) the alleged hardship has not been self-created.

In order to establish the above please complete the questions below (Please feel free to use additional pages, and pictures, if necessary):

Property Address: _____

1. Will an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance, and if not why not ?

2. Can the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance, and if not why not ?

3. Is the requested area variance is substantial when considered against adopted area zoning regulations ?

4. Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

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5. Is the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance?

Sign Above, Print Name Below