

FEE: \$35.00

VILLAGE OF HAMILTON

APPLICATION FOR A RESIDENTIAL FENCE BUILDING PERMIT AND SITE PLAN APPROVAL

Pursuant to Hamilton Village Code section 174-46

Village Use Only

(Date Application Filed: _____)
(
(Date of PB Hearing: _____)
(
(Date of Final Action: _____)
(
(Action: _____)

TO THE CODE ENFORCEMENT OFFICER AND PLANNING BOARD OF THE VILLAGE OF HAMILTON:

_____, (Applicant(s)) hereby request(s) issuance of a Residential Fence Building Permit from the Village Code Enforcement Officer (and Site Plan Approval by the Planning Board) with respect to the construction of the residential fence proposed herein and respectfully state(s):

- 1. Applicant is the (owner / tenant / purchaser under contract) of the subject property containing approximately _____ acres, identified on the tax map as account number(s) _____, located at _____, Hamilton, NY (the "Premises").

Applicant's best contact information is as follows:

Home Mailing Address: _____

Email Address: _____

Home Phone Number: _____

Business Phone Number: _____

Cell Phone Number: _____

- 2. If Applicant is not the owner, the name(s), address(es) and telephone number(s) of the owner(s) of record of the subject property (is) (are):

3. A copy of an accurate survey map prepared by a licensed land surveyor and marked to show the precise location of the proposed fence on the Premises in relation to the boundaries of the Premises and all required setbacks is attached and made a part of this application.
4. The proposed fence will be constructed of (wood / brick or masonry / vinyl / wrought iron / aluminum / chain link / other – specify: _____). A representative color photo or other color depiction of the appearance of the fence is attached.
5. The maximum height of the proposed fence is _____.
6. The proposed fence (will / will not) replace an existing fence.
7. The proposed fence is in accordance with all height, setback and other requirements of the Village of Hamilton Zoning Code as applied to the Premises except:
8. The proposed fence (will / will not) be placed atop a berm or retaining wall. If yes, what is the height of the berm or retaining wall as compared to the average surrounding ground level?
9. There are no restrictive covenants affecting the placement of a fence upon the Premises except:
10. The subject Premises are within 500 feet of:
 - _____ the boundary of any city, village or town; or
 - _____ the boundary of any existing or proposed county or state park or any other recreation area; or
 - _____ the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or
 - _____ the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or
 - _____ the existing or proposed boundary of any county or state owned land on which a public building or institution is situated; or
 - _____ the boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agricultural and markets law.

11. To the best of Applicant's knowledge, the names and mailing addresses of all owners of property adjoining the boundaries of the Premises are as follows:

Name Address

NORTH:

SOUTH:

EAST:

WEST:

Notarized Authorization and Consent Forms as provided in Village Code section 174-46 signed by the following adjoining property owners are attached:

The following adjoining property owners have declined to provide a signed and notarized Authorization and Consent Forms as provided in Village Code section 174-46:

12. Applicant's Licensed Land Surveyor:

Name: _____
Address: _____
Telephone: _____
Email: _____

13. Applicant's Contractor:
 Name: _____
 Address: _____
 Telephone: _____
 Email: _____
14. Applicant's Attorney:
 Name: _____
 Address: _____
 Telephone: _____
 Email: _____
15. Applicant acknowledges that no construction work shall begin prior to the issuance of a building permit by the Code Enforcement Officer. Applicant consents to appropriate Village action either revoking any approval which may be granted hereafter or obtaining necessary injunctive relief in the event Applicant commence construction without a permit, has provided any inaccurate information in this application, fails to construct the fence in accordance with the approved permit, or fails to abide by any requirements or conditions of the Hamilton Village Code or imposed by the Planning Board.
16. Applicant hereby acknowledges and represents that all disclosures required by law, and specifically those required by Section 809 of the New York General Municipal Law, have been submitted in writing to the Planning Board prior to or at the time of submission of this application.
17. Applicant acknowledges the legal responsibility to contact New York Dig Safely at least two (2) full working days, but no more than 10 working days, prior to construction of the proposed fence to ensure all underground utility lines are properly marked by their owners. Working days are defined as weekdays (Monday through Friday), excluding holidays. You can place a location request by calling 811.

Dated: _____, 20__

APPLICANT SIGNATURE:

 (Individual Signature)

 (Signature of Joint Owner)

Signature(s) of owner(s) who is/are not the applicant:

The undersigned owner(s) of the above-described Premises hereby acknowledge and consent to the submission of this application.

(Owner's Signature)

Date

(Joint Owner's Signature)

Date

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On the ____ day of _____, in the year _____, before me, the undersigned, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On the ____ day of _____, in the year _____, before me, the undersigned, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On the ____ day of _____, in the year _____, before me, the undersigned, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

VILLAGE OF HAMILTON
DISCLOSURE STATEMENT

This affidavit is apart of and must be completed and attached to every application, petition or request submitted for subdivision approval (approval of a plat), site plan approval, special use permit, zone change or other zoning approval under the Code of the Village of Hamilton.

STATE OF NEW YORK)
COUNTY OF _____) SS.:

1. _____ being duly sworn, deposes and says that he/she 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:

I. 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 of 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 which 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.

II. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when he, his 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 he/she may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

III. Ownership of less than five percent 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.

IV. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

3. That no Village of Hamilton Officer, employee or a relative of either, as defined in Section 809 of the General Municipal Law has any interest in this application or request.

-OR-

4. If a Village of Hamilton Officer, employee or a relative of either as defined in Section 809 of the General Municipal Law has any interest in this application or request give the full particulars in the following paragraph.

Dated: _____
(Applicant, etc. - signature)

(Individual Applicant's Acknowledgment)

State of New York)
County of _____) ss.:

_____, being duly sworn, deposes and says that he/she is the Applicant in this (Application or Request): that he/she has read the foregoing affidavit and knows the contents thereof; that the same is true to the knowledge of deponent, except as to matters therein stated to be alleged in information and belief, and that as to those matters he believes it to be true.

(Applicant, etc. - signature)

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

Notary Public

(Corporate Applicant's Acknowledgment)

State of New York)
County of _____) ss.:

_____, being duly sworn, deposes and says that he/she is the Applicant in this (Application or Request): that he/she has read the foregoing affidavit and knows the contents thereof; that the same is true to the knowledge of deponent, except as to matters therein stated to be alleged in information and belief, and that as to those matters he believes it to be true.

(Applicant, etc. - signature)

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

Notary Public

**VILLAGE OF HAMILTON
RESIDENTIAL FENCE BUILDING PERMIT APPLICATION**

**ACKNOWLEDGEMENT and AUTHORIZATION OF
ADJOINING PROPERTY OWNER**

1. Fence Installation Address:

2. Fence Permit Applicant's name(s):

3. (if applicable – cross out and initial if not applicable) I have been provided, and have reviewed, the Applicant(s) application to erect a residential fence at the above address and have no objection to the construction of the fence as proposed.

4. (if applicable – cross out and initial if not applicable) I have been provided, and have reviewed, the Applicant's application to erect a residential fence at the above address and I have the following objections to the construction of the fence as proposed:

5. (if applicable – cross out and initial if not applicable) I hereby grant permission to the Applicant to enter upon my property to the extent necessary to construct and/or maintain the fence, and/or the land area between the fence and my property line if the fence is not located directly on the property line.

(Print Name)

(Address)

(Signature)

(Telephone number for confirmation)

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On the ____ day of _____, in the year _____, before me, the undersigned, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public