

**TOWN OF BENNINGTON, NY
ZONING PERMIT APPLICATION
TO CONSTRUCT, ENLARGE OR DEMOLISH A BUILDING**

To the Zoning Enforcement Officer, Town of Bennington:
Pursuant to the provisions of the Zoning Law of said Town,
application is made for a permit.

<u>OFFICIAL USE ONLY</u>	
Date Received:	_____
Tax ID#:	_____
Permit #:	_____
Fee Paid:	_____
Paid by Cash or Check #:	_____

NO WORK TO BE STARTED BEFORE APPROVAL FROM ZONING OFFICER

To: Erect }
 Enlarge } a _____
 Alter }
 Demolish }

An approved zoning permit is required before a building permit will be issued by Wyoming County.

1. Owners of Land: _____
 On the premises known as/street address _____

Located in the **A/R** District **R-1** District **R-M** District **Business** District
 Seasonal District **PUD** District **Other** (Specify) _____ (zoning officer to complete)

2. Is this parcel in a floodplain and/or wetland? Yes No

3. Are there any water ways (streams, creeks, etc.) on or within 500 feet of property lines? Yes No

4. Size of parcel/lot: _____ ft. wide _____ ft. deep/long _____ acres

5. Location of Parcel: North South East West side of _____ Rd./St. nearest _____ Cross Rd./St.

6. List all existing buildings by function (i.e.: house, barn, etc.) and sizes that are currently located on this parcel. (Use additional sheets if necessary.)

a. _____, size _____ b. _____, size _____

c. _____, size _____ d. _____, size _____

7. Number of Families housed on this parcel: _____

8. Purpose of building being erected or demolished as applied for in this application (check all that apply):

Residential Use Residential Multiple Use Seasonal Use Business Use

Agricultural Use Manufacturing Use Other (please specify): _____

9. New Building: Size: _____ ft. wide _____ ft. long _____ ft. high _____ ft. diameter
Area: _____ square feet Estimated Cost to Complete Project: \$ _____

10. New Building Style (i.e.: ranch, mobile home, etc.) _____
Exterior Material (i.e.: wood, vinyl, metal, etc.) _____ Type of Heat _____

11. Number of Baths: _____ Number of Bedrooms: _____ Total Rooms: _____ Number of Fireplaces: _____

12. Full Basement: Yes No Number of Porches & Sizes: _____ Attached Garage Size: _____

13. If such permit is granted, applicant agrees that the provisions of the zoning laws of the Town of Bennington and all other laws that may be applicable will be complied with and that such permit shall expire and be of no effect unless construction is started within **three months of the date of issuance and unless completed within twelve months of the date of issuance.**

14. Contractor Name: _____
Contractor Address: _____
Contractor Address: _____
Contractor Phone: _____

15. Applicant/Owner Name: _____
Applicant/Owner Address: _____
Applicant/Owner Address: _____
Applicant/Owner Phone: _____

