

## **SECTION 6.0 – ZONING PERMITS**

### **6.1 Issuance**

A Zoning Permit is required to be obtained from the Zoning Officer as part of the requirements of this Chapter. Where the use involves the construction or structural improvement of any buildings or structures, a Building Permit shall also be obtained from the Building Inspector for the Town.

### **6.2 Requirements**

(1) Cases where Zoning Permit is required:

(A) Where any building or other structure is erected, moved or structurally altered so as to change its use or to expand its area in any manner, including, but not limited to, expansion resulting from adding a deck or similar projection on an existing building or structure.

(Amended by Ordinance 5399)

(B) Where any land use is altered.

(C) Where 50% or more of the fair market value of a structure is destroyed and it is being repaired or altered.

(2) Cases where Zoning Permit is not required:

(A) For internal improvements or alterations to an existing building which are entirely within the building and involve no change in land use, unless the internal improvement or alteration would create or increase the size of an attached garage.

(Amended by Ordinance 5399)

(B) For external improvements or alterations to an existing building which involve no change in land use or expansion into a previously open area.

(Amended by Ordinance 5399)

(C) For any maintenance repairs that do not involve a change to the structure.

(Amended by Ordinance 5399)

(3) The Zoning Permit Card issued as part of the approval shall be displayed at a prominent location which can be on the building site, the public road, or driveway.

### **6.3 Application for Zoning Permit**

An application for a Zoning Permit shall be made to the Zoning Officer upon forms provided by the Zoning Officer and shall include, for the purpose of proper enforcement of these regulations, an accurate, properly-dimensioned map (plot plan) of the property showing

(A) The boundaries of the property involved.

- (B) The location of the centerlines or right-of-way lines of any abutting roads, streets, or highways.
- (C) The location on the lot of any existing buildings, proposed new buildings, or proposed additions to existing buildings, including the measured distances between such buildings, and from the lot lines, and from the centerlines or road right-of-way lines of any abutting roads, streets, or highways to the nearest portion of each new building or addition.
- (D) The floodway, flood-fringe, or high-water line of any stream or lake on or adjoining the property.
- (E) The dimensions and the maximum height of all proposed buildings or additions.
- (F) If the proposed construction involves an attached garage, the area of the garage and the area of the residence's finished living space.
- (G) The location of any roof overhangs exceeding 36 inches.
- (H) For sites involving an on-site sewage disposal system, the Map shall include the location of the water system and sewage systems and their distances from the proposed construction.

(Amended by Ordinance 11199)

6.4 Zoning Permit Fee

The applicant, upon filing an application for a Zoning Permit with the Zoning Officer, shall pay a fee to the Zoning Officer in accordance with the following schedule:

- Zoning Permit Fee.....\$25.00  
or such other amount as shall hereafter be determined by resolution of the Town Board

In addition to the Zoning Permit Fee, the applicant shall also pay any Town building permit fees and any state inspection fees which are necessary in order to obtain any required building permit.

[Resolution 020705 resolved the following:

In the event an application for a Zoning Permit is made after the action requiring such a permit has already been taken, the fee shall be doubled from \$25 to \$50.

In the event an applicant requires that the issuance of a Zoning Permit be expedited, the fee shall be doubled from \$25 to \$50. For purposes of this resolution, an application shall be deemed to be expedited if not handled by the Zoning Officer in the order in which it was received, or if it is otherwise necessary

for the Zoning Officer to give attention to the permit application in a manner other than the normal course of handling such application.

Resolution 050707 increased the base fee for a Zoning Permit to \$50.]

#### 6.5 Expiration of Zoning Permit

In the event a Zoning Permit is issued allowing construction of a structure or the repair or alteration of a structure, the construction of any such structure or the repair or alteration shall be substantially commenced within six months after the date of the Zoning Permit and, if such construction, repair or alteration is not so commenced, the Zoning Permit shall be deemed to have expired. In the event a Zoning Permit is issued for alteration of a land use under this section, the alteration of use shall commence within six months after the date of issuance of the Zoning Permit and, if such alteration has not occurred within such time, the Zoning Permit shall be deemed to have expired. In the event of expiration, the applicant may apply for a new Permit, but must comply with any requirements resulting from changes in this Chapter which may have occurred after issuance of the original Zoning Permit.

(Created by Ordinance 100200)