

## INSTRUCTIONS FOR FILING AN APPLICATION FOR A VARIANCE

The Board of Appeals meets on the second Wednesday of each month (except July and August). Applications must be filed at least 30 days prior to the meeting date.

Please bring the following completed documents to the Building Department:

1. Application for Variance.
2. Affidavit.
3. SEQR form.
4. Copy of survey for your property.
5. Drawing of proposed alteration.
6. Check made payable to the Incorporated Village of Floral Park for the following amount:
  - \$300.00 for residential property (\$100 for fences)
  - \$750.00 for commercial property
7. \*\*\* For a variance application other than a fence, three (3) copies a 200' radius map is required, which must include all current record owners listed on the most current tax rolls of the Nassau County Assessor's Office. Such listing must be obtained at the Nassau County Tax Mapping Department -- 4<sup>th</sup> Floor, 240 Old Country Road, Mineola, NY 571-0154. \*\*\*

**8 COPIES OF ALL DOCUMENTS AND DRAWINGS ARE REQUIRED.**

**ALL DOCUMENTS LISTED ABOVE MUST BE SUBMITTED IN ORDER TO BE PLACED ON THE CALENDAR. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

\*\*\* **IMPORTANT:** The Zoning Code requires that certain neighbors be notified of your application. The Secretary to the Board of Appeals, Lucille Langone, will assist you with the requirements and provide you with a copy of the legal notice to be published in the Gateway as well as a form affidavit of service. It is your responsibility to send a copy of the legal notice to your neighbors, via certified or registered mail, return receipt requested. This mailing must be done not more than 30 days nor less than 15 days before the hearing date. You must then file the affidavit of service with Ms. Langone either prior to, or at the hearing. You are required to bring the green return receipt cards.

You will receive a letter from the Board of Appeals notifying you of the hearing date.

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.

If you have any questions concerning the application process, please call the Clerk to the Board of Appeals at 326-6319.

BOARD OF APPEALS

INCORPORATED VILLAGE OF FLORAL PARK, N.Y.

Appeal of \_\_\_\_\_

Attorney \_\_\_\_\_

APPLICATION FOR VARIANCE

1. Name of Applicant: \_\_\_\_\_
2. Address of Applicant: \_\_\_\_\_  
 Telephone # (days): \_\_\_\_\_
3. Relation of Applicant to Property Owner (owner, contract vendee, lessee, etc.): \_\_\_\_\_
4. Property Location: \_\_\_\_\_  
 (a) Description: \_\_\_\_\_  
 (b) Section \_\_\_\_\_, Block \_\_\_\_\_, Lot(s) \_\_\_\_\_
5. Subject of Appeal:
  - (a) Variance \_\_\_\_\_
  - (b) Special Permit \_\_\_\_\_
  - (c) District Boundaries \_\_\_\_\_
  - (d) Appeal from an order, requirement, decision or determination \_\_\_\_\_
  - (e) Other (specify) \_\_\_\_\_
6. Provision(s) of Zoning Ordinance applicable:
 

Article \_\_\_\_\_ Section \_\_\_\_\_ Sub-section \_\_\_\_\_

OR

District \_\_\_\_\_ Column \_\_\_\_\_ Item \_\_\_\_\_ on Zoning Schedule

7. Variance or relief desired: \_\_\_\_\_

\_\_\_\_\_

8. Reason(s) supporting appeal (if necessary, submit separate attachment):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

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 herein are true; that he is the appellant herein and he authorizes \_\_\_\_\_ to act as his agent and to make this application.

\_\_\_\_\_  
Owner

Sworn to before me this  
day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

AFFIDAVIT OF CORPORATE OWNER:

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

\_\_\_\_\_, being duly sworn, deposea and says:

That (s)he is the \_\_\_\_\_ of \_\_\_\_\_ which is the owner of the property described in this application and that the statements contained herein are true; that \_\_\_\_\_ is the appellant herein and hereby authorizes \_\_\_\_\_ to act as its agent and to make this application.

\_\_\_\_\_  
Name of Corporation

BY: \_\_\_\_\_  
Signature and Title

Sworn to before me this  
day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

PLEASE ANSWER ALL APPLICABLE QUESTIONS

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

I, \_\_\_\_\_, being duly sworn, depose and say:

1. I am the President of \_\_\_\_\_, the corporation applying for the variance in the annexed application dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

2. Said corporation is the owner of record of the premises described in the aforementioned application for variance.

OR

1. I am the sole owner of record of the premises described in the annexed application for variance, and reside at \_\_\_\_\_, New York.

OR

1. I am one of the owners of record of the premises described in the annexed application for variance and make this affidavit at the request of all the owners of record and on behalf of all such owners, whose names and home addresses are as follows:

2. This affidavit is made a part of the application for variance dated \_\_\_\_\_, 20\_\_\_\_\_, as if fully set forth herein at length.

3. It is understood that I make this affidavit to induce the granting of the requested variance by the Board of Appeals of the Incorporated Village of Floral Park, N.Y.

4. There are no contracts for the sale of the premises described in the application for variance except as listed below. A copy of said contract is attached hereto and made a part hereof.

Contract Dated:

Contract Expires:

Name of Contract Vendee:

Home Address:

(If corporation, list names and home addresses of officers and all stockholders, including percentage of each ownership.)

5. There is no other contract presently in existence, or presently contemplated, which affects the premises for which this variance is sought, with regard to its occupancy, lease or sale of all or any part thereof, except as follows. Please attach copies of any written contracts.

Contract Dated:  
Contract Expires:  
Name of Parties:  
Home Address:

(If corporation, list as shown in paragraph 4 above, and give brief description of contents of contract.)

6. There is no lease presently in existence covering all or any part of the premises described in the application for variance, except as follows. A copy of said lease is attached hereto and made a part hereof.

Lease Dated:  
Lease Expires:  
Name of Lessee:  
Home Address:

(If corporation, list as shown in paragraph 4 above.)

(NOTE: If more than four (4) leases, and none are for a commercial use except for Home Professional Office [as defined in Article II of the Zoning Ordinance of the Incorporated Village of Floral Park, N.Y.], only list number of lessees. Otherwise, all are to be listed, showing type of occupancy with copies of all leases attached.)

7. There are no other persons, firms, partnerships, organizations or corporations, except as herein mentioned, or in the application for variance, who have or may have any financial or monetary interest in the premises described in the application for variance or in said application for variance, except

(if none, so state. Otherwise, state names and home addresses. If corporation, list as shown in paragraph 4 above.)

8. In connection with the application for variance, I firmly swear that I have not paid, nor have I promised to pay, nor have I made, or promised to make, any gift to any person who is employed by the Incorporated Village of Floral Park, N.Y. or any elected or appointed official thereof, or to any member of his or her family.

9. I also swear and agree as part of the application for variance and as part of this affidavit, to file, within forty-eight (48) hours after a change of ownership prior to the issuance of a certificate of completion, an affidavit embodying the following:

- a) name and home address of each new owner (if corporation, list as shown in paragraph 4).
- b) a statement indicating that negotiations were not commenced until after the filing of the application for variance and this affidavit.
- c) a reaffirmation of paragraph 8.

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Sworn to before me this

day of \_\_\_\_\_, 20\_\_\_\_.

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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.

<b>Part 1 - Project and Sponsor Information</b>				
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.			<b>NO</b>	<b>YES</b>
			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
			<input type="checkbox"/>	<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, adjoining and 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				





<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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.

<input type="checkbox"/> 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.	
<input type="checkbox"/> 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)