Signature of Owner/Applicant Date

Signature of Zoning Enforcement Officer Date

Signature of Town Clerk Date

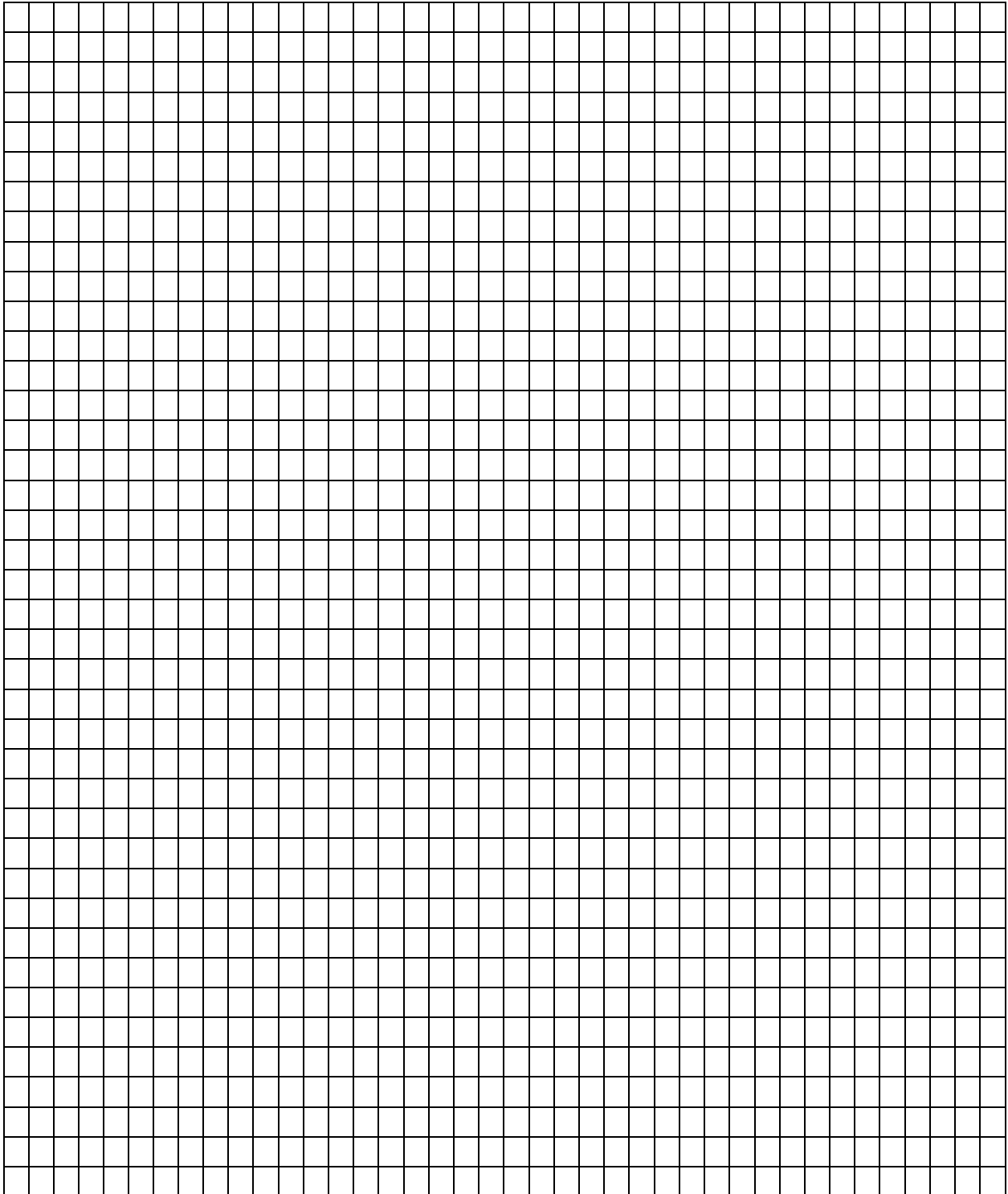
Permit, above requested (granted) (denied) the _____ day of _____, _____. Subject to the condition of the Zoning Law of the Town of Bennington and all other laws that may be operative.

Conditions of Approval _____

A denial is based on a violation of Section _____ Article _____ of the Zoning Law as follows: _____

Sketch Map

(Include and label road where property is located. Also include lot lines, all buildings, dimensions and distance from lot lines)



New building distance from property lines (in feet):

Front: _____ Rear: _____

Left: _____ Right: _____

Town of Bennington
905 Old Alleghany Road
Attica, New York 14011
(585) 591-2157

In order to acquire the necessary permits to construct, enlarge, alter OR demolish a building in the Town of Bennington follow steps 1 to 9 below, as applicable:

1. If purchasing land to build a new residence, you may want to do the required Perk Test before you purchase the property OR make the purchase contingent upon the property passing the Perk Test.
2. Contact the Wyoming County Environmental Department for Perk Test requirements for new residences.
3. If application is for a new residence, zoning application will not be approved until a Perk Test has been approved by the Wyoming County Environmental Department.
4. Contact the Bennington Town Clerk / Town Hall or our website (www.benningtonny.com) on the bottom of the main page for the application forms for Zoning Permit. Review the Zoning Laws at the following website (www.benningtonny.com) under the Zoning Officer tab on the left.
5. Answer all questions accurately. Supply any working plans and drawings. Sign and date the application. Pay the required fees to the Town Clerk. Checks are payable to "Bennington Town Clerk".
 - **Zoning Permit fee for construction over 400 sq. feet is \$50.00.
 - **Zoning Permit fee for construction 400 sq feet or under is \$25.00.
6. Return Zoning Permit application with fee to the Town Clerk for referral to Zoning Officer.
7. Upon approval of the Zoning Permit, contact Wyoming County Building Department and request a Building Permit application. If application is for a residence, contact the Town, County, or State Highway Superintendent, depending on the road the property is located on, for information concerning placement of the driveway.
8. For a property without a street number contact County Highway department to obtain.
9. In the Spring or Fall when our dirt roads are soft, please inform the Highway Superintendent as to the routes any heavy equipment will be required to travel.

