Application for Variance of Town Code

Applicant: Town of Cortland on behalf of the Festival and Parade Committee

Event: **August 9 & 10, 2019**
Summer Fest, Cortland Community Park 70 S Llanos Street
Requested Exemption: Chapter 4 Section 5-4-4 Exemptions: D. Community Events Exemption from night hours - until 12:00 a.m. (Section 5-4-2 B)

Standards for Variance:

1. The proposed variance of the requirements would result in great practical difficulties or hardship to the applicant;
   The purpose of the community event is to have live music from 6:00 p.m. to 12:00 a.m. on Friday, August 9, 2019; and live music from 12:00 p.m. to 12:00 a.m. on Saturday, August 10, 2019.

2. Strict application of the requirements would result in great practical difficulties or hardship to the applicant;
   The bands will play until festival closes at 12:00 a.m.

3. The proposed variance is the minimum deviation from such requirements that shall alleviate the difficulties/hardship;
   12:00 a.m. would be the minimum deviation.

4. The plight of the applicant is due to peculiar circumstances not of his own making;
   Holding the event is supported by the Town and hours are reasonable for a community festival.

5. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment;
   The request only affects this event and therefore, the variance is the appropriate remedy.

6. The variance, if granted, shall not alter the essential character of the area where the premises in question are located.
   The variance will not alter the essential character of the area. The variation is not permanent and the event is consistent with the small town character the Town Board is attempting to perpetuate.

Approved this 13th Day of May, 2019 Attest:

_____ _____
Russ Stokes, Mayor Cheryl Aldis, Town Clerk