

PETITION FOR CHANGE OF ZONE

INSTRUCTIONS TO PETITIONER

1. Submit original and three (3) copies of the Petition to:

Commissioner of Planning and Development
Town of Clay
4401 Route 31
Clay, New York 13041

2. The application must be signed by the owner of the property, or attach a letter signed by the owner/owners stating that they *agree to and join in* the zone change application, and indicate the address and tax map number.
3. Complete and attach a Disclosure Affidavit to each copy of the Petition.
4. Complete and attach an environmental assessment form.
5. Attach a plot plan of the subject premises, prepared by a licensed land surveyor to each copy of the petition.
6. Upon request of the Commissioner of Planning and Development, submit additional maps or surveys sufficient to delineate the boundaries and location of the subject premises on the Town Zoning Map.
7. The \$250.00 administrative fee must be received by the Commissioner of Planning and Development before the Petition will be accepted for processing.
8. The Petitioner's failure to adequately complete this application or to provide requested data will result in delays in processing the request for change of zone.
9. Provide seven (7) copies of the plot plan for Board Members the night of the Public Hearing.
10. An electronic copy (pdf) of the final plan (disk or email) must be submitted.

(REMOVE THESE INSTRUCTIONS BEFORE SUBMITTING PETITION)

NOTE: ALL SURVEYS, MAPS, ETC., THAT ARE SUBMITTED MUST BE FOLDED TO 8 1/2" X 14" MAXIMUM (except any copies provided the night of the public hearing).

4/08

Routing (1) Commissioner of Planning & Development

Tax Map # _____ - _____ - _____

- (2) Town Clerk (3) Planning Board Attorney
- (4) Town Board Attorney (5) City County Planning Agency

TOWN OF CLAY

PETITION FOR CHANGE OF ZONE

Case No. _____

Petitioner: _____

Address: _____

Telephone: _____

Attorney: _____

Address: _____

Telephone: _____

Property Address: _____

Present Zoning: _____

Requested Zoning: _____

ACTION ON PETITION

- 1. Date Petition and Fee received by Commissioner: _____ 20____
- 2. Planning Board Action: (a) Date of Filing _____ 20____
- (b) Date of Hearing _____ 20____
- (c) Date of Recommendation _____ 20____
- 3. Date Petition referred to County Planning _____ 20____
- 4. Date recommendation received from County Planning _____ 20____
- 5. Date of Public Hearing before the Town Board _____ 20____
- 6. Date of Town Board decision on Petition _____ 20____
- Application granted () denied ()
- 7. Date of notification to Petitioner _____ 20____

Commissioner

TO THE TOWN BOARD OF THE TOWN OF CLAY:

The Petition of _____, residing at _____

respectfully states:

1. The Petitioner is the (owner) (purchase under contract) of certain property located at _____ in the Town of Clay. (List the street address of the subject premises.)
2. The name(s) and address(es) of the owner(s) of record of the subject premises (is) (are):

3. The full legal description of the subject premises is as follows:

The deed to said property is recorded in Onondaga County Clerk's office in Book _____ of Deeds at Page _____ and was purchased from _____ on _____ 20____.

4. The name of the school district in which the subject premises is located is: _____.

5. Upon information and belief, the names and addresses of all adjoining owners together with the current zoning classification of each adjoining parcel are as follows:

NAME ADDRESS ZONE

NORTH:

SOUTH:

EAST:

WEST:

6. The Petitioner requests that the Zoning Ordinance of the Town of Clay, be amended, and the Zoning Map of the Town of Clay be to reclassify and change the zone of the subject premises from _____ District to _____ District.

7. The Petitioner hereby declares, for the purpose of reliance thereon by the Town of Clay, that the full particulars of the Petitioner's proposed use of the subject premises for the next five (5) years, if this change of zone is granted, are as follows: (Preliminary plat or site plan will be required upon request by the Planning Board.)

8. The proposed change of zone will not be materially detrimental to the public welfare nor to other property in the neighborhood because:

9. There are no nonconforming uses or structures on the subject premises and have been none during the last six (6) months preceding this Petition, except as follows: (Specify exact date when nonconforming use or structure was commenced.)

