City of Lackawanna
Department of Development
2838 South Park Avenue – Room 113
Lackawanna, NY 14218
Tel: (716) 827-6421 Fax: (716) 827-1866

City of Lackawanna Zoning Board of Appeals Use Variance Application

Date _____

Criteria for a **Use** Variance

The Zoning Board of Appeals ("ZBA") may not grant a Use Variance 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. You may use additional pages and include pictures if necessary.

Property Address: _____

1.) What facts support that the applicant cannot realize a reasonable return?

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2.) Why should the ZBA determine 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.) Will the use variance, if granted, alter the essential character of the neighborhood?

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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 hardship self-created?

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_____

Printed Name _____

Signature _____