
Petitioner:

Name: _____

Address: _____

Phone /E-mail: _____

Tax Key No. of subject parcel: _____

Address of parcel for which exception is requested (if different than above):

Petitioner is the owner of the property indicated above and hereby petitions the Town Board for an exception to Chapter 9.14 in accordance with Section 9.14 (9) of the Town Code. Petitioner shall supply the Town with the following information, and any other information requested after review by the Town Engineer:

- Completed petition form (use additional or separate sheets if necessary)
- Survey showing exact dimensional information related to the request
- Plans for the improvement
- Any other pertinent information that will assist in defining the reasons for the request (topographic map, aerial photo, support letters, location of adjacent properties, etc.)

Section(s) from which you are requesting an exception from: _____

Description of the proposed Improvement:

In making a decision on whether to grant the exception, the Town Board must find that certain facts and conditions exist and are directly related to the proposed improvement. For each of the three categories indicated below, please provide reasons that the criteria are met for your specific request.

1. Exceptional Circumstances. Section 9.14(9)(a) of the ordinance requires that an exception cannot be granted unless there are exceptional circumstances, which the ordinance describes this way:

“(a) Exceptional Circumstances. There are exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Section 9.14 would result in a severe burden. Such circumstances should not apply generally to other properties or be of such a recurrent nature as to suggest that Section 9.14 should be changed.”

2. Preservation of Property Rights. Section 9.14(9)(b) of the ordinance requires that an exception cannot be granted unless there is a need to preserve property rights, which the ordinance describes this way:

“(b) Preservation of Property Rights. That such exception or modification is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.”

3. Absence of Detriment. Section 9.14(9)(c) of the ordinance requires that an exception cannot be granted unless there is an absence of detriment, which the ordinance describes this way:

“(c) Absence of Detriment. That the exception or modification will not create substantial detriment to adjacent property, the desirable general development of the Town and its environs, and will not materially impair or be contrary to the purpose and spirit of this Section 9.14.”

Note: If granted, the Exception or Modification shall apply ONLY to the particular construction that is the subject of the building permit application that is currently pending on and on file with the Town Building Inspector; and any such Exception or Modification shall expire if construction is not commenced within 1 year of the date of this action.