



**Division of Local
Government Services**

Site Plans and Variances – Case Studies

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Site Plan Defined

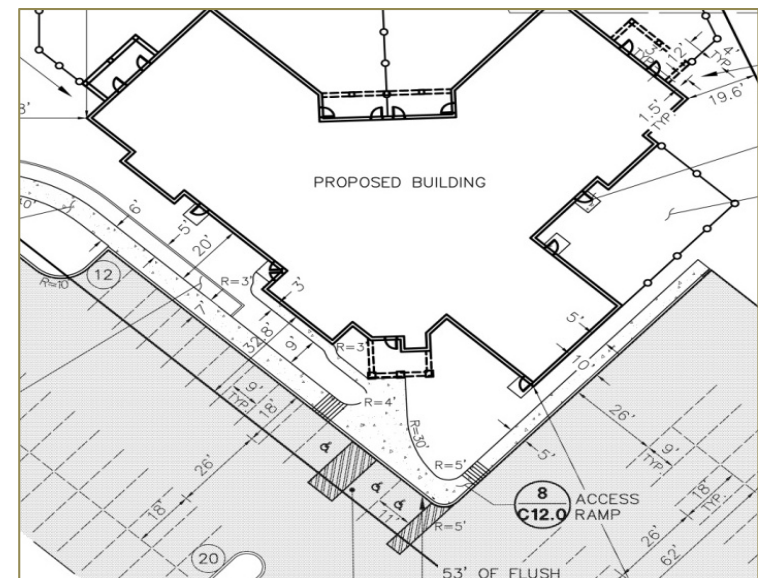
Rendering, drawing, or sketch prepared to specifications, containing necessary elements (listed in zoning ordinance or local law), **which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on plan**

