

BOARD OF ZONING APPEALS APPLICATION FOR VARIANCE

The following is a guide and the list of requirements necessary to go before the Board of Zoning Appeals. Any questions regarding the process can be answered from 8:30 am - 4:30 pm, Monday to Friday by contacting the Building Department at 516.482.4411.

Submission Requirements:

Incomplete applications will not be accepted

- 1. Completed Building Permit Application by Owner, Agent of Owner, or Contract Vendee
- 2. Fees check payable to the Incorporated Village of Lake Success:
 Residential: \$350 minor applications (fence, shed, etc.) Other Residential: \$750 Commercial: \$2,500

 **PLUS* costs (advertising, experts, legal, if necessary).
- 3. Short Environmental Assessment Form completely filled out and signed on page 3 as applicant.
- 4. Two (two) printed *FULL SIZE* sets and one (1) *electronic copy* (11" x 17" maximum size) of signed and sealed plans including elevations. *Please note, plans must be folded, not rolled.*
- 5. One (1) printed copy and one (1) electronic copy of a recent property survey. 11" x 17" maximum size.
- 6. One (1) printed copy and one (1) electronic copy of a 100' Radius Map, which must include all current record owners listed on the most current tax rolls of the Nassau County Assessor's Office. Such listing may be obtained at the Nassau County Department of Assessment 4th Floor, 240 Old Country Road, Mineola, NY 516.571.0154 or DOARadiusMap@nassaucountyny.gov.

** All electronic copies must be emailed to <u>VLSBuilding@villageoflakesuccess.com</u>.

Upon receipt from Applicant of items 1 through 6 above, Applicant will be advised of the date of the public hearing and will be sent a copy of the Legal Notice and Affidavit of Service.

Applicant must serve (mail) copies of the Legal Notice to record owners of real property that fall within a 100' radius of property by certified mail, return receipt requested, at least ten (10) days, but not more than twenty (20) days before the date of the Public Hearing. The notarized Affidavit of Service must be returned to the Building Department promptly for submission to the Board 10 days before Hearing. The mailing receipts (white) and return cards (green) must be delivered to the Building Department no later than the date of the Public Hearing. If any property within this area resides in another village or municipality you must contact the Building Department for further instructions. The mailing receipts (white) and return cards (green) must be delivered to the Building Department no later than the date of the Public Hearing.

The Village will publish the Legal Notice ten days before the Zoning Meeting at which the Public Hearing will be held.

At the time of the hearing, you may bring with you witnesses to testify in support of your appeal. After the hearing, a written decision will be sent to you within the time specified by law.

By filing this application, the Owner consents to allow the Board of Zoning Appeals to enter upon and inspect the property described.

If you have any questions concerning the application process, please call the Secretary to the Board of Appeals at 516-482-4411 (Building Dept extensions: 101, 107 or 108)



BOARD OF ZONING APPEALS APPLICATION GENERAL REQUIREMENTS

Applicants shall submit the following:

1.	Complete Village of Lake Success Board of Appeals Application (portal)			
2.	Complete Village of Lake Success <u>Building Permit Application</u> forms			
3.	Complete Village of Lake Success Affidavit required by Local Law No. 2 of 1970 form1 copy			
4.	Board of Appeals Filing Fee: Residential Buildings (minor applic: sheds, fences, etc \$350.00)			
5.	Letter from owner addressed to the Village of Lake Success Board of Appeals requesting a variance and outlining any hardship. Indicate scope of variance or violation			
6.	Two (2) printed <i>FULL-SIZE</i> sets of plans showing proposed construction -floor plan, exterior elevations, rendering			
7.	Eight (8) printed Board Member packages to consist of: 11 x 17 sets of plans showing proposed construction -floor plan, exterior elevations, renderings, survey, letter from owner (as above), copy of Building permit application			
8.	Detailed plot plan (11 x 17 maximum size)			
9.	A recent survey of premises showing all additions added to structure to date; must have surveyors ink signature affixed or inked seal applied to drawing			
10.	Radius map plan to show the premises for which the variance is requested, and all adjoining properties within 100 feet (11 x 17 maximum size)			
11.	Short Environmental Assessment form			
12.	Owner's Affidavit			
This list should not be construed in any way as a complete list but rather only as sampling informational purposes. Additional data may be required depending on the nature of the variance. <u>ADDITIONAL REQUIREMENTS</u>				
1.	(to be filed prior to the meeting) Affidavit of mailing			
2.	Notice of Adjoining Properties			
3.	Consent Form			
4.	Mailing receipts (originals)			
5.	Return Card (green original)			



