ZONING BOARD OF APPEALS TOWN OF OYSTER BAY, N.Y. RULES OF PROCEDURE Application for a Variance

THE FOLLOWING MUST BE SUBMITTED WITH YOUR APPLICATION:

- 1) Two (2) original copies of the **Board of Appeals Application** with executed signature of fee owner.
- 2) The rejected building permit application together with three (3) sets of building plans.
- 3) Fourteen (14) legible copies of a survey of the subject property prepared by a licensed surveyor drawn to scale indicating setbacks from property lines. If application is to maintain then highlight what the application is for.
- 4) For proposed structures/additions, an additional fourteen (14) legible copies of a plot plan showing the proposed structures/additions indicating setbacks from property lines is also required. The plot plan cannot be substituted for surveys.
- 5) Fourteen (14) copies of a radius map, drawn to scale, showing the size and location of all parcels located within a radius of 100 feet (300 feet for commercial parking) measured from all points of the subject property and indicated thereon the name and mailing address and section, block and lot for each parcel shown.
- 6) PLOT PLAN, SURVEY & RADIUS MAPS MUST BE COLLATED AND STAPLED INTO 14 PACKETS.
- 7) A **Disclosure Affidavit** pursuant to the Building Zone Ordinance (One for Applicant and one for Representative of Applicant if needed).
- 8) A **Prior Application Affidavit** listing all prior applications (copy/copies) attached to form) affecting subject property made to the Zoning Board of Appeals and/or the Town Board either for change of Zone or Special Permit. If prior application has been made, include a copy of Town Board Resolution.

FEES

, 9) Once your application has been reviewed by the Division of the Zoning Board of Appeals, a **fee** will be calculated and you will be notified by postcard of that fee. Please pay promptly.

PROOF OF NOTICE

- 10) A **Notice to Owners and Occupants** form will be mailed to you by the Division of Zoning Board of Appeals 18-20 days prior to your hearing date. You or your representative must send this form by mail to each owner, occupant and contract vendee (if any) of all parcels of property located within a radius of 100 feet (300 feet for commercial parking) measured from all points of the subject property lines. However, such notice must be sent by Certified Mail, Return Receipt Requested to those owning or occupying all properties abutting the subject property and A SECOND NOTICE to be addressed "Owner/Occupant" to all abutting properties. Said notice shall be postmarked not less than TEN (10) days prior to the date set for the Public Hearing.
- 11) Along with the "Notice" you will be mailed an "Affidavit of Mailing". This Affidavit, having attached thereto a true and complete copy of the "Notice to Owners and Occupants" together with U.S. Postal Receipt or "Certificate of Mailing" for each Certified letter mailed to the abutting property owners, must be filed with the Zoning Board not less than TWO days prior to the date of the scheduled Public Hearing.

NOTE: 1) A separate application for a variance or permit shall be required in the following cases even though the applications relate to the same property or premises: a) for each building if more than one; b) for each special exception requested; c) for each use variance required; d) for each special permit requested. (When applications relating to the same premises are filed simultaneously, the applicant shall be required to file only one completed set of surveys and maps with only two additional for each additional separate applications. 2) In the case of application for Variance from the plot area and/or width requirements of the Ordinance, the following shall be annexed to and made part of the application in addition to the foregoing. A) An abstract of title affirmed or sworn to by an attorney or by a recognized title examiner, in the form required by the Board, setting forth the Chain of Title (all records of conveyance) of the subject property and all adjacent and abutting plots on and from January 26, 1953 to date. IMPORTANT: The abstract of title shall be typewritten or printed on a letter or legal size paper and shall fore each conveyance recorded, show the full name of the grantor and the grantee, the date of deed, the date of recording and the liber and page. Each conveyance recorded concerning any lot must indicate all other lots or property conveyed in the same instrument. If new lot numbers have been assigned since January 1953, the abstract shall indicate both the prior lot numbers and the new lot numbers.