Bennington Town Hall and Town Clerk Hours:

Monday through Wednesday 6:00 pm to 7:30 pm; Saturday 9:00 am to 1:00pm

Zoning Officer Hours:

Wednesday 6:00 pm to 7:30 pm; Saturday 10:00 am to 1:00 pm

Town Clerk
Carolyn Busch
585-591-2157

Zoning Officers
Katie-Nicole Marble
585-591-2157

Bennington Highway Department
Ken Czworka
585-591-2664

Wyoming County Environmental Dept
585-786-8894

Wyoming County Building Department
585-786-8820

Wyoming County Highway Department
585-786-8955

NY State Department of Transportation
585-786-3310

Town of Bennington

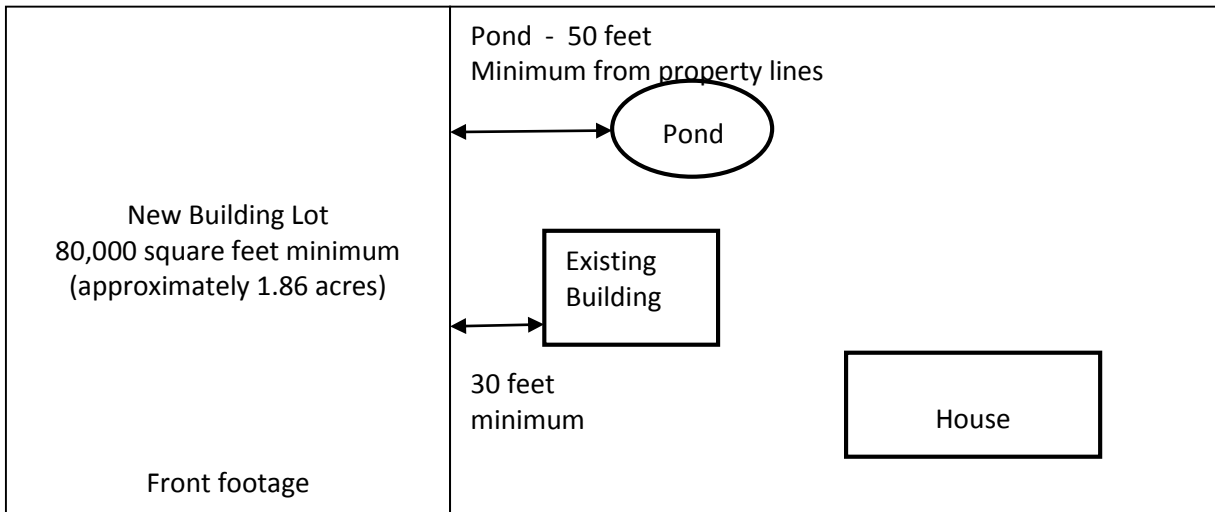
Basic Information on Lot Sizes and House / Building Requirements

- Minimum Lot Size – 80,000 square feet (approximately 1.86 acres)
- Minimum Width of Lot – 200 feet at the front setback line of home
- Yards
 - Front Yard – 50 feet minimum
 - Side Yard – 30 feet minimum
 - Rear Yard – 30 feet minimum
- Height of Dwelling – 30 feet maximum (not including chimneys)
- Height of Accessory Buildings – 18 feet maximum
- Livable Floor Area for Dwellings
 - Single-family – 950 square feet
 - Two-family – 800 square feet for each unit
- Ponds – 50 feet from outside base of levee / dike to all property lines
- Flag Lot
 - Road Frontage – 50 feet minimum
 - Setback – 200 feet minimum

A lot created from an existing parcel must have side yard boundaries at least 30 feet from existing buildings and 50 feet from ponds,

A house built within 200 feet of the highway must have a foundation wall which is a minimum of 2 feet above the elevation of the centerline of the highway.

