

TOWN OF LANSING
Box 186, 29 Auburn Road
Lansing, New York 14882

Phone 607-533-7054
Fax 607-533-3507

TAX MAP # _____

Fee - \$50.00

DATE: _____

ZONING PERMIT APPLICATION

Applicant's Name: _____
Mailing Address: _____ City: _____ Zip: _____
Telephone#: (_____) _____
Property Owner: _____
Owner's Address: _____

Address of Project: _____
Type of Zoning Permit: _____

The undersigned applies for a Zoning permit as described, in accordance with all provisions of all Laws or Regulations of the Town of Lansing, New York, or others having jurisdiction, and affirms that all statements and information given above are correct to the best of his knowledge and belief, and hereby authorizes the Code Enforcement Officer of the Town Lansing, or his designee, to conduct on site inspections to ensure that the Zoning permit regulations are carried out in accordance with all applicable codes.

Owner's Signature: _____

(Office Use Only- Do Not Fill Out Below Dotted Line)

CONDITIONS & PERMITS

VERIFIED OR ISSUED

Town Zoning _____

Received Permit Fee of: \$ _____

Building Permit # _____

Zoning Permit () Approved () Denied

Reason: _____

Appeal Action: Variance () Granted
() Denied

Reason: _____

702.0 ZONING PERMITS

702.1 Application requirements. A written application shall be submitted, on forms provided therefor by the Building Department, signed by the applicant. The following requirements shall apply to all applications:

1. All applications shall require evidence that the applicant has legal authority to make an application with respect to the land and title that are the subject of such application.
2. The applicant shall provide building plans for any structures and mappings of the proposed locations and improvements relating to the proposed use. All building plans shall meet the requirements of the New York State Uniform Fire Prevention and Building Code and applicable codes of the Town of Lansing.
3. The application shall at a minimum: (i) state the applicant's name and address; (ii) identify the lot and tax map parcel numbers affected by the application; (iii) identify the location and size of all existing structures on the lot(s), including primary use buildings, accessory buildings and structures, driveways, parking areas, and existing or proposed easements; (iv) identify the proposed point of access or entry to any structure or improvements; and (v) identify the distance from the building or improvement area lines to all lot lines, road right-of-way lines, waterfront lines, stream edges, and any other features of the lot or parcel. When establishing measurements to meet the required setbacks and yard sizes, the measurements shall be taken from the lot line, road right-of-way line, or nearest mean high water line to the furthestmost protruding part of the use or structure.
4. Two copies of a layout or plan showing the actual dimensions of any improvement and a description of the proposed use sufficient to determine compliance with the requirements of this Ordinance shall be supplied. The layout or plans required by this subdivision 4, and the immediately preceding subdivision 3, may be informal, but should be reasonably to scale so as to allow verification of dimensional and other requirements.
5. Payment of a Zoning Permit application fee as set from time-to-time by the Town Board, or in the absence of a fee schedule for Zoning Permits or any resolution setting such amount, \$50.00.

702.2 One copy of such layout or plot plan shall be returned to the applicant when the application is approved by the Code Enforcement Officer (or other official charged with the review and issuance of Zoning Permits), together with a signed copy of any issued Zoning Permit.

702.3 A Zoning Permit will be valid for one year from the date of issuance, will expire at the expiration of one year if construction has not commenced, and will further expire two years from the date of issuance if the project is not substantially completed at that time. Once expired, the use or structure may only be allowed by recommencing the Zoning Permit process outlined in this Ordinance.

702.4 A Zoning Permit shall be prominently displayed so as to be visible from the outside of any applicable building, structure, or improvement altered, constructed, or emplaced, until such time as a certificate of compliance has been issued or the Code Enforcement Officer closes the permit.

702.5 Zoning Permits may only be issued for specific purposes outlined in Schedule I, and upon verification of compliance by the applicant with the requirements of each Zoning Permit standards outlined below.

702.6 General Rules and Requirements.

1. No Zoning Permit may be issued or approved where the Town Board, the Planning Board, or the Board of Zoning Appeals has previously issued or denied a ruling, permit, appeal, or approval concerning the emplacement or allowance of any structure or use to which a Zoning Permit may apply. Similarly, a Zoning Permit may not be issued in relation to any modification of a site plan, a special permit, a subdivision, a PDA, or other prior or current similar review.

2. No Zoning Permit may be issued unless the application meets all general standards and the specific standards listed for each proposed use or structure to which Zoning Permits apply (see below), the applicant verifies future compliance in writing with all applicable standards, and the Code Officer or other official empowered under this Ordinance to issue Zoning Permits finds and determines that all requirements and standards have been met for the application under review.

702.7 General Standards. All Zoning Permit applications and approvals shall demonstrate compliance with all yardage and setback requirements applicable to the zone in which the proposed use or structure is to be located. Likewise, all dimensional requirements, parking requirements, and access requirements shall also apply to all Zoning Permit applications and Zoning Permits.

