

ZONING BOARD OF APPEALS APPLICATION CHECKLIST

THE FOLLOWING DOCUMENTATION MUST BE INCLUDED WITH THE APPLICATION.

INITIAL TO INDICATE THAT REQUIRED ITEMS ARE ATTACHED.

- 1) Application is complete and submitted in triplicate along with a filing fee of \$500 and deposit of \$800. ____
- 2) Copy of Building Department letter of denial. ____
- 3) Survey, signed and sealed, SHOWING ALL EXISTING STRUCTURES. ____
- 4) Floor plans and exterior elevations, signed and sealed by a Registered Architect or Professional Engineer. ____
- 5) Radius Map, drawn to scale, indicating Name, Section/Block/Lot, and lot dimensions of all property owners within a 200-foot radius. ____
- 6) List of Names and Addresses of all property owners within a 200-foot radius. ____
- 7) Short Environmental Assessment Form. ____
- 8) Copy of the Filed Deed. ____
- 9) Color photographs of the subject property and surrounding area homes. ____
- 10) Plot Plan indicating all proposed/existing landscaping details, impervious surfaces, and stormwater retention. ____

I understand that the Village is relying on the accuracy of the information provided herein. I swear this application is a true statement of conditions at the subject address. By submitting this application, I acknowledge and agree that I am the owner of the subject property or have the approval of the property owner to submit this application. I understand that my failure to submit any of the above required documentation will result in my application being delayed until the documentation is submitted, and the application is complete. I acknowledge that any future change to any application approved by the Zoning Board of Appeals will require approval from the Board.

Name (Print)

Signature & Date

ZONING BOARD OF APPEALS
INCORPORATED VILLAGE OF BAYVILLE

ZONING VARIANCE APPLICATION INSTRUCTION SHEET

This application and all of the following documents must be submitted in TRIPLICATE. The Building Inspector of the Village will advise if a FOURTH (4th) set of documents is required to be referred by the Zoning Board of Appeals to be Nassau County Planning Commission. (see below for explanation)

1. **APPLICATION**: All questions **MUST** be answered. Any questions or information not application must be so noted as "N/A". The information provided should pertain only to matters concerning the applicant's request for the variance. The application must be properly signed and notarized.
 - A. A filing fee of \$500.00 must be submitted with each application.
 - B. In addition to the application fee, the applicant is liable for and shall pay all charges incurred by the Village in connection with the application in accordance with Section 80-89 of the Village Zoning Code. Such costs and disbursements shall include but are not limited to:
 1. Re-publication Costs
 2. Engineering fees and inspection costs
 3. Counsel fees and costs and disbursements incurred by Counsel
 4. Stenographic and reproduction costs
 5. Consultant fee
 6. Document recording fees
 - C. The applicant must submit with the application an additional amount of \$800.00 to be placed on deposit from which payment of actual charges will be deducted. If the sum of \$800.00 is exceeded, the applicant shall deposit a further sum or sums on request of the Village Clerk. Any balance remaining on deposit will be refunded to the applicant.
 - D. The application fee and deposit amount shall be made payable by check or money order to THE INCORPORATED VILLAGE OF BAYVILLE.
2. **COPY OF THE BUILDING DEPARTMENT'S LETTER OF DENIAL**: If the application concerns work to be done or work already accomplished for which a building permit is required, and the Building Department has issued you a letter of denial for said permit this letter must be submitted with your application.
3. **SURVEY**: A survey, signed and sealed by a N.Y.S. Licensed Land Surveyor and showing all existing structures at the time of this application, must be submitted to and approved by the Building Department.

4. PLOT PLAN: A plot plan indicating: all existing and proposed landscaping details; square footage of all impervious surfaces; storm-water retention systems with design calculations. As per Village Code **§ 80-67.5C**. "*Facilities required hereunder shall be designed for the on-site retention and discharge of 100% of runoff calculated on the basis of three inches of rainfall over a one-hour period.*"
5. DRAWINGS REQUIRED (when applicable): Submit floor plans and exterior elevations for any alterations and additions to a structure or a totally new structure. These drawings must be prepared by a licensed Architect or Professional Engineer and can be preliminary, not complete Construction Documents. They must be drawn to scale, including Zoning Code analysis, building and room dimensions and the design flood elevation if in a flood zone.
6. RADIUS MAP: Must be drawn to scale and show the name, section, block and lot number(s) and lot dimensions, all of the property owners within a two hundred foot (200') radius of the farthest outer perimeter of the subject property. On a separate sheet of paper, list the names and addresses of the property owners within this 200' radius.
7. A Short Environmental Assessment Form (attached to the application) must be completed by each applicant.
8. A COPY OF THE FILED DEED is required with the return of the application.
9. PHOTOGRAPHS of the subject property and surrounding area homes.

When the application has been received by the Zoning Board and all paperwork is found to be correct and in order and the requisite fees paid, the application will be calendared for public hearing. Hearings are generally scheduled for the last Wednesday of each month, provided there is sufficient time to publish the Notice of Public Hearing, which must be done two weeks in advance of the hearing. If the application is not received in time to meet this requirement it will be put on for the following month. The Clerk of the Zoning Board will mail the applicant (or attorney) a copy of the Public Notice as it will appear in the newspaper. A copy of this Notice must be mailed, certified mail, return receipt requested, to each name on the radius map listing, NO LATER than ten (10) days prior to the date of the hearing.

Once the mailing has been completed, the applicant (or attorney) must submit a duly executed and notarized Affidavit of Mailing (sample attached) at least 10 days prior to the hearing date, giving the name of the person who mailed the notices, the Post Office where they were mailed from and the date they were mailed. The night of the hearing, the Clerk will request both the white mailing receipts and green return receipt post cards for verification.

