

VILLAGE OF BRIGHTWATERS

Zoning Board of Appeals

Procedures for relaxation of Building Code requirements (request for variance):

1. Building Permit applications with necessary papers must be submitted to the Building Inspector for denial.
2. Building Inspector advises by letter of denial
3. Applicant requests application for variance, completes and returns with all necessary documents and check payable to Village of Brightwaters. (See attached fees)
4. Board of Appeals hearing date is set and a copy of publication of “Board of Appeals Hearing” will be sent to all residents within 200 feet of property.
5. Board of Appeals holds Public Hearing
6. Applicant is notified of Board action.

If **Denied**: The same application will not be accepted by the Village for a period of one year from date of previous filing.

If **Granted**: You will receive a letter from the Clerk of the Board of Appeals and the original building permit application will be forwarded to Building Inspector, Robert O’Shea for application fees

THE FOLLOWING MATERIAL MUST BE ATTACHED TO THE APPLICATION BEFORE IT IS ACCEPTED FOR A FILING DATE:

1. Page 1, 2 and 3 must be completely filled out and notarized
2. Deed to property or contract of sale
3. Property survey (6 copies) must contain:
 - property lines with dimensions and rea of property.
 - location and size of existing structurers (if any) and natural features
 - names of adjoining streets and use of adjoin properties.
 - north arrow, scale and name of petitioner
4. Property survey/site plan (6 copies) indicating proposed construction, fence, etc.
5. List of all property owners with current addresses within 200 feet of subject property, including tax map # (section, block & lot)
6. Plain, business sized stamped envelope without a return address addressed (if using a meter machine – no date, the USPS will return if there is a past date) to:
 - Applicant
 - each property owner on list
 - Architect
 - Attorney (if involved)
7. Six (6) sets of building plans with architect’s original seal & signature on all 6 copies
8. Six (6) copies of photographs of effected area with name & address printed on front
9. Check payable to Village of Brightwaters (see attached Fee Schedule).

NOTICE: If a variance is granted, you must obtain a building permit within one year, start physical construction within one year of permit date, and complete job and obtain CO within two years of permit date.

Zoning Board of Appeals

Fee Schedule

Single Family Residential

Use Variance	\$2,000.00
Area Variance (up to 2 requests)	\$ 400.00
Each Additional Request	\$ 100.00
Interpretation	\$ 750.00
Rehearing (after 60 days)	\$ same as original fee May be waived at the Board's discretion
Extension of Approval (6 months)	\$ 200.00
All Other Requests	\$ 300.00
Application to Legalize	Triple the fee(s) listed above

All Others

Use Variance	\$2,000.00
Area Variance (up to 2 requests)	\$1,500.00
Each Additional Request	\$ 200.00
Interpretation	\$1,500.00
Rehearing (after 60 days)	same as original fee May be waived at the Board's discretion
Extension of Approval (6 months)	\$ 200.00
All Other Requests	\$ 600.00
Application to Legalize	Triple the fee(s) listed above

Trust & Agency Deposit

\$2,000.00 (for professional services)

If account drops below 50% of deposited amount, additional monies will be requested.
Remaining balance will be refunded to applicant upon approval by Board of Trustees

VILLAGE OF BRIGHTWATERS

Board of Zoning Appeals

40 Seneca Drive

Brightwaters, NY 11718

Application fee: _____

Agency & Trust: _____

Applicant: _____

Address: _____

Phone: _____ e-mail: _____

Property owner: _____ commercial tenant: _____

Address: _____

Phone: _____ e-mail: _____

Contact Person: _____

Address: _____

Phone: _____ e-mail: _____

Applicant's standing: () Owner () Contract Vendee () Lessee () Contract Lessee () Owner's Agent

1. Property located at No. _____ N S E W side (street) _____, distant _____
N S E W from the intersection of _____, or _____ corner of
_____ and _____ Brightwaters, New York

2. Zoning District _____ Suffolk County Tax Map # 0501 - _____ - _____ - _____

3. When was subject structure constructed? _____

4. What are you proposing to build or maintain? _____

5. Is the property in separate ownership from all adjoining properties? () Yes () No

a. If yes, since what date? _____

b. If no, what adjoining property is held by the same owner? _____

6. Type of application: () Area Variance () Use Variance () Interpretation of Zoning Ordinance

7. Reason for Application (complete relevant sections)

a. A VARIANCE of Section _____ of the Code of the Village of Brightwaters is requested to

b. INTERPRETATION: I believe that under the Zoning Ordinance, the Village was in error in (choose one)
Denying / issuing a permit because:

8. Area Variance Considerations (All questions must be answered)

- a. The variance (circle one) would / would not produce an impact on adjacent properties or the neighborhood

because: _____

- b. The request (circle one) is / is not substantial because:

- c. The benefit (circle one) can / cannot be achieved by an alternative because:

- d. The variance (circle one) would / would not cause an adverse effect on the environment because:

- e. The difficulty (circle one) was / was not created by the applicant or a former owner because:

OWNER'S ENDORSEMENT

COUNTY OF SUFFOLK
STATE OF NEW YORK

_____ being duly sworn, deposes and says that he / she resides at _____
_____ in the State of _____ and that he / she is (the owner in fee)
(_____ of the _____ Corporation which is the owner in fee) of the
premises described in the foregoing application and that he / she has authorized _____
to make the foregoing application described herein.

Signature: _____

Name: _____

Sworn to before me this:

_____ Day of _____ 20____

Notary Public, Suffolk County, New York

APPLICANT'S AFFIDAVIT

_____ being duly sworn, deposes and says that I (am the owner)
(have been authorized by the Owner) to make the foregoing application as described herein and that all statements are
true to the best of my knowledge and belief.

Signature: _____

Name: _____

Sworn to before me this:

_____ Day of _____ 20____

Notary Public, Suffolk County, New York

VILLAGE OF BRIGHTWATERS

LIST OF ADJOINING OWNERS WITHIN 200 FEET OF THE PERIMETER OF THE SUBJECT PARCEL

SCHOOL DISTRICT: BAY SHORE

TAX MAP #0501

NAME AND ADDRESS[illegible]

Name and Title of Preparer_____

Address_____

Signature of Preparer _____ **Date** _____

Note: Add names of all who have requested notification on list.