TOWN OF OYSTER BAY, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771 BOARD OF APPEALS 624-6230 APPLICATION

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TOWN OF OYSTER BAY, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771 BOARD OF APPEALS 624-6230 APPLICATION

THESE SPACES FOR OFFICIAL USE ONLY

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TYPE OF VARIANCE
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REJECTED FOR ARTICLE SECTION FEE \$ PREVIOUS BOARD OF APPEALS CASE NO. TYPE OF APPLICATION DATE REJECTED BY BUILDING DEPT. MA



Town of Oyster Bay Department of Planning and Development Town Hall - 74 Audrey Avenue Oyster Bay, New York 11771 (516) 624-6200 FAX (516) 624-6240 www.oysterbaytown.com

ELIZABETH L. MACCARONE COMMISSIONER

NOTARY PUBLIC

TIMOTHY R. ZIKE DEPUTY COMMISSIONER

(Rev. 07/11/2017)

APPLICANT'S DISCLOSURE AFFIDAVIT

PR.	EMISES:
ST	ATE OF NEW YORK)
CO	unty of)
	, being duly sworn, deposes and says:
1.	That I am (age), and reside at (address)
2.	That I am the (owner, lessee, etc.) of property which is the subject Matter of this application and am familiar with all the facts and circumstances hereinafter set forth.
3.	That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.)
4.	That there are no encumbrances or holders of any instruments creating and encumbrance upon the subject property – except: (if any, set forth details)
5.	That neither deponent nor any other person mentioned in this affidavit is an officer or Employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details)
6.	That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the applicant, or any officer, director or partner, member or employee of the applicant, or legally or beneficially owns or controls one (1) percent or more of the stock of the applicant, or is associated with the applicant in a joint venture, or is a party to an agreement with the applicant, expressed or implied, whereby he 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 - except (if any set forth details - see General Municipal Law Section 809)
7.	That in the event there is any change in the matters set forth herein prior to the issuance of a building permit or certificate of occupancy for the property affected hereby, deponent (s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.
c	(signed)
2.11	/orn to before me this
	day of 20



Town of Oyster Bay Department of Planning and Development Town Hall - 74 Audrey Avenue Oyster Bay, New York 11771 (516) 624-6200 FAX (516) 624-6240 www.oysterbaytown.com

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	SES:
STATE	OF NEW YORK)
COUNT	SS. Y OF
	, being duly sworn, deposes and says:
1.	That I am (age), and reside at (address)
2. Mat	That I am the (owner, lessee, etc.)of property which is the subject ter of this application and am familiar with all the facts and circumstances hereinafter set forth.
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app Law of a app the with ben	That no officer of the State of New York, or officer or employee of the Town of Oyster of Nassau County, or person holding any position or office, whether by election, ointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election of this spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse my of them, is the applicant, or any officer, director or partner, member or employee of the licant, or legally or beneficially owns or controls one (1) percent or more of the stock of applicant, or is associated with the applicant in a joint venture, or is a party to an agreement of the applicant, expressed or implied, whereby he may receive any payment or other effit, whether or not for services rendered, dependent or contingent upon the favorable roval of such application, petition or request - except (if any set forth details - General Municipal Law Section 809)
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	(signed)
Sworn t	to before me this
ويتبونونيون	day of

PRIOR APPLICATION AFFIDAVIT

STATE OF NEW YORK }		
SS. COUNTY OF NASSAU }		
(Name of Applicant)	, being	duly sworn, deposes and says
that ha/aha wasidan at		•
that he/she resides at	(Street)	
(Village)	(State)	(Zip Code)
and that he/she is the		of the premises
	(Owner, Lessee, etc.)	
located at		
	-	•
shown on the Nassau County Tax Ma	n as SECTION	
BLOCK	, LOT	
I/We do hereby affirm that there are/w Town Board of other agency having Ju	vere no prior applications affecting urisdiction except that:	g this property made to the
(LIST ALL APPLICATION AND RESO	LUTIONS)	
	- International Contraction of the Contraction of t	
Attached hereto are copies of these A	oplications and/or Resolutions lis	ted above.
Sworn to before me this		(Signature)



Nassau County Department of Assessment

240 Old Country Road. 4th Floor Mineola, New York 11501 (516) 571-3670 Fax (516) 571-0481 E-Mail: DOARadiusMap@nassaucountyny.gov.

