



TOWN OF SOUTHEAST ♦ ZONING BOARD OF APPEALS

PLEASE READ ALL Instructions for Zoning Board of Appeals Application

1. In order to seek a variance from the Zoning Board of Appeals (ZBA), **you must first:**
 - Apply to the Building Department for a Permit and receive a denial letter from the Building Inspector or other administrative officer; or
 - Receive a referral letter from the Planning Board of the Town of Southeast.
2. Once you have a denial or referral letter, you can fill out the attached application. You must **ATTACH A COPY OF THE DENIAL OR REFERRAL LETTER behind the signed and dated first page of the application.**
3. Fill out **FORM #1 – “Disclosure Statement”** explaining nature and extent of interest in this application or parcel of land of any State Official, Municipal Official or Employee.
4. Fill out **FORM #2 – "Request for Certified Radius List"** and bring it to the Assessor's Office at Town Hall, 1360 Route 22, Brewster, NY to obtain a list of all property owners with 300/500 feet. Attach a copy of the list you receive and the signed Request form from the Assessor to the application.
5. Fill out **FORM #3 – "Town of Southeast Notification Letter"** including the date of the Zoning Board of Appeals Meeting given to you by the ZBA Secretary at the top as the "**Public Hearing**" date.
6. **You will need to submit nine (9) copies PLUS THE ORIGINAL completed application with all attachments -- and a check to cover the applicable fees -- to the Zoning Board of Appeals Office at 1 Main Street, Brewster, NY 10509. Applications must be received by noon on the last Wednesday of the month** in order to secure a place on the agenda for the following month's ZBA meeting.
7. Once your application is **accepted as complete** by the ZBA Office, **you must mail FORM #3 and your denial/referral letter to each name** on the list you received from the Tax Assessor by **Certified or Registered U.S. Mail (return receipt required)**. This can be done **NOT SOONER THAN THE FILING OF THE APPLICATION and NOT LESS THAN 10 DAYS PRIOR TO THE ZBA PUBLIC HEARING DATE.**
8. **Complete FORM #4 – "Affidavit of Mailing" AFTER you have mailed your notification letters** as per #8 above, complete and **have it notarized**. Bring the original notarized affidavit to the ZBA meeting.

9. Come to the ZBA Public Hearing at which your application is scheduled to be heard and bring the following:
- a. A copy of your completed application (for your reference).
 - b. Your **original FORM #4 notarized** Affidavit of Mailing (for the ZBA files).
 - c. Receipts from the Post Office for the mailings you sent (for the ZBA files). The white and any green return cards **MUST be stapled or clipped together in the same order as they appear on the list you received from the Assessor's Office.** Failure to follow the mailing requirements and submission of receipts as stated here can result in your application not being heard at the meeting and another set of mailings needing to be sent.
 - d. Any pertinent information other than what is in your filed application including letters from neighbors, associated maps, photographs of your property and neighboring properties, and any prior variances granted on the property. Anyone speaking for the record will be sworn in at the Public Hearing.

Zoning Board of Appeals Office:

Victoria Desidero, Secretary
1 Main Street
Brewster, NY 10509

Phone: 845-279-7736
e-mail: planning@southeast-ny.gov

Town of Southeast Application to Zoning Board of Appeals

Application Date: _____, 20_____

Application No: _____
(To be provided by ZBA Official)

Street Address: _____

Tax Map ID: _____

Date of Denial/Referral: _____

Zone: _____

ATTACH DENIAL/REFERRAL LETTER TO THIS FORM

Application For: (circle applicable)

Area Variance \$175.00

Interpretation \$200.00

Use Variance \$400.00

Administrative Appeal \$250.00

Name of Property Owner _____

Address: _____

Phone Number: _____

If Separate Property:

Property Involved: _____

Address: _____

Phone Number: _____

1.) Previous Applications to the Zoning Board of Appeals regarding the subject premises (state the application numbers, dates and purpose of requests):

The owner should submit with this application supporting materials including a survey prepared by a licensed surveyor, a licensed architect or a licensed professional engineer which sets forth the proposal before the ZBA; plans; elevations; landscaping diagrams; traffic circulation diagrams; neighborhood land use maps; photographs of the property and any other materials that will assist the Board to understand the request.

