

INC. VILLAGE OF LATTINGTOWN

APPLICATION TO BOARD OF APPEALS FOR VARIANCE

1. Applicant(s)/Owner(s) Name: _____

2. Address: _____ Phone #: _____

3. If Applicant is Contract Vendee, list name and current address of property owner(s) and attach owner's consent to the application.

4. Attorney, Engineer, or other Representative _____

Firm/Company Name _____

Address _____ Zip Code _____

Phone # _____ Fax # _____

5. Description of Subject Property:

Address: _____ Sec. _____ Blk. _____ Lot(s) _____

Zoning District: _____ Lot area: _____

6. Appellants became the owner of said property on: _____
by deed dated _____ recorded in Liber _____ at page _____.

7. Has the premises at the subject address ever been the subject of a prior variance application? _____

If yes, state the date of hearing, relief requested and result _____

8. The variance involved relates to: **CHECK ALL THAT APPLY AND INCLUDE APPLICABLE SECTION OF THE ZONING CODE**

Use (Section _____) Frontage (Section _____) Side Yard (Section _____)

Width (Section _____) Height (Section _____) Area (Section _____)

Front Yard (Section _____) Rear Yard (Section _____) Depth (Section _____)

Gross Floor Area (Section _____) Principal Building Area (Section _____)

Total Building Area (Section _____) Height/Setback Ratio (Section _____)

Flood Zone Regulations (Article VI, Section _____)

Attach the Building Inspector's written denial of building permit/certificate of occupancy.

(IF MORE THAN ONE VARIANCE IS REQUESTED, PLEASE CHECK HERE [] AND LIST THE INFORMATION REQUIRED UNDER # 8 ON AN ADDITIONAL PAGE.)

9. State the zoning requirements, the proposed dimensions, and the differences for which the variance is requested. (Example: The proposed building/addition will be only 35 feet rather than the required 50 feet from side line)

10. In making its determination, the Board of Zoning Appeals must take into consideration the benefit to the Applicant if the variance is granted weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following. Please provide a brief explanation of the 5 items following and be prepared to address each at the time of the hearing: **(use an additional page if necessary)**

a. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?

b. Can the benefit sought in this appeal be achieved by some method feasible other than the requested area variance? Please explain. _____

c. Is the requested area variance substantial? _____

d. Will the granting of the proposed variance have an adverse effect or impact on the physical or environmental condition of the neighborhood? Please explain. _____

e. Was the alleged difficulty necessitating the requested variance self-created by the Appellant? _____

The Board of Zoning Appeals may grant only the minimum variance, if any, that it shall deem necessary and adequate at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

11. The section, block, lot, name(s), and mailing addresses of all property owners within 100 feet of property of Appellants(s) are as follows:**(Please use an additional page if necessary)**

Sec., Blk., Lot	Name	Mailing Address (Street No.; Street; PO Box; Zip)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

AFFIRMATION ON SEARCH OF NEIGHBORING PROPERTY OWNERS

_____ deposes and says:

That he/she is over the age of eighteen and resides at _____

That on the _____ day of _____, 200____, deponent searched the current Village or Town tax roll records and hereby certifies that such records show the above listed current title owners of the above listed properties within 100 feet of the subject premises.

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

Date: _____



 Record Search Deponent's Signature

I/We, _____ the Applicants/Appellants herein, do hereby authorize the members of the Board of Zoning Appeals to inspect our property as it relates to the foregoing variance application during reasonable hours and upon said Board of Zoning Appeals members providing reasonable notice of said inspection. I/We consent to the Board of Zoning Appeals members or the Clerk of the Board of Zoning Appeals to contact me/us at the phone number provided herein to arrange said inspection.



 Landowner(s) Signature(s)

Date _____



 Applicant(s)/Appellant(s) Signature(s)

WHEREFORE, in accordance with the foregoing alleged facts Applicant(s) request said Board of Appeals to vary the strict application of the aforesaid provision(s) of said Village's Building Zone Ordinance, to grant the relief requested and grant such other and further or lesser relief as to this Board seems just and proper.

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

Date





Applicant(s)/Appellant(s) Signature(s)

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

DISCLOSURE STATEMENT

_____ deposes and says:

1. **FOR INDIVIDUAL**

a. I am over the age of 21 and reside at _____

b. I am the _____ of the property designated as Section _____ Block _____ Lot(s) _____
(owner/contract vendee - insert one)

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 (Strike out if not applicable)**

a. I am the _____ of the _____ with offices
(Office Held) (Name of Corp.)

located at: _____
and am fully familiar with all the facts and circumstances hereinafter set forth.

b. The corporation was incorporated under the Laws of the State of _____ and is the _____ of the property designated as Section _____ Block _____ Lot(s) _____ on the Nassau County Land and Tax Map.

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

d. That 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.)

1. **FOR PARTNERSHIP (Strike out if not applicable.)**

a. That I am a _____ of the _____
(Partner, Joint Venturer, etc.) (Name of Partnership)

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

b. That the above partnership was established in _____
(Place)

_____ on _____ and is the _____ of the property designated as
(Owner or Contract Vendee)
Section _____ Block _____ Lot(s) _____ on the Nassau County Land and Tax Map.

c. That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.): (Add additional sheet if necessary)

2. That there are no encumbrances or holders of any instruments creating an encumbrance upon the subject property (except: if any set forth details.)

3. That 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. That 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. That in the event there is any change in the matters set forth herein prior to the public hearing relating to the property affected hereby, deponent(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 MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.





Date

Applicant(s) Signature(s)

CONSENT OF ADJOINING OWNERS

(This page is not required and may be deleted)

We, the undersigned, property owners in the Village of _____ adjoining the property of Appellant(s) _____ herein described as Section _____ Block _____ Lot(s) _____, hereby approve(s) the granting of a variance by the Board of Zoning Appeals of said Village so as to permit the use, construction, or alteration of the building or structure or the use of the land sought by Appellant(s):

Name and Address of Person
(Please Print)

Signature