NOTE: If the application pertains to work already commenced, no further work is to be performed until the case is brought before the Zoning Board and a decision has been rendered. Please set forth on the application the date work was commenced, when it was halted or completed, and full details as to what work was done or is still to be done as of the date the application was submitted.

Each application is reviewed on its individual merits. The Zoning Board of Appeals has the right to approve, deny or amend any application presented to it for consideration. The filing fee and deposit amount will be refunded for any application the Zoning Board denies to hear.

Granting of Use or Area Variances or issuance of Special Use Permits are subject to the review of the Nassau County Planning Commission in accordance with Section 239-M of General Municipal Law, whenever the subject property is within 500 feet of any municipal boundary, County road or highway, County stream or drainage channel. The Commission shall recommend Approval, Modification, Disapproval or Local Jurisdiction of the proposed action.

INCORPORATED VILLAGE OF BAYVILLE
34 SCHOOL STREET
BAYVILLE, NY 11709
(516) 628-1439

IN THE MATTER OF THE APPEAL OF:

DATE OF SUBMISSION: _____
(PRIMARY CONTACT)

NAME OF APPLICANT: _____

MAILING ADDRESS: _____

EMAIL ADDRESS (REQUIRED): _____

BUSINESS ADDRESS: _____

HOME TELEPHONE: _____ BUSINESS TELEPHONE: _____

NAME AND ADDRESS OF THE OWNERS OF THE PREMISES FOR WHICH APPLICATION
IS BEING MADE:

NAME _____

ADDRESS _____

SECTION _____ BLOCK _____ LOT(S) _____

(Refer to tax bill, contact Receiver of Taxes in Oyster Bay or Village Clerk in Bayville)

I hereby certify that all information submitted by me in this application is true to the best of my
knowledge and ability, and that the owner has authorized me to file this application.

(Signature of Applicant)

(Date)

Sworn to me before this

_____ Day of _____, 20__

Notary Public

SAMPLE ONLY
NOT TO BE USED WITH APPLICATION

AFFIDAVIT OF SERVICE BY MAIL

MUST BE NOTARIZED

STATE OF NEW YORK) :ss.:
COUNTY OF NASSAU

_____, being duly sworn, deposes and says:

That on (date) _____, I served the individuals on the attached

listing at the addresses as shown on said listing, the Notice of Hearing

for Case #Z (fill in case #) _____ as issued by the Zoning Board

of Appeals of the Incorporated Village of Bayville, by depositing a true copy of said Hearing

Notice which was enclosed in a post-paid, properly addressed envelope, with the notation,

“Certified Mail, Return Receipt Requested”, in an official depository under the exclusive care

and custody of the United States Postal Service, which official depository is located at

(Address of Post Office) _____.

(Signature)

(Date)

(Note: General Municipal Law of the State of New York, Section 809 enacted in 1969 **requires** that filing of the following completed Disclosure Statement)

OWNER DISCLOSURE STATEMENT

_____ deposes and says:
(Owner's Name)

1. **FOR INDIVIDUAL**

A. I am over the age of 21 and reside at

B. I am Owner / Contract Vendee (cross out one) of the property designated as Section _____ Block _____ Lot(s) _____ on the Nassau County Land and Tax Map which forms the subject matter of this application and am fully familiar with all the facts and circumstances hereinafter set forth.

1. **FOR CORPORATION**

A. I am the _____ of _____
(Office Held) (Name of Corporation)

and am fully familiar with all the facts and circumstances hereinafter set forth.

B. The business address of _____ is _____
(Name of Corporation)

C. Said corporation was incorporated under and pursuant to the _____ Law of the State of _____ and is the _____ of the property designated as Section _____ Block _____ Lot(s) _____ on the Nassau County Land and Tax Map which forms the subject matter of this application.

D. The following are the names and residences of each officer, director and shareholder: (Set forth the names, residences and relationship to corporation) (Add additional sheet if necessary).

- E. The corporate stock of said corporation has not been pledged to any person nor has any agreement been made to pledge the said stock, except: (If any, set forth details.)
- 2. There are no encumbrances or holders of any instruments creating an encumbrance upon the subject property except: (If any, set forth details.)
- 3. Neither deponent nor any other person mentioned in this statement is a Village officer or employee or is related to a Village officer or employee, except: (If any, set forth details.)
- 4. No State Officer or employee or local municipal officer or employee in the Nassau County or his spouse or a person by consanguinity related to either of them within the third degree is (are) the Applicant(s) or an officer, director or employee of the Applicant(s), or legally or beneficially owns or controls the corporate stock of the Applicant(s) or is a partner of the Applicant(s) or associated with the Applicant(s) in a joint venture or has an agreement with the Applicant(s), expressed or implied ;whereby his compensation for services is to be dependent or contingent upon the favorable exercise of discretion in the granting of the application herein, except: (If any, set forth details.)
- 5. In the event there is any change in the matters set forth herein prior to the public hearing relating to the property affected hereby, deponet(s) will file with the Village a supplemental statement indicating the details of such change within 48 hours of such change

I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMENOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

(Date)

(Applicant(s) Signature(s))

Sworn to me before this

_____ Day of _____, 20__

Notary Public

PERMISSION TO INSPECT PROPERTY

"I hereby authorize: the members of the Board of Appeals, the Building Inspector, and/or the Village Engineer, to enter upon and inspect my property located at:

Upon reasonable notice given, prior to the Board of Appeals rendering a determination with regard to this application."

(Date)

(Signature of Property Owner)

Sworn to me before this

_____ Day of _____, 20__

Notary Public