INCORPORATED VILLAGE OF LAKE SUCCESS 318 LAKEVILLE ROAD, GREAT NECK, NY 11020

Building Permit Application No.			Board of Appears	Application No	
1.	Application is hereby Lake Success Building		-	t determination under A	article XIII Section 5 of the
2					
2.	Street address of affe	ctea premise			Lot
3.	Owner of premises:	Name			
					ne
4.	Applicant (or represe	entative of ow	vner):		
		Address			
				Telepho	ne
5.	Architect or Enginee	r (if applicab	le):		
		Address			
				Telephon	ne
6.	Name and title of off	icial whose d	letermination is	being appealed:	
		Name		Title	
7.	Ordinance on regulat	ion being ap	pealed from:		
	Section of Ordinance	»:			, and/or Schedule A
	of the Building Zone	Ordinance "	Limiting Heig	ht and Bulk of Buildi	ngs", for the following
	effective dates: from		to		

	•	 ements contained in t	_



INCORPORATED VILLAGE OF LAKE SUCCESS 318 LAKEVILLE ROAD, GREAT NECK, NY 11020

<u>AFFADAVIT REQUIRED BY LOCAL LAW NO. 2</u> Every question must be answered except where otherwise indicated

If application is for a variance with respect to areas, fences, special exceptions or swimming pools, relating to single lot upon which a single-family residence is presently erected and occupied then answer only items #s 1, 2, 3, 5, and 7 (omitting date and place of recording).

STA	TE OF NEW YORK)
COU	JNTY OF NASSAU)
	being duly sworn deposes and says:
1.	I make this affidavit in connection with an application dated to the
of th	e Village of Lake Success for
2.	I reside at
	The present owners of record of the subject property are as follows: (state name and address of each record r, the date when each such record owner acquired his or her interest in the subject property and the date and place of recording e deed showing such ownership.)
	The name and address of each person having any mortgage or other interest in the subject property, adding any person having any unrecorded ownership interest in the subject property is as follows: (state fully ature and extent of the interest of every such person).
	Is any person named in Items; 3,4,6,7, or 8 a state officer or an elected or appointed officer or loyee of the Village of Lake Success, the Town of North Hempstead, or the county of Nassau, or related narriage or otherwise to any such public officer or employee? (If in the affirmative, set forth the facts fully).

(An officer or employee of the Village of Lake Success shall include any person elected or appointed, whether paid or unpaid, to any Village commission or board. For the purpose of this subdivision an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren or the spouse of any of them; a) is the applicant; or b) is an officer, director, partner or employee of the applicant, or c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant; or d) is a party to an agreement with such an applicant, express 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. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute and interest for the purposes of subdivision).

6. The name and address of each owner of all or part of the subject property for the five years preceding the date of application are as follows:
7. My interest in application referred to in Item #1, and my relationship to the owners of the subject property is as follows: (To be answered if the applicant is not one of the persons listed in Item #3).
(If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modifications and amendments must be submitted herewith.)
8. No persons listed in Item #s 3, 4, 6, and 7 has been known by any other name during the preceding five years except as follows:
9. Have the present owners, or any of them, entered into any contract for the sale of any part of the subject property? If the answer is affirmative, submit a duplicate original or photo copy of the full and complete contract of sale including all riders, modifications and amendments.
10. If the record owners, applicant, contract vendee, or any person owning or having any mortgage or other interest in the subject property, or any part thereof, is a corporation, complete the following:
a) State the name and principal office of each such corporation.
b) The date and place of incorporation of each such corporation is as follows:
c) The name and address of each incorporator of each corporation is as follows:
d) The name and address of each officer of each corporation and the date of his election or appointment as follows:
e) The name and address of each director of each corporation and the date of his election or appointmen is as follows:

10. (Continued)

tion, the date of acquisition and the number
ckholder mortgaged, pledged, encumbered answer is affirmative, state the name and interest:
whose shares of stock are traded on a regular artered under the laws of the State of New Federal Government or the State of New required to be answered.
onship fully.
neans and includes a natural person, or, administrator, contract vendee,
by me herein are to my own personal ucing the
made to such board with respect to the en such Board or the Village of Lake te made with respect to this application or ave been commenced or completed under y be subject to any and all other penalties
ore me this, 20
Notary Public



INCORPORATED VILLAGE OF LAKE SUCCESS 318 LAKEVILLE ROAD, GREAT NECK, NY 11020 <u>OWNER AFFIDAVIT</u>

Affidavit of Individual Owner:

STATE OF NEW YORK)	
COUNTY OF NASSAU)	
	being duly sworn, deposes and says that (s)he is the owner
of the property described in this application	and that the statements contained therein are true; that he/she is
the appellant herein and he/she authorizes _	to act as his/her agent and
to make this application.	
	Signature of Owner
Sworn before me this day of	, 20
Notary Public	
Affidavit of Corporate Owner: STATE OF NEW YORK) ss.: COUNTY OF NASSAU)	being duly sworn, deposes and says that (s)he is the
	which is the
	lication and that the statements contained therein are true; that is the appellant herein and hereby authorizes
	to act as his/her agent and to make this application.
I	Name of Corporation By: Signature and Title
Sworn before me this day of	, 20
Notary Public	