Radius Map Request Form

Section:	Block:	Lot:
Municipality:		
		City receiving Radius Map)
		et MUST be included with this adius map to be prepared.
	Radius Ma	p Pricing:
100' Radius Map (\$100	.00) 4	00' Radius Map (\$250.00)
200' Radius Map (\$150		00' Radius Map (\$300.00)
300' Radius Map (\$200		Custom/Combo Map (TBD)
N. Y. A.	The State of the S	ps must be ordered and picked up in person.
Signature of Applicant		Contact Phone Number
Print Name of Applicant		Contact E-Mail Address
Radius Property Street Address		FOR INTERNAL USE ONLY Amount:
City/Town	Zip Code	Received By:
	,	Date:
		Revised 9/1

Radius maps are to be folded in half . Then in half again with all information on the outside



Sample

TOWN OF OYSTER BAY, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771 BOARD OF APPEALS 624-6230 **APPLICATION**

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APPELLANT'S NAME	PLI	EASE TYPEWRITE OR PRINT ALL INF	ORMATION IN INK	DATE
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IAIL TO NOTICE	e D			
TREET ADDRESS	TPLANCE	POS OFFICE	ZIP CODE	TELEPHONE NO.
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Town of Oyster Bay

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TIMOTHY R. ZIKE DEPUTY COMMISSIONER

(Rev. 07/11/2017)

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STA	ATE OF NEW YORK)
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2.	That I am the (owner, lessee, etc.) of property which is the subject Matter of this application and am familiar with all the facts and circumstances hereinafter set forth.
3.	That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.)
4.	That there are no encumbrances or holders of any instruments creating and encumbrance upon the subject property – except: (if any, set forth details)
5.	That neither deponent nor any other person mentioned in this affidavit is an officer or Employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details)
6.	That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the applicant, or any officer, director or partner, member or employee of the applicant, or legally or beneficially owns or controls one (1) percent or more of the stock of the applicant, or is associated with the applicant in a joint venture, or is a party to an agreement with the applicant, expressed or implied, whereby he 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 - except (if any set forth details - see General Municipal Law Section 809)
7.	That in the event there is any change in the matters set forth herein prior to the issuance of a building permit or certificate of occupancy for the property affected hereby, deponent (s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.
	(signed)
Sw	forn to before me this
	day of 20

PRIOR APPLICATION AFFIDAVIT

STATE OF NEW YORK }			
SS. COUNTY OF NASSAU }			
(Name of Applic	Poblic cant)	, being duly	sworn, deposes and say
that he/she resides at OC		<u> </u>	
Ouster Bay		Street)	,(Žip Code)
and that he/she is the	Ouna	•	of the premises
located at	(Owner, Lessee,	etc.)	
Oust		Jusyork	1(77)
shown on the Nassau County Ta	ax Man as SECTION	27	
	, LOT	25	
I/We do hereby affirm that there Town Board of other agency hav	are/were no prior appl	ications affecting th	is property made to the
(LIST ALL APPLICATION AND F	RESOLUTIONS)	Resolu	4015
List prior Ver	only qu	re and o	Hach
Copies of the	Decision	· (s).	
Attached hereto are copies of the	ese Applications and/o	r Resolutions listed	above.
Sworn to before me this		4	(Signature)
Sworn to before me this	otery)		(Aldiigme)
	-		



ARLENE VAN LOAN, Chairwoman – SUSAN CLONINGER – LOIS SCHMITT - LEWIS J. YEVOL RITA BYRNE – KATHLEEN MULLIGAN - ELISABETTA TREDICI, Counse!

