

VILLAGE OF BABYLON
FILING INSTRUCTIONS
FOR THE ZONING BOARD OF APPEALS

FILING REQUIREMENTS:

THE FOLLOWING DOCUMENTATION MUST TO BE SUBMITTED WITH THE APPLICATION OR IT CANNOT BE ACCEPTED:

- _____ APPLICATION
- _____ BUILDING DEPARTMENT DENIAL FORM OR PLANNING BOARD LETTER
- _____ NYS SHORT ENVIRONMENTAL ASSESSMENT FORM OR NYS FULL ENVIRONMENTAL ASSESSMENT FORM, if directed by the Planning Board
- _____ PROFESSIONALLY DRAWN SITE PLAN for pre-existing structures and/or proposed structures (i.e. pool, accessory building, deck)
- _____ PLANS - three (3) sets of professionally prepared plans for proposed construction of any kind prepared by a draftsman or architect which includes the four side elevations. If they are prepared by an architect they do not need to be sealed plans. If the variance relief requested is for interior spaces, please provide three (3) copies of the floor plans.

**** If a Full Environmental Assessment Form (SEQR) is required,
a 4th set of plans must be submitted ****

- _____ HEIGHT ELEVATION from top of the curb or the crown of the road must be noted on the plans. If the property is in a FEMA flood zone, the flood zone must be noted on the plans and the ridge height is to be noted from the FEMA base flood elevation + 2 ft. freeboard (New York State Building Code.)

If the height is not noted on the plans, the Board will accept the measurement on stamped letterhead from a licensed architect or surveyor.

- _____ SURVEY - three (3) copies of a current survey, no older than two years.
- _____ DEED for the property.
- _____ FEE to be submitted with application based on property zoning:
As of September 1, 2022

Residential and Residential O Zone	\$ 250.00
Marine Commercial Zone	500.00
Retail Commercial & Industrial Zone	500.00
Multi-Family District Zone	500.00
SEQRA consultant services deposit (if required)	5,000.00

A request for relief to develop a substandard parcel requires a “single and separate” title search, and depending upon the result, a request to the Planning Board for a recommendation may be necessary. (See Babylon Village Code, Chapter 365-47)

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ADDITIONAL INFORMATION AND FILING REQUIREMENTS:

1. Applications seeking to renew a previously granted variance or special permission shall be filed together with the information required under the General Filing Requirements and any other information that supports the continuance of the variance or special permission.
2. An application that is limited to a request for special permission under Village Code § 365-20 (3) (Special uses in a retail business district) in an existing building, may be eligible for summary determination under Rule 13.
3. If, in the sole judgment of the Board, the required drawings and/or any other required information filed is inadequate or incomplete, the application may be deferred to a later scheduled Board meeting.
4. The Applicant must notify property owners within 200 feet of the subject parcel and post a ZBA sign or signs on the Applicant's property at least 15 days prior to the meeting, unless waived under Rule 13. The Village Clerk's Office will supply the applicant with a list and labels of the surrounding property owners, the legal notice to be sent, and the ZBA sign(s). Approximately four weeks prior to the hearing, the the Village Clerk's Office will notify the Applicant when the mailing information and signs are ready to be picked up. You will then receive instructions on how to proceed. When you pick up your mailing packet, a \$100.00 deposit will be due for each sign that is to be posted on your property. The initial cost of each sign of each sign will be \$100.00, with a 50% refund*. This refund will be mailed to the applicant within one month upon return of the sign and sign voucher.

**Signs must be returned within two weeks of hearing or sign deposit will be forfeited.*

5. Schedule of Board Hearings: The Board of Appeals meets on the third Wednesday of the month at 7:30 p.m. in Babylon Village Hall, 153 West Main Street, Babylon, New York. The Board does not meet during the month of August.
6. Maximum Number of Applications: To provide the Board sufficient time to fully explore each application, the number of applications to be heard at each monthly meeting shall be limited to the Board's discretion. The only exception to this limit is applications for renewals of previously granted use variances. The Board may decide, at its sole discretion, to hear such renewal applications in addition to new applications for variances.
7. New York State SEQR (State Environmental Quality Review) If a Full New York State SEQR is required as part of the application to the Zoning Board of Appeals, the Board may refer any such application presented to it for review and consultation to an engineering, planning, legal, technical or environmental consultant(s) or professional(s) as such Board shall deem reasonably necessary to enable it to review such application as required by law. A deposit of \$5000.00 is required to be paid at the time of application for consultant services. If after all pertinent costs, fees and charges under this section have been paid, the Village shall refund to the applicant any funds remaining on deposit. An application shall be deemed incomplete if any amount shall be outstanding. A building permit or certificate of occupancy or use shall not be issued unless all consultant services fees charged in connection with the applicant's project have been reimbursed to the Village. (Local Law 3 adopted June 26, 2018 – 365.31.1 CHARGES FOR CONSULTANT SERVICES.)

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Description of relief sought, attach separate sheet if necessary:

*** PLEASE NOTE ***

Variances required will be included whether or not listed above, as deemed necessary, and as determined by the Site Plans Examiner and the Zoning Board of Appeals, after review of the plans submitted with this application. The legal notice for this application will be derived based on the plans submitted.

1. Has a building permit been refused by Building Inspector?
2. Is there a school, house of worship, or hospital within 500 ft. of this premises?
3. Approximate cost of work this application is made for?\$
4. Is this premises with 500 feet of (Answer Yes or No):

. Boundary of any Village or Town

. Boundary of any existing or proposed County, State, or Federal park.

. The right of way of any existing or proposed County or State parkway,
thruway, expressway, road or highway.

. The existing or proposed right of way of any stream or drainage
Channel owned by the County or for which the County has established
Channel lines.

. The existing or proposed boundary of any other County, State or
Federal owned land.

. The Atlantic Ocean, Long Island Sound, any bay in Suffolk County,
Or estuary of any of the foregoing bodies of water.

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5. Answer yes or no to determine whether the application qualified for summary determination pursuant to Rule 13.

******* FOR PROPERTIES IN THE RETAIL BUSINESS DISTRICT ONLY *******

. Is the property in a Retail Business District.

. Is the relief requested limited to a request for special permission of a use.

. Is the building an existing building with an existing certificate of occupancy.

If you answered YES to all the questions in item 5 you may qualify for summary determination and expedited processing of your application under Rule 13. To request a summary determination you must complete the "Building Department Referral Form for Determination of Eligibility for Summary Determination."

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PROPERTY OWNER'S ENDORSEMENT

(to be completed by ALL OWNERS if the applicant/business owner is not the property owner)

COUNTY OF SUFFOLK
STATE OF NEW YORK SS:

_____ being duly sworn,
deposes and says that he/she/they reside(s) at _____
in the County of _____, and State of _____, and that he/she/they
is/are the owner in fee or _____ of the _____
Corporation, which is the owner in fee of the premises described in the foregoing application to
the Zoning Board of Appeals and that (s)he has authorized _____
to make the foregoing application and/or represent the owner at the Zoning Board of Appeals
hearing.

.....
.....

Sworn before me this

..... Day of, 20.....

.....
Notary Public, Suffolk County