

INCORPORATED VILLAGE OF PLANDOME MANOR APPLICATION FOR BOARD OF ZONING APPEALS

It is important that petitions and legal notices filed as part of the application process comply with the number of copies required as well as the filing deadlines. Failure to meet these requirements could result in the delay or dismissal of your application.

NOTE: All applications must be submitted no later than THIRTY (30) days prior to hearing date.

The following materials must be properly completed and filed in the Village office along with the application. **The applications must be submitted in PACKETS.** Two (2) complete packets with full size sets of plans and all application documents. Applicants must also submit six (6) complete packets with 11x17 sets of plans. Additionally, a PDF copy of all plans, application, surveys, and packet materials must be emailed to the Village Clerk at clerk@plandomemanor.ny.gov 30 days prior to the meeting date.

Complete packet should include:

- 1] Application for variance of the requirements of Village Ordinances
- 2] Code Relief Description.
- 3] Copy of the Building Department letter of denial and this application.
 - A copy included in all eight (8) packets.
- 4] Copies of elevation drawings (all at 1/4" = 1'0" scale; also showing window sizes and types and all material selections):
 - a) Front
 - b) Right Side
 - c) Rear
 - d) Left Side
 - Two (2) full size sets
 - Six (6) 11x17 sets
 - PDF copy must be emailed to the Village Clerk
- 5] Copies of Site Plans (all at 1" = 20') showing all the setbacks on all sides and showing how they measure and comply with minimum code requirements.
 - Two (2) full size sets
 - Six (6) 11x17 sets
 - PDF copy must be emailed to the Village Clerk
- 6] Copy of Survey within twelve (12) months of the application date.
 - A copy included in all eight (8) packets.
 - PDF copy must be emailed to the Village Clerk
- 7] Color copies of photographs of the existing building(s) (all sides) and photographs showing the surrounding areas of the property (all sides).
 - A copy included in all eight (8) packets.
 - PDF copy must be emailed to the Village Clerk

- 8] Signed and notarized Affidavit.
- 9] Signed & Notarized Full Disclosure Affidavit.
- 10] Signed & Notarized Property Owner's Endorsement.
- 11] If in the event the homeowner will not be appearing before the Board of Zoning Appeals, a "Notice of Appearance" must be submitted by the architect, engineer or contractor.

In addition, applications must include:

- 12] Filing and Examination Fee \$3,000, due upon filing. Must be 2 separate checks:
\$500 Non-refundable filing fee
\$2,500 Deposit for Village Expenses* (*must sign & notarize deposit policy*)
- 13] All applicants are required to serve notice to all property owners in a 200ft radius. **See attached: 'Requirements for Serving Notice.'**
- 14] If your application requires the obtaining of any other permits or approvals (such as D.E.C. for certain waterfront properties), they must be obtained before the BZA hearing.
- 15] **Any change or deviation from BZA approved plans requires re-application to the BZA.**
- 16] **If an applicant appears before the BZA and does not have or produce required materials, applications or documents, the hearing shall be adjourned and a new application and fee will be required.**

Requirements for Serving Notice

All applicants are required to serve legal notice to all property owners withing a **200ft** radius of the subject property. **Mailing the Village legal notice will not be accepted.** Please see attached 'Template for Serving Legal Notice.'

All notices are to be mailed certified letter, return receipt, postmarked a **minimum of ten (10) days and a maximum twenty (20) days prior to the hearing date.**

For example: If the hearing date is December 29th, the earliest date the notice can be mailed and postmarked is December 9th. The latest date the notice can be mailed and postmarked is December 19th. Regardless of Sundays and Federal holidays, the mailing must go out within that window, or the application will not be heard.

The original 'Affidavit of Serving Notice,' a copy of the notice that was mailed, and the certified mail slips must be submitted to the Village Clerk **seven (7) days prior** to the hearing date. Additionally, one (1) copy of the 200ft radius map showing the size of the plots and a list of the names and addresses of the current owners in which the notice was mailed to must also be submitted to the Village Clerk **seven (7) days prior** to the hearing date.