NOTICE TO OWNERS AND OCCUPANTS OF SURROUNDING PROPERTIES

PLEASE TAKE NOTICE that the Town of Oyster Bay Zoning Board of Appeals will hold a public hearing in the Town Hall (East Building) Meeting Room, Audrey Avenue, Oyster Bay, New York, at 7:00 P.M., to consider the following appeal: This notice is sent to you in accordance with the rules of the Town of Oyster Bay Zoning Board of Appeals, which require the applicant to notify the owners and occupants of all properties located within a radius of 100 feet of the subject premises, with regard to the subject application. Signed Dated 20 The date Certifieds mailed)

A COPY OF THIS NOTICE MUST BE MAILED BY THE APPLICANT OR HIS REPRESENTATIVE TO OWNERS & OCCUPANTS OF SURROUNDING PROPERTIES, <u>AT LEAST TEN</u> (10) <u>DAYS IN ADVANCE OF THE SCHEDULED HEARING DATE</u>. THE ORIGINAL (YELLOW) NOTICE MUST BE FILED WITH THE OFFICE OF THE ZONING BOARD OF APPEALS, BY THE APPLICANT OR HIS REPRESENTATIVE, <u>AT LEAST TWO</u> (2) <u>DAYS IN ADVANCE OF THE SCHEDULED HEARING DATE</u>.

FILES ARE NOT AVAILABLE FOR REVIEW ON THE DAY OF THE SCHEDULED PUBLIC HEARING.

15-17 days prior to hearing this letter (yellow) will be mailed to the person doing the mailing to neighbors. Do not wait for all green Certified Cards to come back. Return any received with this letter and Mailing Affidavit to the 2BA office. Bring additional Cards received to the hearing. Do Not Wait Form



Nassau County Department of Assessment

240 Old Country Road, 4th Floor
Mineola, New York 11501
(516) 571-3670 Fax (516) 571-0481
E-Mail: DOARadiusMap@nassaucountyny.gov

Radius Map Request Form

Section:	Block:	Lot:
Municipality:		
	(Town/Village/Ci	ty receiving Radius Map)
•		t MUST be included with this lius map to be prepared.
•.	Radius Map	Pricing:
100' Radius Map (\$100.0	00) 40	0' Radius Map (\$250.00)
200' Radius Map (\$150.0	00) 50	0' Radius Map (\$300.00)
0000 D 11 34 (0000 0		stom/Combo Map (TBD)
Includes 10 copies of Radius M	add \$50.00 to the higher I	Radius price. For a Triple Radius Map, add \$100. t. Additional copies can be provided at \$5.00 per copy. I must be ordered and picked up in person.
*For a Double Radius Map, a Includes 10 copies of Radius M Payment Due at the	add \$50.00 to the higher I	Radius price. For a Triple Radius Map, add \$100. t. Additional copies can be provided at \$5.00 per copy, must be ordered and picked up in person.
*For a Double Radius Map, a Includes 10 copies of Radius M Payment Due at the	add \$50.00 to the higher I dap with attached Owners Lis he time of order. Radius maps	Radius price. For a Triple Radius Map, add \$100. t. Additional copies can be provided at \$5.00 per copy, must be ordered and picked up in person.
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*For a Double Radius Map, a Includes 10 copies of Radius M Payment Due at th NOTES:	add \$50.00 to the higher I dap with attached Owners Lis he time of order. Radius maps	Radius price. For a Triple Radius Map, add \$100. t. Additional copies can be provided at \$5.00 per copy, must be ordered and picked up in person.
*For a Double Radius Map, a Includes 10 copies of Radius M Payment Due at th NOTES: Signature of Applicant	add \$50.00 to the higher I dap with attached Owners Lis he time of order. Radius maps	Radius price. For a Triple Radius Map, add \$100. t. Additional copies can be provided at \$5.00 per copy. I must be ordered and picked up in person. Contact Phone Number Contact E-Mail Address FOR INTERNAL USE ONLY
*For a Double Radius Map, a Includes 10 copies of Radius M Payment Due at th NOTES: Signature of Applicant Print Name of Applicant Radius Property Street Address	add \$50.00 to the higher I dap with attached Owners Lis he time of order. Radius maps	Radius price. For a Triple Radius Map, add \$100. t. Additional copies can be provided at \$5.00 per copy. I must be ordered and picked up in person. Contact Phone Number Contact E-Mail Address

