



Instructions for Filing An

Application for Zoning Board of Appeals

APPLICATION MUST BE SIGNED AND NOTARIZED

TO BE SUBMITTED WITH APPLICATION:

-SKETCH OF LAY-OUT, IF EXISTING;

-PLANS (for proposed extension of any kind); Three (3) sets of professionally prepared plans (i.e. prepared by a draftsman or architect). If they are prepared by an architect they do need not be sealed plans).

NOTE ***THE HEIGHT ELEVATION FROM EITHER THE
THE TOP OF THE CURB OR THE CROWN OF
THE ROAD MUST BE WRITTEN ON THE PLANS.
***** IF THE HEIGHT IS NOT WRITTEN ON THE PLANS
THE APPLICATION WILL NOT BE ACCEPTED.**

-DIMENSIONS NECESSARY (should be drawn on survey to show location of proposed and/or existing addition). THREE (3) COPIES OF THE SURVEY MUST BE SUBMITTED AND THEY MUST BE FIVE YEARS OLD OR LESS.

-COPY OF DEED FOR THE PROPERTY MUST BE SUBMITTED (You can first check with the Village Clerk's Office to see if we have your deed on file. However, if it is not on file here, and you do not have a copy of the deed it must be obtained from the Suffolk County Clerk's Office before your application is submitted)

-UNLESS WAIVED UNDER RULE 13, THE APPLICANT MUST NOTIFY PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PARCEL; The Village Clerk's Office will supply you with a list of the surrounding property owners, as well as the Legal Notice to be sent to them. You must pick this up approximately two-three weeks prior to your hearing. You will receive a call from the Village Clerk's Office when the mailing info is ready to be picked up. You will then receive instructions on how to proceed. When you pick up your mailing packet, a \$50.00 deposit will be due for each sign that is to be posted on your property. (See below).

-UNLESS WAIVED UNDER RULE 13, THE VILLAGE IS PROVIDING THE ZBA SIGN THAT MUST BE POSTED ON THE APPLICANT'S PROPERTY AT LEAST 15 DAYS PRIOR TO THE MEETING. THE INITIAL COST OF EACH SIGN WILL BE \$50.00, WITH A 50% REFUND WHICH WILL BE MAILED TO THE APPLICANT WITHIN ONE MONTH UPON RETURN OF THE SIGN WITH THEIR VOUCHER.

**FEE TO BE SUBMITTED WITH APPLICATION:
BASED ON PROPERTY ZONING :**

Residential and Residential O Zone	\$ 100.00
Marine Commercial Zone	250.00
Retail Commercial & Industrial Zone	250.00
Multi-Family District Zone	250.00

A REQUEST FOR RELIEF TO DEVELOP A SUBSTANDARD PARCEL REQUIRES A "SINGLE AND SEPARATE" TITLE SEARCH, AND DEPENDING UPON THE RESULT, A REQUEST TO THE PLANNING BOARD FOR A RECOMMENDATION MAY BE NECESSARY. (See Babylon Village Code, Chapter 365-47)

To request a waiver under Rule 13 the application must be limited to relief for special use in the Retail Business District in an existing building.

VILLAGE OF BABYLON
APPLICATION TO THE BOARD OF APPEALS

Description of relief sought *****(SEE NOTE BELOW)**
(attach separate sheet if necessary):

*****NOTE:** Variances required will be included whether or not listed above, as deemed necessary, and as determined by the Site Plans Examiner and the Zoning Board of Appeals, after review of the plans submitted with this application. The legal notice for this application will be derived based on the plans submitted.

1. Has a building permit been refused by Building Inspector?.
2. Is there a school, house of worship, or hospital within 500 feet of this premises?. . . .
3. Approximate cost of work this application is made for?\$.
4. Is this premises with 500 feet of (Answer Yes or No):

. Boundary of any Village or Town

. Boundary of any existing or proposed County, State, or Federal park.