The green return receipts must be brought to the Village, the night of the hearing.

TEMPLATE FOR SERVING LEGAL NOTICE

(To be mailed to all residents within 200' radius of said property)

DO NOT WRITE OVER THIS FORM, YOU MUST CREATE YOUR OWN LETTER, THIS IS ONLY A GUIDE.

(Applicants Letterhead)
Mr. & Mrs. Sample
123 Sample Lane
Plandome Manor, NY 11030

NOTICE OF ZONING APPEALS MEETING

An application for a variance has been filed concerning the property listed below. The application will be heard by the Board of Zoning Appeals on _____ at 8:00 PM at the Village office, 55 Manhasset Avenue, Manhasset, NY 11030. The property and nature of the variance is as follows:

(Address)

PROPERTY:

VARIANCE, CONDITIONAL USE OR SPECIAL USE REQUESTED:

**YOU MUST CITE THE SPECIFIC CHAPTER AND VERSE OF THE
VILLAGE CODE FROM WHICH A VARIANCE IS REQUESTED..**

This meeting is open to the public and you are invited to attend and be heard concerning this matter. This notice is being sent to you pursuant to The Code of Laws of the Incorporated Village of Plandome Manor 11.4

PROPERTY OWNER:

(Name)

Dated:

INC. VILLAGE OF PLANDOME MANOR

AFFIDAVIT OF SERVING NOTICE

STATE OF NEW YORK }
COUNTY OF NASSAU } ss:

Attached is a radius map along with a complete and accurate list of property owners within a 200' radius of _____
(address)

also known as Section _____, Block _____, Lot _____

_____, residing at _____
(name) (street address)

_____, being duly sworn, deposes and says:
(town)

On the _____ day of _____, 200____, I served a true copy of the notice required by the Rules and Regulations of the Board of Zoning Appeals of the Incorporated Village of Plandome Manor at least 10 days prior, but not more than 20 days to the hearing date.

(Signature)

(Signature)

Sworn to before this
day of _____, 20____

Notary Public

**Inc. Village of Plandome Manor
Board of Zoning Appeals**

**APPLICATION FOR VARIANCE OF
THE REQUIREMENTS OF VILLAGE ORDINANCES**

Date filed with Village Clerk: _____

Applicant: _____ **Address:** _____

Owner: _____ **Address:** _____

Lessee: _____ **Address:** _____

Application is hereby made for a variance of § _____ of the Village Ordinance under the authority vested in the Board of Zoning Appeals. Application must be accompanied with ground plans or building plans (in duplicate) whichever is involved.

Premises affected: _____

Located in Zoning District: _____

Street or House Number: _____

Sec. _____ **Blk.** _____ **Lot:** _____

In connection with: New Building: _____ **Existing Building:** _____

If existing building, give date of erection: _____

Any other variances requested or granted on this property: _____

Variance

Requested: _____

PLEASE NOTE: No application for a variance will be accepted unless complete plans for project have been approved or disapproved by the Village Building Inspector. The variance must be filed with the Village Clerk.

Signature

Date

INC. VILLAGE OF PLANDOME MANOR

CODE RELIEF DESCRIPTION

Page ____ of ____

NAME: _____

ADDRESS: _____

SEC _____ BLK _____ LOT _____

CODE VIOLATION SECTION: _____

CODE SECTION STATES: _____

VARIANCE RELIEF:

CODE ALLOWANCE: _____

EXISTING SITUATION: _____

PROPOSED CHANGE: _____

INC. VILLAGE OF PLANDOME MANOR

AFFIDAVIT

STATE OF NEW YORK }
COUNTY OF NASSAU } ss:

_____, being duly sworn, deposes and says:

Deponents are Petitioners in the within application to the Board of Zoning Appeals of the Inc. Village of Plandome Manor; they have read the within Petition and know the contents thereof; the same are true as to your deponent's own knowledge, except as to those matters alleged to be stated on information and belief and as to those matters, deponents believe them to be true.

