



ZONING BOARD OF APPEALS

55 MAIN STREET, POST OFFICE BOX 660
SAG HARBOR, NEW YORK 11963
631-725-0224

TO: PROSPECTIVE APPLICANTS

FROM: CHAIRPERSON, ZONING BOARD OF APPEALS

RE: Instructions and guidelines for preparation and submittal of applications to the Zoning Board of Appeals

All applicants must first apply to the Building Department for a building permit. Building permit applications must be sufficiently complete for the Building Inspector to make a determination as to what variances are required. If the permit is refused, a written referral to the Zoning Board of Appeals will be drafted by the Building Inspector. No application for a variance will be entertained by the Zoning Board of Appeals without a written referral from the Building Inspector.

After the application has been reviewed and deemed complete it will be scheduled for a public hearing on the next available meeting date. There are no deadlines. Applications are reviewed in the order they are received. Although every effort is made to expedite each application, there is no specific time limit in which to review applications.

Applicants should review the agenda one week prior to the meeting. Agendas are available on the Village website or in person from the Building Department. Alternatively, applicants may contact the Building Department at 631-725-0224 to ascertain the presence and location of their application on the agenda.

The filing fee for a single-family residence is \$1,000.00. The filing fee for all other applications is \$1,250.00. The filing fee must accompany the application.

The Board may require the payment of out-of-pocket expenses incurred by the Village in studies/and or by retainer of advisor that are over and above application fee. To collect such additional fee, the Board will provide the applicant with written notice of its intent to conduct such studies by the Village consultant/expert advisors related to the hearing.

Applicants must submit one original and seven (7) copies of the complete application packet as described above. Each packet must be assembled by the applicant and include each of the documents enumerated above. Please denote which application contains the original documents.

Each Zoning Board of Appeals packet must include.

- a. A completely filled out application form. The specific nature of the request should be clearly explained, including the specific section(s) of the code from which relief is requested.
- b. A completed application for a building permit.
- c. A complete set of drawings at 1/8" scale.
- d. A survey.
- e. A deed, lease or Certificate of Occupancy in the name of the applicant.
- f. A completed consent for inspection.
- g. A completed and notarized authorization form (if represented by an agent)
- h. A completed Coastal Assessment Form
- i. A completed Short Environmental Assessment Form

In addition, to the above, the applicant must submit an original and two copies of the following:

- a. Complete set of drawings at 1/4" scale
- b. Completed and Notarized Disclosure Affidavit

Requests for relief from lot coverage requirements, required setbacks or the pyramid law should contain the proper (300-4.3 for coverage and setback relief in the R-20 district; 300-9.3 for pyramid relief) in the AREA VARIANCE portion of the application. Applicants for these types of variances should furthermore address the five questions found in paragraph 6 of the application.

If the application is for the relief from required structure setbacks or lot coverage, the applicant must furnish an original and two copies of a certified abstract of single and separate ownership. The search must go back prior to November 17, 1971. Title reports from property closings generally do not provide the required information. Reports are furnished to the Village Attorney for review prior to placing an application on the agenda. **Single and separate reports must be furnished with the initial application,** please retain the application until the single and separate search has been obtained.

If the application is for relief from the PYRAMID LAW, the plans must clearly indicate the existing structure, including the degree of EXISTING non-conformance and the amount of additional PROPOSED non-conformance.

A calculation in cubic feet shall provided for each existing and proposed building on the subject premises and a calculation in cubic feet as to those parts of each Existing and proposed building which exceed the Pyramid Law, including the Percentage of the total volume of the buildings that exceed the Pyramid law.

Elevations shall show those areas of existing and proposed buildings that intrude into the pyramid. Pyramid lines shall be drawn on all planes. Pursuant to resolution by the Board, applicants MUST COLOR CODE ELEVATIONS OF THE STRUCTURE IN QUESTION AS FOLLOWS:

- a. THE EXISTING STRUCTURE SHALL BE COLORED GREEN
- b. THE PORTION OF THE PROPOSED IMPROVEMENT THAT DOES NOT REQUIRE A VARIANCE SHALL BE YELLOW
- c. THE PORTION OF THE PROPOSED IMPROVEMENT THAT REQUIRES A VARIANCE SHALL BE COLORED RED

If the application is for a road frontage variance, include **seven (7)** copies of a tax map depicting the subject parcel and the proposed access leading all the way to its connections with public road.

If the application is for variance required to subdivide property, include **seven (7)** copies of a tax map showing the subject property and the surrounding area.

If the application is subject to Suffolk County Health Department (“SCHC”) approval, a copy of the SCHD submissions must be included. Projects that require SCHD approval include, but are not limited to, those projects where the home is being demolished, and; where the bedroom count is being increased, and; where sanitary service is being added to an existing structure, and; where the sanitary system must be relocated to accommodate as addition or assessor structure. Contact the Building Department for referral guidelines.

If the applicant is represented by an agent, a notarized original and two copies of a letter authorizing the agent to act of behalf of the applicant must be submitted. In the case of a attorney acting as agent for the applicant, this Board will accept a notarized affidavit by the attorney attesting to the fact.

For commercial uses, include a site plan of the proposed project that includes parking, vehicular access and elevation sketches of the proposed structures demonstrating compliance with 300-9.6, if applicable.

Some applications may require a landscaping plan.

Surveys shall be current and guaranteed. If proposed construction involved, the surveyor should depict the proposed construction on the survey. All **surveys** must be less than one year old and contain:

- a. Setbacks of all structures depicted on the survey
- b. Dimensions of all structures depicted on the survey
- c. Lot coverage of the existing principal structure and proposed principal structure
- d. Lot coverage of all structures on the parcel

In summary:

The applicant must provide the specific applicable sections of the Village Code and clear, specific descriptions of the request.

The applicant must explain why the request is necessary.

The application must contain sufficient information to demonstrate that any request for a variance meets the applicable tests for a use a variance or area variance. These tests are listed on the application form.

Certain types of applications necessitate inclusion of particular types of information, such as single and separate abstract.

The submittal of an accurate, thorough application with all necessary information is prerequisite to the scheduling of a public hearing. An incomplete application will only delay the processing cycle.

Following a review of the Environmental Assessment Form Part 1, if required, a determination will be made as to whether an Environmental Assessment Form Part II evaluation will be required. If an EAF part II is needed it will be prepared by the Village consultant and no public hearing will be scheduled until after it has been completed and provided to this Board. If an Environmental Impact Statement is determined to be necessary, no public hearing will be scheduled until it has been satisfactorily prepared and submitted by the applicant to this Board.

DATED: 10/22