10. The subject premises (are) (are not) located within 500 feet of the town line of the Town of Clay.

11. The subject premises (are) (are not) located within 500 feet of the boundary of the Village of North Syracuse.

12. The subject premises (are) (are not) located within 500 feet of any existing or proposed County or State park or other recreation area.

13. The subject premises (are) (are not) located within 500 feet of any right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway.

14. The subject premises (are) (are not) located within 500 feet of any existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel rights.

15. The subject premises (are) (are not) located within 500 feet from the existing or proposed boundary of any County or State owned land on which a public building or institution is situated.

16. The proposed zone change (does) (does not) affect property within the protectively zoned area of a housing project authorized under the public Housing Law.

17. The Petitioner hereby consents to Board action reverting the subject premises to its original zoning classification if the Town Board subsequently determines that any statement contained in this Petition or any statement made by the Petitioner at the public hearing called to consider the said Petition is materially false and was not made in good faith, the Petitioner further consents to Board action reverting the subject premises to its original zoning classification in the event that the Petitioner fails to abide by any conditions or restrictions contained herein or imposed hereafter by the Town Board.

Petitioner further waives any or all rights otherwise afforded to him under provisions of The Zoning Ordinance of the Town of Clay upon the granting of the change of zone requested herein.

Dated: _____ 20____

Individual signature

Corporate Name

By_____

Title

Personal Verification

State of New York)
County of Onondaga) ss:

(I) (We) _____
being duly sworn, depose and say that (I) (we) (am) (are) owner(s) of the property involved in this Petition, that (I) (we) (am) (are) the Petitioner(s) herein; that: (I) (we) have read the foregoing Petition and know the contents thereof; and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the knowledge of the deponent(s), except as to those matters herein stated to be alleged on information and belief, and that as to those matters deponent(s) it to be true.

(Signed)_____

(Signed)_____

Subscribed and sworn to before me
this _____ day of _____ 20____.

Notary Public

Corporate Verification

State of New York)
County of Onondaga) ss:

_____, being duly sworn, deposes and says that (s)he is the _____ of _____ the corporation named in the within entitled Petition, and that (s)he has read the foregoing Petition and knows the contents thereof, and that the same is true to (his) (her) own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters (s)he believes it to be true.

By_____

(Office)_____

Subscribed and sworn to before me
this _____ day of _____ 20____.

Notary Public

NOTE: It is desirable to obtain the signatures of owners of adjacent property certifying that they have no objection to the reclassification of the zone as applied for in this Petition.

WE, the undersigned owners of the property adjacent to the property legally described in the PETITION FOR CHANGE OF ZONE, hereby certify that we do not object to the granting of this Petition.

Signature

Address

Lot

Block

Tract

DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:
 OF)

1. _____, being duly sworn, deposes and says that (s)he is:

(applicant, petitioner, corporation officer, property owner, etc.)

2. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - a) is the applicant, or
 - b) is an officer, director, partner or employee of the applicant, or
 - c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - d) is a party to an agreement with such an applicant, express or implied, whereby (s)he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
3. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.
3. That no Town of Clay officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

-OR-

If a Town of Clay officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.

 (Individual Signature) Date: _____, 20____.

 (Corporate Name)

 By (Officer)

 (Mailing address of applicant)

 (Telephone Number)

 (Facsimile Number)

(Individual Acknowledgement)

STATE OF NEW YORK)
 COUNTY OF ONONDAGA) ss.:

On this _____ day of _____, 20____, before me personally came and appeared _____, to me known and known to me to be the person described in and who executed the foregoing application for Site Plan Review and Approval, and he duly acknowledged to me that he executed the same.

 Notary Public

(Corporate Acknowledgement)

STATE OF NEW YORK)
 COUNTY OF ONONDAGA) ss.:

On this _____ day of _____, 20____, before me personally came and appeared _____, to me known, who being by me duly sworn did depose and say that he resides at _____, that (s)he is the _____ of _____, the corporation described in and which executed the foregoing application for Site Plan Review and Approval; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation and that he signed his name thereto by like order.

 Notary Public