Property Owner's Signature _____ **Date** _____

Print Name of Property Owner _____

By: (sign here if not owner) _____

Relationship: (title, law firm, architect, etc.) _____

I am making the application on behalf of _____ and hereby state that I know the contents thereof are true to my own knowledge, except for those matters which I have stated to be alleged on information and belief, and as to those matters, I believe them to be true. I make this statement and application knowing that the Zoning Board of Appeals shall rely upon it*

***NOTE:** The willful submission of false or fraudulent information on this application could result in the dismissal of the application, the revocation of any action taken on the application, or prosecution under applicable law.

FORM #1

DISCLOSURE STATEMENT ACCOMPANYING APPLICATION, PETITION OR REQUEST

1. Identification of Application, Petition or Request:

a. To: Southeast Zoning Board of Appeals

b. Name of Applicant, Petitioner or Person (Firm) making request:

c. Date: _____, 20__

d. Address: _____

2. Nature and Extent of Interest of any State Official or Municipal Office or Employee in this Application, Petition or Request (set forth in detail)

The undersigned Applicant, Petitioner or Person (Firm) making request certifies by signature on this Disclosure Statement that, in accordance with the provisions of Sec. 809 of the General Municipal Law, except as stated in No. 2 above, no State Officer or any other Officer or employee of the Town of Southeast or of any municipality of which the Town is a part has any interest in the person or Firm (partnership or association) making the above application, petition or request.

(Signed) _____
(Applicant, Petitioner or person (Firm) making request)

By (if not owner) _____

Date: _____, 20_____

FORM #2

TOWN OF SOUTHEAST
REQUEST FOR CERTIFIED RADIUS LIST

THE FEE FOR THIS SERVICE IS \$44.00 PAYABLE TO THE TOWN OF SOUTHEAST

You will be provided with two (2) sets of mailing labels and **a list of owners with parcel IDs which must be attached to your application.**

Date: _____ Administrator's Initials: _____

Requested By: _____ Contact Phone # (____) _____

The Assessor's Office will generate the requested Radius List for the appropriate boards and call you when they are ready to be picked up and paid for. Please check the boxes for which you are requesting the Radius List:

- Planning/Zoning Village Conservation Commission
- 100 Feet 300 feet 500 feet

Property Owners to be notified in connection with a Public Hearing on the petition of:

Owner's Name(s): _____

For the premises located at: _____

Section, Block & Lot: _____ Relative to obtaining desirable relief from the Zoning Bylaw of the Town of Southeast.



To the Board of Appeals:

We hereby certify that the attached list, taken from the Final Assessment Roll of the Town of Southeast, includes the names and addresses of all parties in interest within the specified radius from the subject to the best of our knowledge and belief.

Completed: _____ Signed _____

Called: _____ Initial: _____ Response: _____

Radius List Received By: _____ Date: _____

Amount Paid: _____ Cash/Check # _____ Adm. Initials: _____

FORM #3

**TOWN OF SOUTHEAST ZONING BOARD OF APPEALS
NOTIFICATION LETTER**

A Public Hearing has been scheduled on the ____ day of _____, 20__
at the Town of Southeast Town Hall, 1360 Route 22, Brewster, NY 10509, at 8 pm.

This notice is sent in accordance with the regulations of the Southeast Zoning Code by:

Property Owner/Applicant Name: _____

The address to which this application pertains is: _____

Town of Southeast Tax Map ID #: _____

Attached is a copy of the letter received from the Town of Southeast in response to our request.

Applicant Signature

By: _____
(Print name and address below if not owner)

*Applicants must send this notice to each name of the list provided by the Town Assessor either by Certified or Registered U.S. Mail (return receipt required) **AT LEAST 10 DAYS PRIOR TO THE ZONING BOARD OF APPEALS MEETING date above** and **include a copy of the letter from the Town** referring you to the ZBA.

FORM #4

**TOWN OF SOUTHEAST ZONING BOARD OF APPEALS
AFFADAVIT OF MAILING
(MUST BE NOTARIZED)**

State of New York

County of Putnam

_____ being duly sworn deposes and says:

I reside at:

As an applicant for a variance, I have mailed a notice by U.S. Postal Service Certified or Registered Mail, to the owners of all the lots in this town, including the Village of Brewster, within the distance prescribed by Town Code §138-44 from the lot or land to which the application pertains, of which owners and their addresses are indicated in the current Town Assessor's records.

Applicant Signature

Sworn to before me

this _____ day of _____, 20_____