

TOWN OF CORTLANDVILLE
3577 TERRACE ROAD
CORTLAND, NY 13045

USE VARIANCE FINDINGS & DECISION

Applicant: John J. Rotunno Phone #: 585-370-6684

Address: 3189 Lansing S North Walworth Fee: \$10 per check.

Property Owner: John J. Rotunno

Appeals Concerns Property at the following address: Walden Pond Lane Cortland.

Tax Map Number: _____

Zoning District Classification: R1

Use for which Variance is requested: 20' Front + Rear set back and side set back of 15' To build a single family home -

Applicable Section of Zoning Code: _____

Signature: John J. Rotunno Date: 12-16-19.

TEST: No Use Variance will be granted without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. The following test must be met for each and every use allowed by zoning on the property, including uses allowed by special use permit.

1. Has the Applicant demonstrated that the Applicant cannot realize a reasonable return, and that the lack of return is substantial and has been demonstrated by competent financial evidence?
Yes No

Proof: cant sell lot if not buildable

2. Has the Applicant demonstrated that the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood?
Yes No

Proof: Do to the shape of lot we would need to build in set back to put a house on it

Use Variance Findings & Decision

3. Has the Applicant demonstrated that the requested use variance, if granted, will not alter the essential character of the neighborhood? Yes No

Proof: *Will fall within confines of other homes of
walked out.*

4. Has the Applicant demonstrated that the alleged hardship has not been self-created? Yes No

Proof: *yes and did not create lot.*

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after reviewing the above four proofs, finds:

That the applicant has failed to prove unnecessary hardship through the application of the four tests required by the state statutes.

That the applicant has proven unnecessary hardship through the application of the four tests required by the state statutes. In finding such hardship, the ZBA shall grant a variance to allow use of the property in the manner detailed below, which is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community:

(USE) _____