General City Law §27-a

Town Law §274-a

Village Law §7-725-a

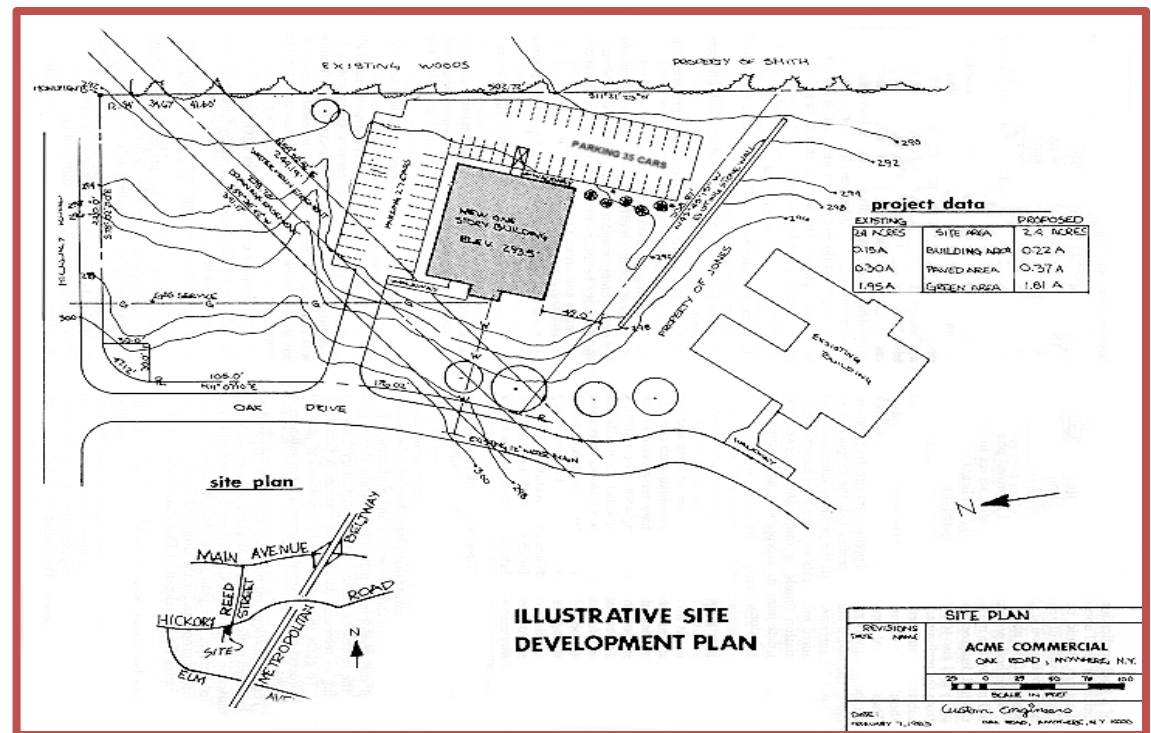
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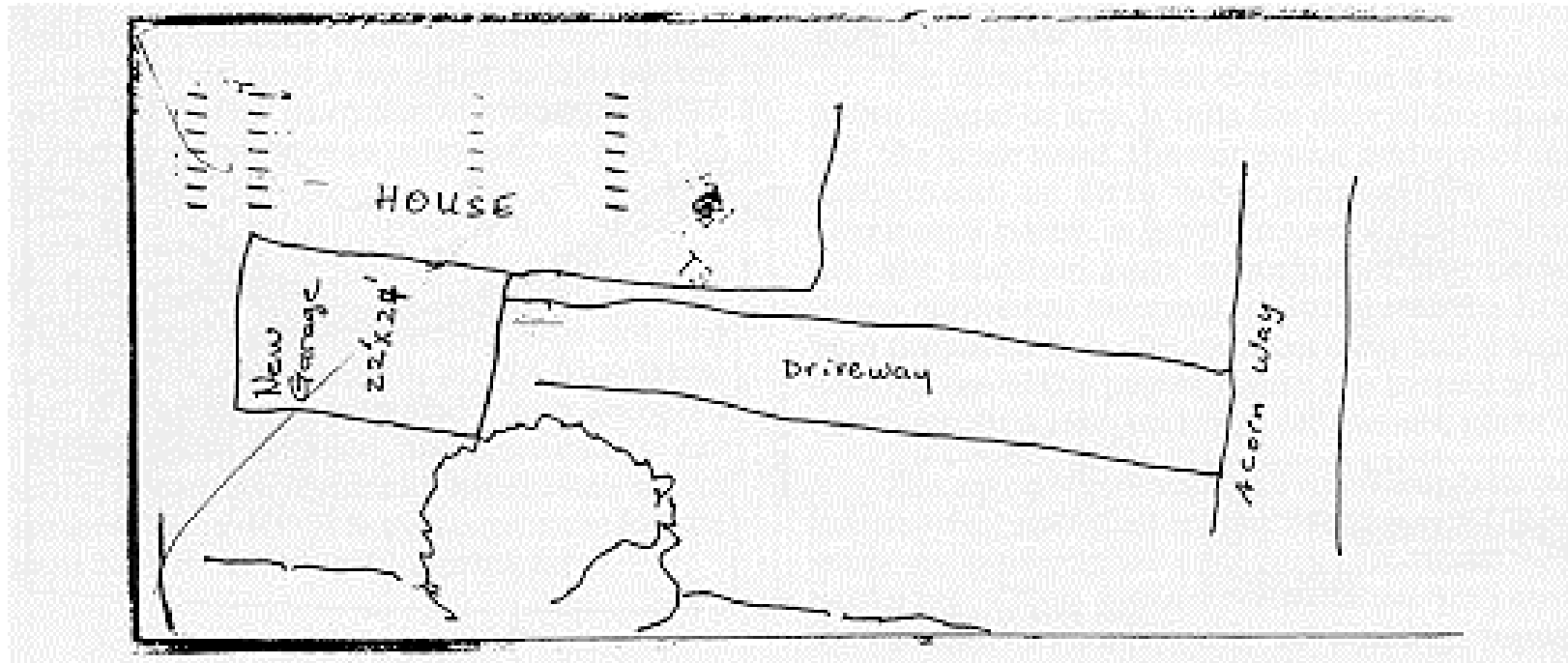
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Site Plan Layout & Materials