702.8 Specific Standards - Roadside Stands.

Roadside Stands are permitted by Zoning Permit where:

1. They do not exceed 750 S.F.; and
2. Where located substantially adjacent to a public highway and sited upon land owned by the applicant or upon which applicant has a right to operate; and
3. Such stand or structure is temporary and not permanently affixed to the ground, or if so affixed, a removal and restoration plan has been submitted to remove the stand or structure seasonally or when the use is discontinued.

702.9 Specific Standards - Mother-In-Law / Accessory Apartment.

Mother-in-Law and Accessory Apartments are permitted by Zoning Permit where the following standards are each and all met:

- a. Maximum size of 750 S.F.;
- b. The accessory apartment shall be limited to two bedrooms, but only one bedroom if within a residential structure;
- c. The house or residence must be owner occupied if the apartment is located within a residential structure;
- d. The appearance of a single family home must be maintained if within a residential structure; otherwise the existing appearance and character of a building may not significantly change if not within a residential structure;
- e. Health Department approval must be obtained if required;
- f. Adequate off street parking shall be provided;
- g. The conversion shall meet or exceed all Building Codes, including required fire separations; and
- h. Barrier free design for persons with handicaps or limited mobility shall be considered where feasible or required.

702.10 Specific Standards - Storage Units / Containers.

Storage Units / Containers are permitted by Zoning Permit where the following standards are each and all met:

- a. There shall be no more than one storage unit as a matter of right per lot, except in the RA zone;
- b. Storage units may not be placed in any front yard and must be appropriately screened to a height of 6 feet by either an evergreen hedge, earthen berm, or fence made of materials in a way to block view;
- c. Each unit must be maintained in a neat and orderly fashion with screening intact and well maintained;
- d. If within an R3 zone, the unit or container must be installed and maintained in such a fashion as to appear similar to a traditional shed; and
- e. If in a RA zone, more than one unit is allowed but; (i) if located within 100' of an occupied residence or highway, adequate screening shall be provided per subdivision b, above, or the unit shall be made to appear akin to a traditional shed per subdivision d, above; and (ii) such units may not be stacked atop each other.

702.11 Specific Standards - Keeping of Chickens.

The keeping of Chickens is permitted by Zoning Permit where the following standards are each and all met:

- a. No person shall have, own, permit or otherwise possess a rooster;

- b. Keeping of chickens shall be considered an accessory use and is permitted only as incidental to lots on which the principal use is residential;
- c. The number of chickens on any lot shall not exceed five (5) unless a variance is granted by the Zoning Board of Appeals;
- d. All chickens shall be provided with a covered, predator-proof coop, pen, cage or other shelter that is thoroughly ventilated, designed to be easily accessed and cleaned, and sufficient size to permit free movement of the chickens, exclusive of areas used for storage of materials or vehicles. Chickens shall not be allowed to roam the premise outside of such shelters;
- e. Any coop, pen, fence or other shelter used for keeping of chickens shall be located in such a manner as to observe the applicable required yard setbacks for the zone in which it is located and shall be prohibited in a front yard; and f. The coop, pen, cage or other shelter must be placed on a location on the lot so as not to harm adjoining properties or environmentally sensitive areas.

702.12 Specific Standards - Keeping or Raising of Horses or Ponies.

The keeping or raising of horses or ponies is permitted by Zoning Permit where the following standards are each and all met:

- a. At least two acres of fenced pasture is provided for each horse, one acre of fenced pasture is provided for each pony, and one-half acre of fenced pasture for each miniature pony; and
- b. The requirements of subdivision a, immediately above, are cumulative such that the keeping of one horse, one pony, and one miniature pony shall require 3.50 acres of fenced pasturage (2 acres + 1 acre + .50 acres, respectively).

702.13 Issuance of Zoning Permits.

1. The review and issuance of Zoning Permits shall be considered a ministerial action; if an applicant through its application demonstrates compliance with the requirements of this Ordinance a Zoning Permit shall be issued.
2. The Code Enforcement Officer (or other authorized official) shall take action to approve or disapprove the application within 15 days of the receipt of a completed application, including the payment of all application fees. If an application is submitted that is incomplete or in error, the Code Enforcement Officer (or other authorized official) will advise the applicant as to such fact(s) within 15 days of the receipt of the application. Notwithstanding the foregoing, the failure of the Code Enforcement Officer (or other authorized official) to issue any notice or determination within the time herein required, or as otherwise required by law, shall not result in any presumption of approval, completeness, or of any right to obtain a permit (or a denial thereof), whether in relation to any application, submission, or any related communications or materials.
3. All standards and requirements of proof expressly or impliedly stated herein as applicable to Zoning Permits shall be strictly but reasonably construed and applied. Any determination made upon any application, whether to issue a Zoning Permit, deny such permit or application, approve the same with required modifications, etc., shall be appealable to the Board of Zoning Appeals per the provisions of §§ 267-a and 267-b and related provisions of Town Law.