Example of Land Division



Surface Slope Requirements – Article II, Section 1.8

The surface slope of all surfaces of the front, side and rear yards of any building shall slope down and away from the foundation walls on a slope of not less than 1 (one) percent for a distance equal to at least one-half the width or depth of the required yards. When a building is located within 200 feet of a public highway or road, the top of the foundation wall in the front of the building shall not be less than two (2) feet above the elevation of the center line of the road fronting the premises. When unnecessary hardship or practical difficulty due to topographic conditions is proven, the Board of Appeals, without public hearing, shall vary the requirements set out above to permit reasonable use of the premises consistent with the intent and purposes of this Local Law, provided that all surfaces of the front, side and rear yards of any building shall slope down and away from the foundation walls for a distance equal to at least one-half the width or depth of the required yards.

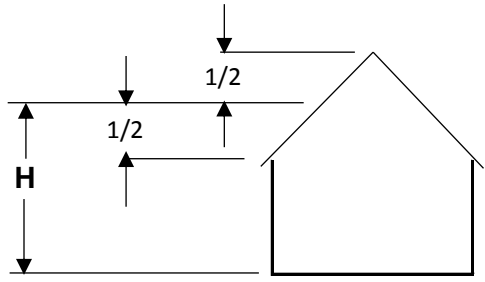
In any district it shall be unlawful to occupy for sleeping purposes or for public assembly, any part of a one-story structure the floor of which is below the required front yard elevation, except that this provision shall not apply to the emergency use of an air raid shelter, tornado shelter or similar protective shelter.

The above is not a complete list of zoning requirements for the Town of Bennington. Refer to the Town of Bennington's Zoning Law for more information – available at Town Clerk's Office or on website at: benningtonny.com.

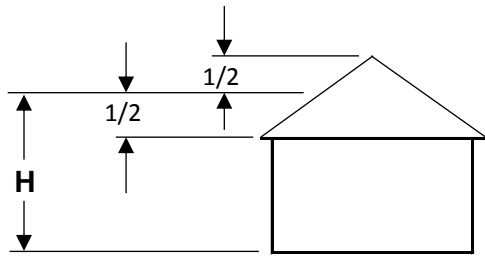
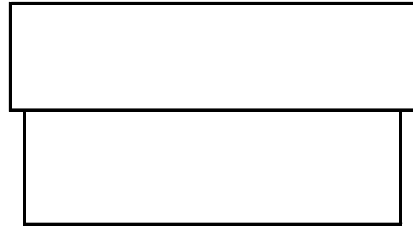
Zoning Permit Applications are available at the Town Clerk's Office.

Building Height Requirements for Town of Bennington

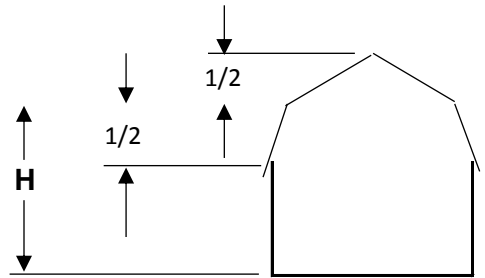
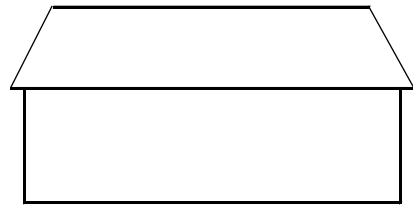
When measured from ground to height (H) on these examples, a house may be a maximum of 30 feet (not including chimneys) & a garage may be a maximum of 18 feet



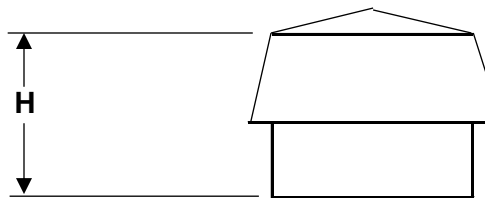
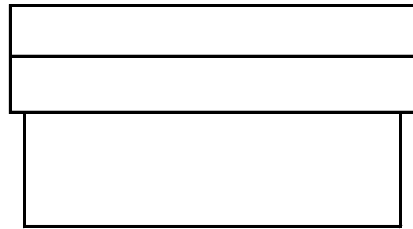
GABLE



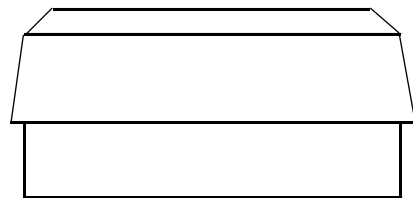
HIP



GAMBREL



MANSARD



BUILDING HEIGHT: Is the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of Mansard roofs; and to the average height between eaves and ridge for Gable, Hip and Gambrel roofs.