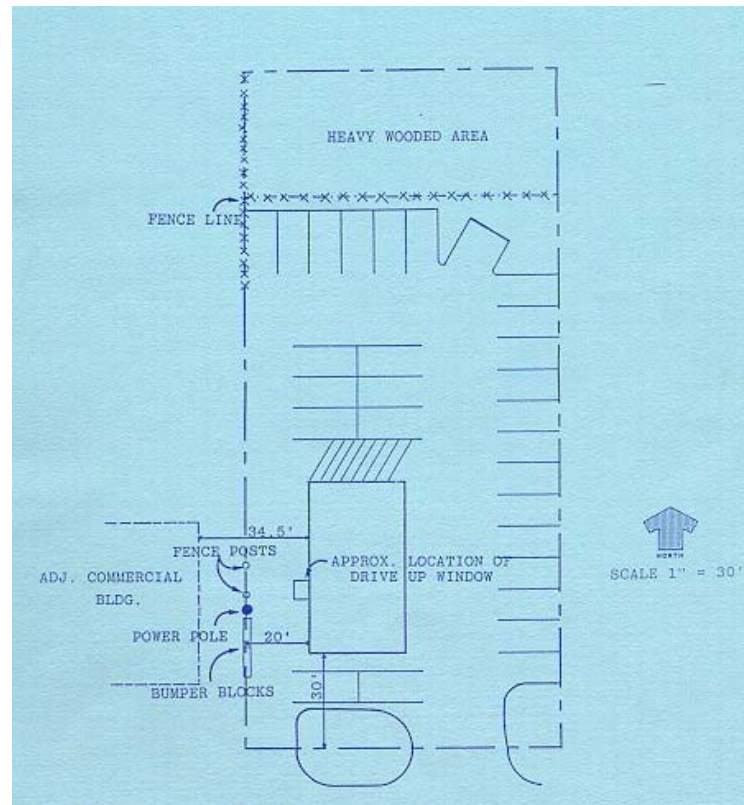
- ☐ Survey map
- ☐ Location map
- ☐ Scale
 - Physical features
- Existing & proposed:
 - ☐ Buildings
 - ☐ Roads & site access
 - ☐ Parking & loading
 - ☐ Water & sewer
 - ☐ Stormwater
 - ☐ Other utilities



What A Site Plan Can look Like



What A Site Plan Can look Like



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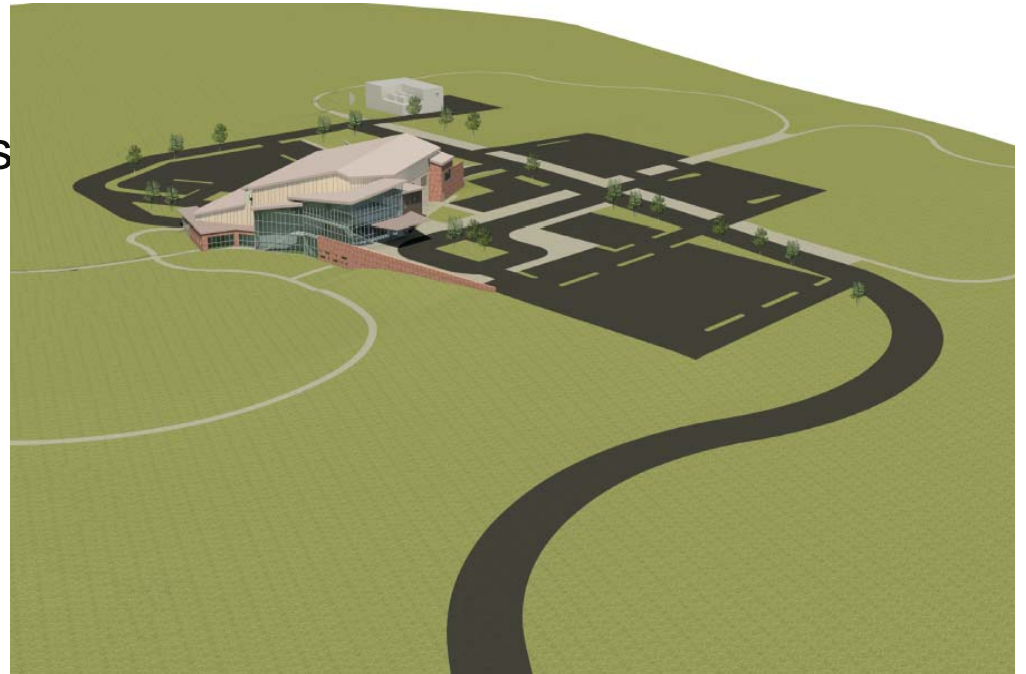


