



## Historic Town of Hyde Park

4383 Albany Post Road  
Hyde Park, NY 12538

### Zoning Board of Appeals

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*“Working with you for a better Hyde Park”*

## **HOW TO APPLY TO ZONING BOARD OF APPEALS** **and other helpful information**

1. Download the application forms at [www.hydeparkny.us/190/Forms-Documents](http://www.hydeparkny.us/190/Forms-Documents) or pick up copies from Zoning office. Applicant must complete all forms – application itself as well as Environmental Assessment Form.

Variance applications must include the zoning citations for which the applicant desires relief (i.e.: Section 108-5.15). If you are unsure of the section of code, please contact the ZBA Secretary at [zbasec@hydeparkny.us](mailto:zbasec@hydeparkny.us)

2. **Submit one (1) original and six (6) copies of the application package to the Zoning Administrator.** This includes: all application forms, short/long Environmental Assessment Form, maps, other sketches, photos, and any other pertinent information. Check ALL documents for accuracy & completeness; incomplete applications will delay the processing.

**Send digital files of all relevant maps, other sketches, photos and graphic renderings to [zbasec@hydeparkny.us](mailto:zbasec@hydeparkny.us)**

3. Submit applications **NO LATER THAN FIFTEEN (15) CALENDAR DAYS** preceding the monthly meeting, in order to be placed on that agenda.
4. Along with application, submit the non-refundable application fee as follows:

Right of Appeal	\$150
Interpretations	\$250
Use Variance	\$600
Change of Application	\$100
Area Variance:	
Residential, one-family dwelling	\$300
All other residential use	\$400
Non-residential	\$500

Checks can be made payable to Town of Hyde Park. No cash or credit cards.

5. If required, submit an escrow payment with initial application. Please see Hyde Park Fee Schedule for list of escrow requirements. Area variances for one-family residential uses are exempt from escrow requirements.
6. The Zoning Board of Appeals meets regularly on the fourth Wednesday of each month (except for November & December due to holidays – check with ZBA Secretary regarding meeting dates during these months).

## **ZONING BOARD PROCESS**

### **Use Variances / Area Variances**

1. Ten (10) days before the scheduled meeting, the Zoning Office will send to all applicants an email/ physical letter to inform them of their place on the agenda. **All applicants should attend any and all meetings for which they are on the agenda.**

Single-family residential area variances can go directly to public hearing. All other types of applications must be on the agenda for a NEW APPLICATION PRESENTATION before going to public hearing.

2. All applications must undergo a **public hearing**, where neighbors and/or the general public will have the opportunity to speak for or against the application. Additionally, the Board members will have questions and concerns that only the applicant can address.

**During a new application presentation and/or public hearing, Area Variance applicants should be prepared to explain the reason for their request and to respond to the following five tests regarding their project:**

- i. The requested variance will / will not produce an undesirable change in the character of the neighborhood, or be a detriment to nearby properties;
- ii. The variance is / is not necessary, and the same result can / cannot be achieved another way;
- iii. The variance is / is not substantial;
- iv. The variance will / will not adversely affect the environmental conditions of the neighborhood; and
- v. The difficulties are / are not self-created.

Use Variance applications have different tests.

3. After the public hearing, the Board will draft a Resolution to grant or deny the application. Once voted upon and filed, the Zoning Office will send this resolution to the applicant. If the applicant is waiting for this variance to seek a CO, building permit, or to continue business with the Planning Board, they may do so now.

For questions not covered above, please contact ZBA Secretary  
Sarina Teuschler via email [zbasec@hydeparkny.us](mailto:zbasec@hydeparkny.us)