



City of Rochester, NY

CERTIFICATE OF NONCONFORMITY

(Section 120-191B)

BUREAU OF PLANNING AND ZONING
CITY HALL, 30 CHURCH STREET, ROOM 125B
ROCHESTER, NEW YORK 14614

APPLICATION

APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY. To schedule an appointment, please contact Suzanne Mc Sain at (585) 428-7291 or suzanne.mcsain@cityofrochester.gov

Office Use	<u>APPLICATION REQUIREMENTS:</u>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<ol style="list-style-type: none"> 1. Fee: \$150.00. 2. One (1) copy of the Denied Certificate of Zoning Compliance (CZC), including signature by a Building Code Plan Reviewer. 3. One (1) copy of this application. 4. One (1) copy of an Instrument Survey Map. 5. One (1) copy of a scaled site plan. 6. One (1) copy of a scaled floor plan. 7. Photographs of the interior and exterior of the subject building(s) on the site, and exterior photographs of the surrounding properties. 8. One (1) set of all drawings, graphics and photographs no larger than 8-1/2" x 11" or reduced to 8-1/2" x 11" or provided digitally in PDF format on CD-ROM.

WHAT IS THE PURPOSE OF A CERTIFICATE OF NONCONFORMITY?

A nonconformity is any use lawfully being made of land, buildings, or structures, which does not comply with the current Zoning Code which governs its use in the district in which it is located. This application is used to establish the rights to a nonconformity. The Certificate of Nonconformity application is used to determine: the potential change of intensity from one nonconforming use to another nonconforming use; whether or not there has been a period of vacancy that has caused the use to be abandoned or discontinued; if the structure was built for its current use; or to extend a period of vacancy due to extensive rehabilitation of the structure.

Documents that may be helpful are:

- To determine the Intensity of an existing use or for a change of use. Affidavits, sworn to and notarized, describing both the proposed and the previous uses by persons who are familiar with the property over an extensive period of time, but have no financial interest in the property; information relating to the previous and proposed use, which may include, but is not limited to, the number of employees, hours and days operation, volume and type of sales, processing activities, nature and location of storage, parking and loading needs, any potential for the emission of noise, smoke, odor, glare, vibration, radiation, & fumes:
 - Copies of City Directory listings (Haines or Polk Directories) obtainable at the Rundel Library (Local History Division, 428-8370);
 - Rent receipts, bills of sale for goods and services, utility records, tax records, receipts from contractors, receipts from associated businesses, etc.
- To prove built-as status. An engineer's report prepared by a licensed design professional in the state of New York, which certifies the original construction for the desired use.
- To extend a period of vacancy due to extensive rehabilitation. Cost estimates for repair and a project schedule.

[FOR OFFICE USE ONLY]

ADDRESS: _____ FILE NUMBER: _____

DATE FILED: _____ FEE: _____

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): _____

2. APPLICANT: _____ COMPANY NAME: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

INTEREST IN PROPERTY: Owner _____ Lessee _____ Other _____

3. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

4. LIST THE CURRENT AND PREVIOUS USE(S) OF THE PROPERTY AND WHERE THEY WERE LOCATE EITHER WITHIN THE STRUCTURE OR ON THE PREMISES, INCLUDE DATES OF OPERATION: _____

5. DESCRIBE WHEN, WHERE AND WHY THE PROPERTY VACANCIES OCCURRED: _____

6. ZONING DISTRICT: _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: _____ DATE: _____

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: _____ DATE: _____