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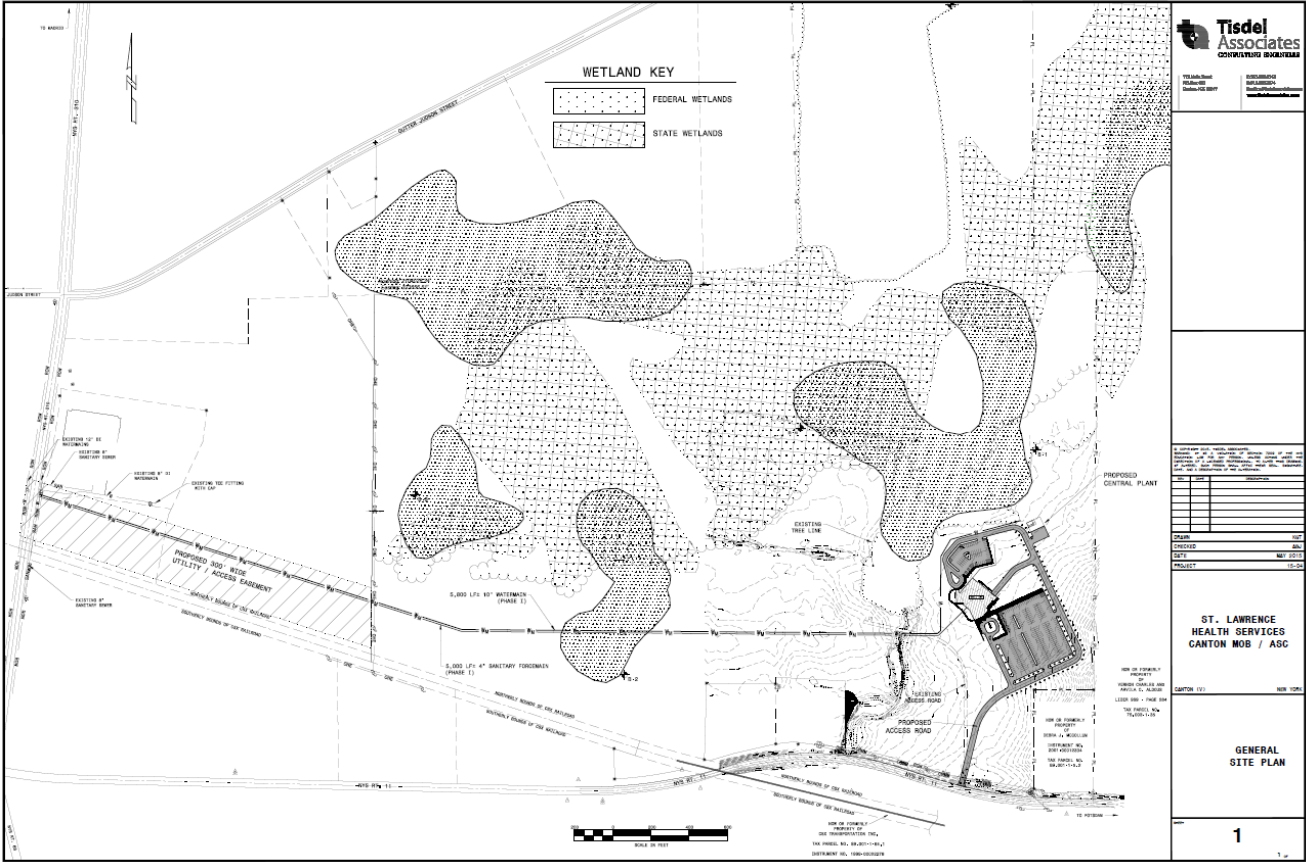


Case Study – Medical Office Building

- 52,000 sq ft. MOB/ASC
- Large parking area, 320 spaces proposed
- One access road onto a major highway (US 11)
- Separate central plant building
- Land has a variety of soil types