See Local Law #4-2010

**Wyoming County
Building Department
Wyoming County Government Center
143 North Main Street
Warsaw, NY 14569
585-786-8820
Fax 585-786-6020**

Building Permits Are Required for the Following

1. Erection, construction, enlargement, alteration, improvement, removal or demolition of any building or structure.
2. Installation of heating equipment, solid fuel burning appliances, chimneys, flues, and vents.
3. Installation of new windows involving a change of size or where the windows are used to meet the emergency exit requirements for habitable space.
4. Swimming pools.

Exceptions:

1. Farm buildings used exclusively for agricultural purposes.
2. Small non-commercial structures not intended for human occupancy, such as storage buildings 150 square feet or less.
3. Work that does not materially affect structural features such as new roofing or new siding.
4. Replacement of windows with no size change.
5. Work that does not affect safety features, such as smoke detectors, sprinklers, required fire separations and exits.

Documents To Be Submitted With Building Permit Application to Wyoming County

1. Copy of Zoning Permit from Town / Municipality where work will be done or letter from appropriate zoning officer stating a permit is not required.
2. Copy of Septic Permit from Wyoming County Health Department, if required. Required for new dwellings or storage buildings, if no dwelling on property.
3. Two sets of building plans and specifications for work to be done. Floor plan, elevations and sectionals showing sufficient detail to show compliance with the Uniform Code. (Room, door and window sizes, construction details, etc.) After approval, one set of plans will be returned.
4. The seal of a New York State Licensed architect or professional engineer must appear on all plans for:
 - a. Single-family dwellings with over 1,500 square feet of living area.
 - b. Multiple-family dwellings or conversions to multiple-family dwellings.
 - c. All buildings classified under general construction such as: stores, factories, storage facilities, service stations, etc.
5. Completed building permit application.
6. Fee payable to: Wyoming County Treasurer.

NOTE: Time will be required for checking plans with the Uniform Code. Every effort will be made to issue a permit or notify applicant of any required changes within 10 working days after receiving the building permit application. Please plan starting dates accordingly.

WYOMING COUNTY PLANNING BOARD
SITE PLAN APPROVAL CHECKLIST (REVISED 02/09)
(to be forwarded to all Wyoming County Towns and Villages)
(when applicable this form to be completed by Applicant)

The Wyoming County Department of Planning & Development has identified the following as important elements which should be included when site plans are referred to the Wyoming Planning Board. Specific criteria for site plan review vary by town & village & can be found within the appropriate & applicable jurisdiction's Zoning code.

Failure to submit the requested documentation & information, if applicable, may cause the Wyoming County Planning Board to consider the application incomplete & consequently table the proposed project until complete materials are submitted.

- 1.** _____ Title of drawing, including name and address of applicant and person responsible for preparation of drawing
- 2.** _____ North arrow, scale and date
- 3.** _____ Boundaries of the property plotted to scale; location and dimensions of setbacks
- 4.** _____ Existing watercourse and bodies of water
- 5.** _____ Grading and drainage plan showing existing and proposed contours and location of any proposed storm sewer drains, culverts, retaining walls or fences
- 6.** _____ Type of construction materials and exterior dimensions of all buildings
- 7.** _____ Location of any outdoor storage & parking or truck loading areas showing points of entry & exit from the site
- 8.** _____ Description of the method of sewage disposal and location of the sewage disposal facilities
- 9.** _____ Pedestrian access, if any
- 10.** _____ Identification & description of the method, location, design & source of securing public or private potable water
- 11.** _____ Location, size and design of any and all proposed signs
- 12.** _____ Location and proposed development of all buffer areas, including existing vegetation cover
- 13.** _____ Location and design of any and all outdoor lighting facilities
- 14.** _____ General landscaping and / or screening plan and planting schedule
- 15.** _____ Location of fire lanes and hydrants
- 16.** _____ Identification of the location and amount of building area proposed for retail sales or similar commercial activity
- 17.** _____ Location and design of all energy distribution facilities, including electrical, gas and solar energy
- 18.** _____ An estimated project construction schedule
- 19.** _____ Record of application for and approval status of all necessary permits from state or county agencies or official
- 20.** _____ Identification of any state or county permits required for the project's execution
- 21.** _____ Map or aerial identifying adjacent parcels and land usages
- 22.** _____ Part I and Part II State Environmental Quality Review (SEQR) completed