

**APPLICATION REQUIREMENTS:** 

DATE FILED: \_\_\_\_\_

Office

Use

#### CERTIFICATE OF NONCONFORMITY

(Section 120-191B)
BUREAU OF ZONING & PERMITTING
CITY HALL, 30 CHURCH STREET, ROOM 125B
ROCHESTER, NEW YORK 14614

#### **APPLICATION**

APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY. To schedule an appointment, please contact Jasmine Myers at (585) 428-8822 or <u>Jasmine.Myers@cityofrochester.gov</u>.

	DRESS:	FILE NUMBER:					
	[FOR OFFICE USE ONLY]						
	50110						
		extend a period of vacancy due to extensive rehabilitation. Cost estimates for repair, including a project dule.					
_		ch certifies the original construction for the desired use.					
	] <u>To p</u> :	rove built-as status. An engineer's report prepared by a licensed design professional in the state of New York,					
	4. A	https://democratandchronicle.newspapers.com/.  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 interested in the property.					
		Newspaper ads or articles related to the uses on the site. The Democrat and Chronicle has digitized newspapers going back to the 1870s. These are searchable online (for a small fee)					
	C	contractors, receipts from associated businesses, etc.					
		Rent receipts, bills of sale for goods and services, utility records, tax records, receipts from					
	5	585-428-8370 or <u>lochist@libraryweb.org</u> and online at <u>https://roccitylibrary.org/digital-collections/rochester-city-directories-by-decade/#</u> .					
L		letermine the Intensity of an existing use or for a change of use.  Copies of City Directory listings. City Directories can be found at the Rundel Library, Local History Division,					
Doc		s that may be helpful are:					
		ent use; or to extend a period of vacancy due to extensive rehabilitation of the structure.					
		mity, the potential change of intensity from one nonconforming use to another nonconforming use; whether or as been a period of vacancy that has caused the use to be abandoned or discontinued; if the structure was built					
Zon	ing Co	de in the district in which it is located. This application is used to determine: the pre-existing rights to a					
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							
		PDF format.					
		of the surrounding properties provided on paper or digitally in JPG format.  9. One (1) set of all drawings, graphics and photographs on 8-1/2" x 11" paper or provided digitally in					
		8. Photographs of the interior and exterior of the subject building(s) on the site, and exterior photographs					
		<ul> <li>6. One (1) copy of a scaled site plan if site changes are proposed.</li> <li>7. One (1) copy of a scaled floor plan.</li> </ul>					
		5. One (1) copy of an instrument survey map.					
		https://www.cityofrochester.gov/departments/neighborhood-and-business-development/zoning-applications					
		4. One (1) copy of this application, including a completed intensity of use chart.					
		<ol> <li>One (1) copy of the Denied Certificate of Zoning Compliance (CZC).</li> <li>One (1) copy of this application, including a completed intensity of use chart.</li> </ol>					
		payable to 'City of Rochester'.					
		1. Fee: \$150.00. Fee can be paid for online (credit card) with a link provided by staff or by check made					

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				
3.	DETAILED PROJECT DESCRIPTION (additional information can be attached):				
4.	LIST THE CURRENT AND PREVIOUS WERE LOCATED EITHER WITHIN TO DATES OF OPERATION:	USE(S) OF THE PROI	PERTY AND WHERE THEY		
5.	DESCRIBE WHEN, WHERE AND WHY THE PROPERTY VACANCIES OCCURRED:				
6.	ZONING DISTRICT:				
tha	PPLICANT: I certify that the information so the project described, if approved, will be at approval.				
SIC	GNATURE:	DATE:			
	WNER (if other than above): I have read and do hereby consent to its submission and p		ith the contents of this application		
SIGNATURE:		DATE:			



Neighborhood and Business Development City Hall Room 125B, 30 Church Street Rochester, New York 14614-1290 www.cityofrochester.gov

# Certificate of Nonconformity Intensity of Uses

The below chart assists staff in comparing the previously legal use with the proposed legal use for determining if the proposed use is equally, or less intense that the previous use on site.

These evaluation criteria in items (a) through (f) are from section §120-191B(3) of the City Zoning Code. This criteria, and the provisions of the zoning district which would first permit the establishment of a particular use as of right will be used in determining the intensity of the proposed use.

Review Criteria, §120-191B(3)	Previous use	Proposed use
(a) Floor area.		
Considerations: The square footage of the space, if the new use will expand the current floor area, if this will occur in the existing building, as an addition, etc.		
(b) Hours of operation.  Considerations: Hours and days of the week that the use will operate, activities that occurred or will occur outside of Certain activities that occur outside of typical hours, etc.		

# Certificate of Nonconformity Intensity of Uses Chart

(c) Volume and type of sales.	
Considerations: Types of items sold,	
how they are displayed, the	
expectations or historical information on	
the volume of sales, etc.	
(d) Type of processing activity.	
(a) Type of proceeding dearnity.	
Considerations: The particular functions	
of the uses, how they operate and what	
activities take place, what is being	
processed, etc.	
(e) Nature and location of	
storage.	
Considerations: Location of storage	
areas inside and outside of the principal	
building on site, type of storage (for use	
on site or otherwise), etc.	
2 2 2 3 M.3. M.3	

# Certificate of Nonconformity Intensity of Uses Chart

(f) Transportation requirements by volume, type and characteristics.		
Considerations: Number of employees, customer counts (actual or expected), frequency of deliveries (if applicable), alternative transportation considerations on site (walking, bicycle, bus).		
(g) Parking and loading characteristics.		
Considerations: Expectations for parking, existing or proposed parking spaces on site, access, availability of off-street parking. Loading areas for deliveries, location and access.		
(h) Noise, smoke, odor, glare, vibration, radiation and		
fumes.  Considerations: This shall include any		
known outputs from the use on site that may create potential nuisances to be mitigated.		
	I .	