Case Study – Medical Office Building



Case Study – Medical Office Building



Case Study – Medical Office Building

Site Plan Considerations

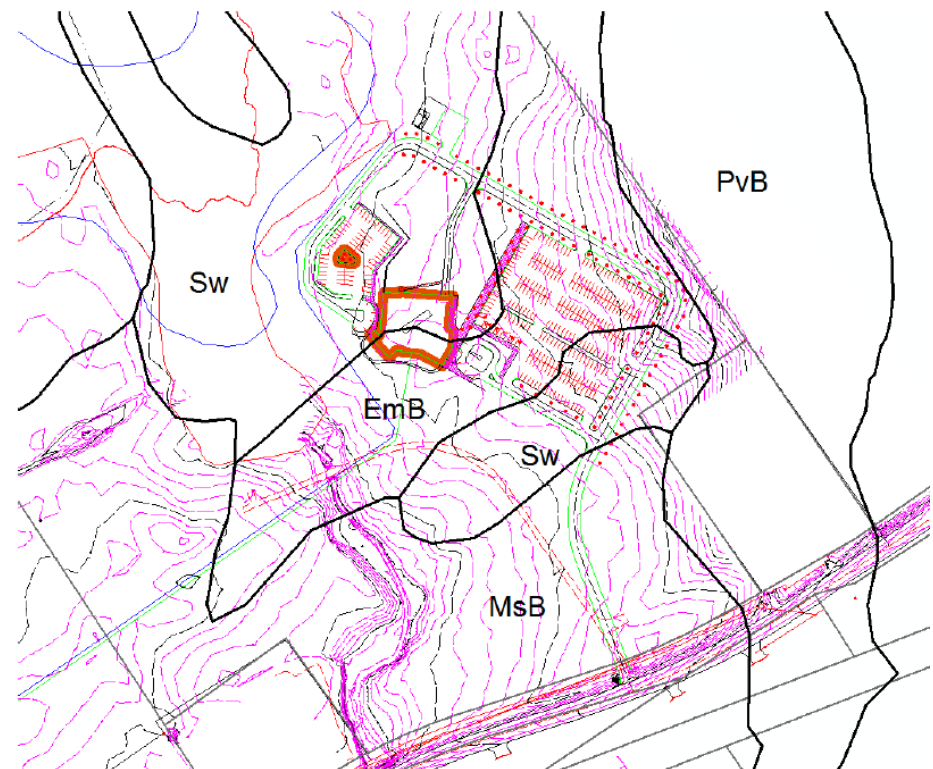
- Parking and access
- Storm water management
- Snow storage
- Accessory uses
- Lighting and signage
- Environmental constraints

Case Study – Medical Office Building

Soil Conditions

- Limited Class II soils
- Understand what is going where
- Consider rearranging lot configurations

Canton MOB/ASC – Site Layout with Soil Classification



Area Variances



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Purpose:
To vary from
dimensional
requirements of zoning
regulations

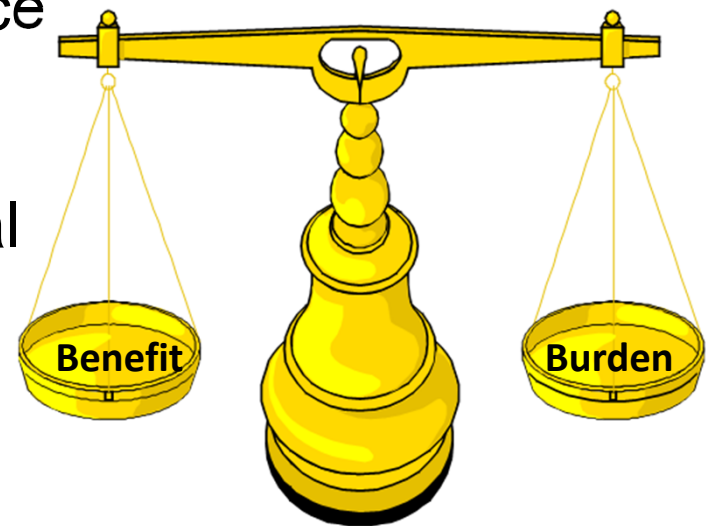
General City Law §81-b
Town Law §267-b
Village Law §7-712-b