(Signature)

(Signature)

Sworn to before this
day of _____, 20____

Notary Public

INC. VILLAGE OF PLANDOME MANOR

NOTICE OF APPEARANCE

TO THE BOARD OF ZONING APPEALS:

YOU ARE HEREBY NOTIFIED THAT I, _____
WILL APPEAR FOR _____, THE APPLICATION BEFORE
THE BOARD OF ZONING APPEALS.

Dated this _____ day of

_____, 20____.

(Signature)

(Address)

(Telephone)

Sworn to before this
day of _____, 20____

Notary Public

Incorporated Village of
PLANDOME



MANOR

FULL DISCLOSURE AFFIDAVIT

In the matter of:

Address:

To the Village of Plandome Manor Board of Zoning & Appeals

State of _____
County of _____

_____, being duly sworn, deposes and says:

1. This Affidavit is made by your deponent and intended to be filed with the above Board of the Village of Plandome Manor to fulfill requirements of the appropriate sections of the Plandome Manor Village Code with respect to the above-entitled application made or intended to be made affecting property located and described as follows:

2. Name and address of the person making and signing the Affidavit:

3. If the person making this Affidavit is not the applicant, state the relationship to the applicant:

4. List the names and addresses of ALL persons who have any interest whatsoever in the project and properties described in this application, direct or indirect, vested or contingent. This includes but is not limited to owner, partner, contract vendor, contract vendee, lessor, sub-lessor, contract lessor, lessee, sub-lessee, contract lessee, mortgagor, mortgagee, holder or contract holder of any beneficial interest, holder or contract holder of any encumbrance or lien, guarantor, assignee, agent, or broker. List such person(s) even if the interest arises as the result of providing funds for acquiring or developing the property, and whether or not the interest arises from or is affected by the decision of these municipal Board(s). Please state if any of these are, or are related to, officers or employees of the Village of Plandome Manor and state the nature of the relationship and extent of interest. If any of the above is a corporation, list all principals of said corporation.

5. List the names and addresses of ALL persons who will receive any benefit of any kind as a result of their work, effort or services in connections with this application. For example, architects, attorneys, contractors or any other person/corporation being paid in connection with this application. Please state the nature of relationship and extent of interest, and note if any of those mentioned are officers or employees of the Village of Plandome Manor.

The undersigned affirms the truth and completeness of the above under penalty of perjury.

Sworn to before me this

_____ day of _____ 20____

Notary Public

Owner/Applicant's Signature

Incorporated Village of
PLANDOME



MANOR

PROPERTY OWNER'S ENDORSEMENT

State of _____

County of _____

_____, being duly sworn, deposes and says that (s)he resides
at _____ in the County of _____, and the State
of _____, and that (s)he is the (owner in fee) or (_____ of the
_____ Corporation, which is the owner in fee) of the premises
described in the foregoing application to the Village of Plandome Manor's Board of Zoning & Appeals and that
(s)he has authorized _____ to make the foregoing application.

(Corporate Seal)

Sworn to before me this _____

Day of _____, 20_____

Notary Public

Owner, Partner, Corporate Officer, or
Other (state title)

****If more than one owner, attach additional Property Owner's Endorsement Forms for each**

Incorporated Village of
PLANDOME



MANOR

DRB/BZA Deposit Policy

The Plandome Manor Village Code, Section A228-3, provides that the applicant is liable and shall pay for any and all of the Village's expenses incurred in connection with reviewing an application, which includes all engineering, legal, advertising, Village personnel attendance, stenographic and consultant expenses, incurred by the Village. Accordingly, you are responsible for the payment of the outstanding balance.

I understand the above statement and accordingly will pay all fees associated with my DRB/BZA application.

Property Owner - Signature

Property Owner - Print Name

Sworn to before me this _____

Day of _____, 20_____

Notary Public