

**ZONING BOARD OF APPEALS  
INCORPORATED VILLAGE OF BROOKVILLE**

**VARIANCE APPLICATION**

**I. FILING REQUIREMENTS**

One (1) original set and nine (9) sets of copies of documents "1" through "7" below must be filed with the Village Attorney's office. All documents must be complete at the time of filing and the proper number of copies provided in collated form. Piecemeal or partial submissions will result in the rejection of the application as incomplete.

1. The application form. Every application form must be signed by the owner of the premises or be accompanied by the written consent of the owner of the premises
2. Disclosure affidavits must be signed by the property owner (s) and representatives of the property owner(s)
3. The environmental assessment form must be signed by the property owner(s)
4. The denial letter issued by the Building Inspector. Every application must be filed within sixty (60) days of the date of the denial letter
5. A survey of the subject premises prepared, signed and sealed by a licensed land surveyor dated within six (6) months of the date the variance application is filed with the Village. The survey must show:
  - a. all existing structures and improvements including, without limitation, driveways, patios, decks, walkways and the like
  - b. all proposed structures to be erected thereon drawn to scale, and the uses or proposed uses indicated thereon
  - c. distances to lot lines from all structures on all sides.
  - d. all trees eight (8) inches in diameter or greater measured at three (3) feet above grade with the diameter and type of tree identified
  - e. a legend showing all the applicable zoning data, i.e. volume, coverage's, height, setbacks, etc.
6. A radius map, drawn to scale, showing the size and location of all parcels located within a radius of 300 feet measured from all points of the subject property, having and printed and indicated thereon the section, block, lot and the name(s) and mailing address of the property owner(s) for each parcel shown. The property owner(s) are to be the last owner(s) of record of the property as shown by the records of the County Clerk of Nassau County on the date the application is filed. The radius map must be signed by the Applicant.
7. Drawings, plans and elevations showing an accurate scale drawing or plan of the proposed construction prepared by a licensed architect
8. \$500.00 check payable to the Incorporated Village of Brookville (Filing Fee)
9. A separate check payable to the Incorporated Village of Brookville in the amount of \$2,500.00 as a deposit to ensure reimbursement by the Applicant for expenses associated with

the appeal including engineering, legal and other fees. Any balance remaining of this deposit will be returned to the Applicant provided that the Applicant files with the Village Clerk a written demand for such refund. All unclaimed deposits shall become the property of the Village two years after the filing of the decision, resolution or other final determination with the Village Clerk, as provided in Chapter A224-7 of the Village's Code, "Fee Schedule."

10. One (1) set of photographs showing the location of the proposed construction and all property boundary lines from said construction shall be submitted to the Board of Appeals at the time of the hearing.

## **II. HEARING DATE AND PLACE OF FILING**

After filing a completed application with the Village Attorney's office, a hearing will be scheduled. The Board of Zoning Appeals of the Incorporated Village of Brookville does not meet on a regular basis, only as applications dictate. You will be advised of your hearing date.

Deliver or mail all copies of the application to:

Jeffrey G. Chase  
Chase, Rathkopf & Chase, LLP  
48 Forest Avenue  
Glen Cove, NY 11542  
(516) 671-5880

## **III. NOTIFICATION REQUIREMENTS**

After copies of the completed application are filed with the Village Attorney's office, as aforesaid, a Public Notice will be prepared and filed with The Locust Valley Leader for publication. This notice will also be forwarded to the Applicant, or the Applicant's representative, who shall mail the same, 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 to all property owners within 300 feet from the subject property as set forth in Section I, Paragraph 6 above. An Affidavit of Mailing (see attached) shall be prepared, executed and delivered to the Village Attorney's office along with copies of the certified mail receipts and receipt cards not later than three (3) days prior to the hearing.