AFFADAVIT OF MAILING

STATE OF N	*		
COUNTY OF	SS NASSAU)		
		luly sworn, deposes and says that on the the Notice attached hereto upon the following patterns as shown:	
Name	Address	Section Block	Lot
the United Sta That said Noti	ate Government at	stpaid wrapper in the Post Office regularly ma in the County of Nass gistered* mail, return receipt requested, which	au:
	(print name)		
	(Signature)	Sworn to before me this	day of
		(Notary)	

Notice to Owners of Adjoining Properties

To:
PLEASE TAKE NOTICE that the undersigned has made application to the Board of Zoning and
Appeals of the Inc. Village of Lake Success for a variance of Section (s)
of the Code of the Village of Lake Success to permit;
On premises situated at
Described on the Nassau County Land Map as:
Section Block Lot(s) Zone
A public hearing will be held by the Inc. Village of Lake Success Board of Zoning and Appeals on this application at the Village Office, 318 Lakeville Road, Great Neck, New York 11020 on, 20 at pm.
The application and accompanying exhibits are on file in the office of the Village Clerk and may be inspected by interested parties during business hours.
At the time and place of the public hearing, all persons will be given an opportunity to be heard.
Those persons planning to attend any meeting of the Board of Zoning and Appeals of the Village of Lake Success and who require listening devices and/or a sign language translator are requested to notify the Village Clerk no later than 48 hours prior to the meeting.
This notice is to be sent to you certified mail, under the provisions of the rules of the Board of Zoning and Appeals.
Signed
Dated

Consent Form

TO: THE BOARD OF ZONING APPEALS INC. VILLAGE OF LAKE SUCCESS 318 LAKEVILLE ROAD GREAT NECK, NY 11020

The undersigned, owner of real property situated at
known on the Nassau County Land and Tax Map as Section BlockLot(s)
have seen and understand the proposed plans on which application for a variance has been
made, and hereby gives his/her consent for a variance of Section(s)
of the Code of the Inc. Village of Lake Success in the construction/use
OWNER AFFIDAVIT
State of New York) SS:
County of Nassau)
Being duly sworn, deposes and says: That he/she resides at in the hamlet of in the State of and that he/she is the owner in fee of all that certain lot, place or parcel of land shown on the attached survey, situated, lying and being within the Inc. Village of Lake Success, that the work proposed to be done upon said premise, will be done in accordance with the approved application and accompanying plans, and hereby authorizes (applicant) to make application for a permit to perform said work in forgoing application and accompanying plans, and all the statements herein contained are true to deponents own knowledge.
Sworn to before me this Day of , 20
Notary Public
NOTATY PUDIC

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information		
Name of Action or Project:		
Project Location (describe, and attach a location map):		
Brief Description of Proposed Action:		
Name of Applicant or Sponsor:	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		
a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	acres acres acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: Urban Rural (non-agriculture) Industrial Commercia Forest Agriculture Aquatic Other(Spec		ban)

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5.	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?			
	b. Consistent with the adopted comprehensive plan?			
_			NO	YES
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?			
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Y	es, identify:			
			Ш	ш
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	b. Are public transportation services available at or near the site of the proposed action?		井	ዙ
			\perp	Ш
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
9.	Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If th	ne proposed action will exceed requirements, describe design features and technologies:			
_				
10.	Will the proposed action connect to an existing public/private water supply?		NO	YES
	If No, describe method for providing potable water:		_	
11.	Will the proposed action connect to existing wastewater utilities?		NO	YES
	If No, describe method for providing wastewater treatment:			_
			Ш	Ш
12	Described in the second in the latest in the second		110	1000
	 a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or districted is listed on the National or State Register of Historic Places, or that has been determined by the 	τ	NO	YES
Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the		Ш	Ш	
Sta	e Register of Historic Places?			
	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for			
arcl	naeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13.	a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain		NO	YES
	wetlands or other waterbodies regulated by a federal, state or local agency?			
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
If Y	es, identify the wetland or waterbody and extent of alterations in square feet or acres:			
_				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional				
☐Wetland ☐ Urban ☐ Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES		
Federal government as threatened or endangered?				
16. Is the project site located in the 100-year flood plan?	NO	YES		
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES		
If Yes,				
Will storm water discharges flow to adjacent properties?				
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:				
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES		
or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	115		
If Yes, explain the purpose and size of the impoundment:				
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES		
management facility? If Yes, describe:				
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES		
completed) for hazardous waste? If Yes, describe:				
	$ \bigsqcup $			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE				
Applicant/sponsor/name: Date:				
Signature:Title:				

Agency Use Only [If applicable				
Project:				
Date:				

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

		No, or small impact may occur	Moderate to large impact may occur
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2.	Will the proposed action result in a change in the use or intensity of use of land?		
3.	Will the proposed action impair the character or quality of the existing community?		
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6.	Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	b. public / private wastewater treatment utilities?		
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11.	Will the proposed action create a hazard to environmental resources or human health?		

Agen	cy Use Only [If applicable]
Project:	
Date:	

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.					
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.					
Name of Lead Agency	Date				
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer				
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)				