



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

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 VLSBuilding@villageoflakesuccess.com.

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)..... 1 copy
2. Complete Village of Lake Success **Building Permit Application** forms 1 copy
3. Complete Village of Lake Success **Affidavit required by Local Law No. 2 of 1970 form**....1 copy
4. Board of Appeals Filing Fee:
Residential Buildings... (minor applic: sheds, fences, etc... \$350.00)\$750.00
Non-Residential Building\$2,500.00
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.....10 copies
6. Two (2) printed ***FULL-SIZE*** sets of plans showing proposed construction -floor plan, exterior elevations, rendering..... 2 copies
7. Ten (10) 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 10 copies
8. Detailed plot plan (11 x 17 maximum size) 2 copies
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 copies
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)1 copy
11. **Short Environmental Assessment** form1 copy
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.

ADDITIONAL REQUIREMENTS

(to be filed prior to the meeting)

1. Affidavit of mailing1 copy
2. Notice of Adjoining Properties1 copy
3. Consent Form1 copy of each
4. Mailing receipts (originals)1 copy of each
5. Return Card (green original)1 copy of each



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

Building Permit Application No. _____

Board of Appeals Application No. _____

-
1. Application is hereby made for a variance/permit determination under **Article XIII Section 5** of the Lake Success Building Zoning Ordinance.
 2. Street address of affected premises: _____
Section _____ Block _____ Lot _____
 3. Owner of premises: Name _____
Address _____
Telephone _____
 4. Applicant (or representative of owner): _____
Address _____
Telephone _____
 5. Architect or Engineer (if applicable): _____
Address _____
Telephone _____
 6. Name and title of official whose determination is being appealed:
Name _____ Title _____
 7. Ordinance on regulation being appealed from: _____
Section of Ordinance: _____, and/or Schedule A
of the Building Zone Ordinance "**Limiting Height and Bulk of Buildings**", for the following
effective dates: from _____ to _____.

8. Briefly describe application, stating principal points on which application is based, description of all proposed construction and the use therefore, existing conditions and all practical difficulties or hardships imposed upon premises by Zoning requirement or decision being appealed.

9. I hereby depose and say that all the above statements and all the statements contained in the papers submitted herewith are true, to the best of my knowledge.

(Signature of owner)

(Signature of applicant)



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

AFFIDAVIT REQUIRED BY LOCAL LAW NO. 2
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).

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

_____ **being duly sworn deposes and says:**

1. I make this affidavit in connection with an application dated _____ to the _____
of the Village of Lake Success for _____

2. I reside at _____

3. The present owners of record of the subject property are as follows: (state name and address of each record owner, the date when each such record owner acquired his or her interest in the subject property and the date and place of recording of the deed showing such ownership.)

4. The name and address of each person having any mortgage or other interest in the subject property, including any person having any unrecorded ownership interest in the subject property is as follows: (state fully the nature and extent of the interest of every such person).

5. Is any person named in Items; 3,4,6,7, or 8 a state officer or an elected or appointed officer or employee of the Village of Lake Success, the Town of North Hempstead, or the county of Nassau, or related by marriage 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 is as follows:

e) The name and address of each director of each corporation and the date of his election or appointment is as follows:

10. (Continued)

f) The name and address of each stockholder of each corporation, the date of acquisition and the number of shares owned are as follows: (except those owning less than 5%)

g) Are any shares of the stock of the corporation or of any stockholder mortgaged, pledged, encumbered or subject to any financing or security agreement? _____. If the answer is affirmative, state the name and address of each person having, holding, owning, or claiming such interest:

Note: When any corporation listed in Item 10 (a) is a corporation whose shares of stock are traded on a regular organized exchange, or an insurance company duly licensed or chartered under the laws of the State of New York, or a bank or a savings and loan association chartered by the Federal Government or the State of New York, then item #s 10 (b) 10 (c) 10 (d) 10 (e) 10 (f) 10 (g) are not required to be answered.

11. Is any record owner an officer, director, stockholder, agent, or employee of any person named in item #s 4, 10 (a) or 10 (g)? _____. If affirmative, set forth the relationship fully.

I understand fully that the word “person” as used in this affidavit means and includes a natural person, partnership (limited or general), joint venture, trust, trustee, executor, administrator, contract vendee, corporation, or any other legal entity.

I affirm under penalty of perjury, that all of the statements made by me herein are to my own personal knowledge, true and complete and are made for the purpose of inducing the

Board of the Village of Lake Success to consider the applications made to such board with respect to the subject property and that if any statement made herein is untrue then such Board or the Village of Lake Success may cancel, revoke or annul any determination it may have made with respect to this application or the subject property, notwithstanding the fact that the work may have been commenced or completed under any relief, permission or consent granted, and that in addition I may be subject to any and all other penalties and punishments as the law may provide for.

Sworn to before me this ____ day of _____, 20__

Notary Public



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

OWNER AFFIDAVIT

Affidavit of Individual Owner:

STATE OF NEW YORK)

ss.:

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 _____ of _____ which is the owner of the property described in this application 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.

Name of Corporation

By:

Signature and Title

Sworn before me this _____ day of _____, 20____

Notary Public

STATE OF NEW YORK)
) SS
COUNTY OF NASSAU)

[illegible]

(print name)

(Signature)

(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 _____ Block _____ Lot(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.

Homeowner

Sworn to before me this _____ Day of _____, 20____

Notary Public

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:
1. 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.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
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:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
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?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, 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: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. 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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

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?		

Agency 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)