. The right of way of any existing or proposed County or State parkway, thruway, expressway, road or highway.

. The existing or proposed right of way of any stream or drainage Channel owned by the County or for which the County has established Channel lines.

. The existing or proposed boundary of any other Country, State or Federal owned land.

. The Atlantic Ocean, Long Island Sound, any bay in Suffolk County, Or estuary of any of the foregoing bodies of water.

5. Answer yes or no to determine whether the application qualified for summary determination pursuant to Rule 13.

- Is the property in a retail business district.
- Is the relief requested limited to a request for special permission of a use.
- Is the building an existing building with an existing certificate of occupancy.

If you answered yes to all the questions in item 5 you may qualify for summary determination and expedited processing of your application under Rule 13. To request a summary determination you must complete the "Building Department Referral Form for Determination of Eligibility for Summary Determination."

COUNTY OF SUFFOLK
STATE OF NEW YORK

SS:

_____ being duly sworn,

Deposes and says that he (or) she is _____ of the property above described
Owner or Agent of owner

That all statements made in this application are true to the best of his (or) her knowledge and belief, except as to the matters therein stated to be alleged on information and belief and as to the matters he (or) she believes the same to be true. He (or) she understands the requirements of this application with regards to the submittal of plot plans, other drawings and the posting of public notices.

.....
Sworn before me this

.....Day of.....,20.....

.....
Notary Public, Suffolk County

VILLAGE OF BABYLON
APPLICATION TO THE BOARD OF APPEALS

In the Matter of the Application
Of:

Owner of Property if Other Than Applicant

Applicant's Name:..... Name.....

Address..... Address.....

.....
.....

Day Time Telephone No:..... Day Time Telephone No:.....

Property Address or Description of Location.....

To the
BOARD OF APPEALS
VILLAGE OF BABYLON

For Village Clerk Only:

Property Zoned:..... Section..... Block..... Lot.....

For Plans Examiner Only:

Plans Reviewed.....No Variance Required..... Or Plans Examiner
(DATE) Variance Required.....(See attached comments).

Schedule of Board Hearings:

The Board of Appeals meets on the third Wednesday of the month at 7:30 p.m. in Babylon Village Hall, 153 West Main Street, Babylon, New York. The Board does not meet during the month of August.

Maximum Number of Applications:

To provide the Board sufficient time to fully explore each application, the number of applications to be heard at each monthly meeting shall be limited to the Board's discretion. The only exception to this limit is applications for renewals of previously granted use variances. The Board may decide, at its sole discretion, to hear such renewal applications in addition to new applications for variances.

General Filing Requirements:

Application is to be filed and submitted, with payment of all applicable fees, to the Village Clerk together with two sets of plot plans drawn to scale and a detailed description and location of the property. The plot plan shall show all existing and proposed buildings and structures or modifications to existing buildings or structures and distances of the same from the lot or street lines.

Additional Filing Requirements and Deadlines:

1. In addition to the requirements described under the General Requirements, Applications requesting a variance to construct a new building or structure or to make modifications to an existing building or structure shall be filed together with three sets of drawings adequate to meet the requirements for obtaining a building permit in the Village of Babylon. At a minimum, the Board requires drawings showing the floor plan for each level and section (elevation) views showing each unique section of the proposed building or structure.
2. Applications seeking to renew a previously granted variance or special permission shall be filed together with the information required under the General Requirements and any other information that supports the continuance of the variance or special permission. An application that is limited to a request for special permission under Village Code § 365-20 (3) (Special uses in a retail business district) in an existing building may be eligible for summary determination under Rule 13.
3. If, in the sole judgment of the Board, the required drawings and/or any other required information filed is inadequate or incomplete, the Application may be deferred to a later scheduled Board meeting.
4. Unless waived under Rule 13 the applicant shall post notice of public hearing on the premises no less than fifteen (15) calendar days prior to the hearing date for which this application is made.
5. See instructions for filing a ZBA application.