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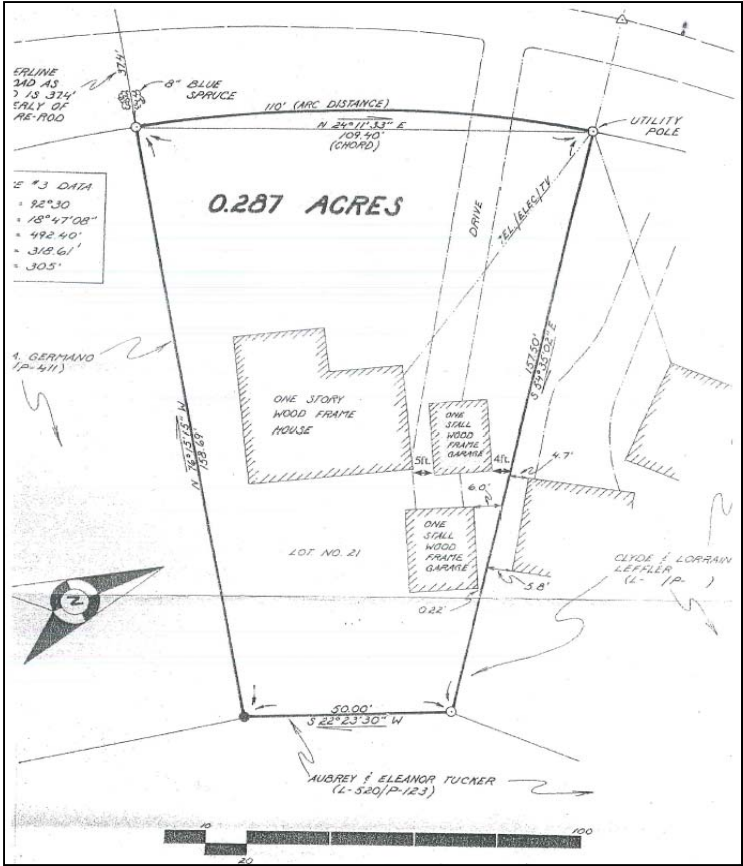
Area Variance Balance of Interest Tests

1. Change to neighborhood character
2. Alternatives not requiring a variance
3. Substantiality of the request
4. Effect on physical or environmental conditions
5. Is the situation self-created?



Area Variance Case Study, Side Yard Setback

- Applicant needs 10' setback
- Proposed garage will increase separation distance
- Lot size is limited
- Buffer currently exists



Area Variance Case Study, Side Yard Setback



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Area Variance Case Study, Signage

- Applicant has proposed a sign that exceeds the 20 square foot max by 286 square feet; a 306 square foot sign
- Applicant has submitted arguments for balance of interest tests, stating signage standards are dated and impact on surrounding community will be minimal

Area Variance Case Study, Signage



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Area Variance Case Study, Signage



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Use Variance Legal Tests

The
“burden
of proof”
is on the
applicant

1. No reasonable return
2. Unique circumstances
3. No alteration to essential neighborhood character
4. No self-created hardship

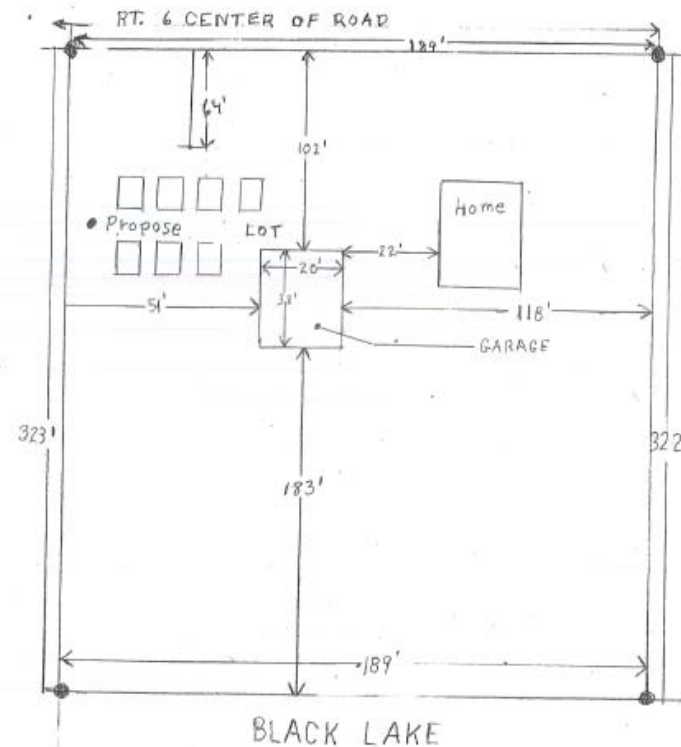
Use Variance Case Study, Auto Sales and Service

- Applicant proposes to sell limited number of cars, RVs, ATVs and watercraft, and provide service from residence
- Applicant argues financial hardship has forced downsizing
- Property is “unique” because it already has garage space

Use Variance Case Study, Auto Sales and Service

- Community character won't be impacted because there is good separation distance from neighbors
- Applicant has not created own hardship, financial and health concerns dictated need to relocate business to residence

Use Variance Case Study, Auto Sales and Service



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Use Variance Case Study, Auto Sales and Service



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