



# Town of Huntington Zoning Board of Appeals APPLICATION INSTRUCTIONS Residential

## **Instructions for ZBA Applications**

**ONLY ELECTRONIC SUBMISSIONS WILL BE ACCEPTED – ALL DOCUMENTS MUST BE SENT VIA PDF – MAY SEND IN MULTIPLE EMAILS IF NEEDED**

A complete application must be submitted to the ZBA via email [ZBA@HuntingtonNY.gov](mailto:ZBA@HuntingtonNY.gov) before a hearing will be scheduled.

*Note: Submitted documents become a permanent part of ZBA records and cannot be returned.*

**EACH APPLICATION MUST BE IN THE ORDER BELOW OR IT WILL NOT BE ACCEPTED.**

-**LETTER OF DENIAL** (from the Building Department or other Department issuing the denial).

Submit request for Letter of Denial through online permit portal

(<https://townofhuntingtonny.viewpointcloud.com/categories/1071>)

-**LETTER OF INTENT** (stating what you are doing and what relief is requested)

-**Original APPLICATION FORM** (in this packet, must be fully completed and signed)

\*Applicant is person submitting application (may or may not be owner/s)

\*ALL owner/s on Deed must sign application form

-**LIST OF PROPERTY OWNERS & RESIDENTS** - THIS CAN BE acquired /PURCHASED FROM Planning Department by submitting an email to [planning@huntingtonny.gov](mailto:planning@huntingtonny.gov) with the property address, the fee for the list is \$25.00.

*Please note that this list is also provided through the Town's subscription-based mapping system.*

*For more information on how to produce your own list using this system, please visit:*

<https://geo.huntingtonny.gov/helix/professional/subscribe.html>

Zones R-5, R-7, R-10 & R-15 require a radius within 200 feet of the property. Zones R-20, R-40, & R-80 require a radius within 500 feet of the property. **\*\*keep an extra copy of both lists, you will need this later in the process for the required mailing\*\***

-**SURVEY - TO SCALE - ENGINEERING SCALE ONLY** - dated no more than 1 year prior to submission of application; showing precise dimensions of **ALL STRUCTURES** on the property, **be sure to include accessory items** (ex. Shed, pool, gazebo, cabana, fixed BBQ etc.) All structures on the lot must have a Certificate of Occupancy (CO) or must be legalized via the Zoning Board application process. \*If your survey is older than 1 year old, you **MUST** also submit a letter from a certified design professional certifying the survey.\*

**\*\*Submit original, to scale, professionally stamped survey\*\***

-**ORIGINAL PLOT PLAN OR SITE PLAN (IF NEW CONSTRUCTION) - TO SCALE, OF THE PROPOSAL. ENGINEERING SCALE ONLY.** Stamped by a professional and **ORIGINAL BUILDING ELEVATION DRAWING, TO SCALE, OF THE PROPOSAL. ENGINEERING SCALE ONLY.** Stamped by a professional.

✓ **\*\*If variance is for RETAINING WALLS, you **MUST** include dimensions** (width, height, length and facial area) of all retaining walls on the property.\*\*

✓ **HEIGHT VARIANCES: Please submit ORIGINAL BUILDING ELEVATION DRAWING, TO SCALE, OF THE PROPOSAL. ENGINEERING SCALE ONLY.** Stamped by a professional.

✓ **IF AN ACCESSORY APARTMENT** is in the home or proposed to be constructed: **SUBMIT ORIGINAL SET OF FLOOR PLANS OF ENTIRE HOUSE.**

**-VIOLATIONS or NOTICES OF VIOLATION** - call the Code Enforcement Division of Public Safety

**-PRIOR ZBA DECISIONS** - Any and all prior ZBA decisions – A Freedom of Information (FOIL) form must be submitted to acquire these documents, please email [Planning@HuntingtonNY.gov](mailto:Planning@HuntingtonNY.gov).

**-DEED** reflecting current ownership - **must include all pages** of Deed including recorded page (may have a bar code); be sure that Any EASEMENTS and/or any COVENANTS AND RESTRICTIONS relative to the subject property, if applicable. (should be noted on your deed) Liber and Page Numbers are noted. (Note: on older deeds, the liber and page may be marked on the top or side of the page with the owner's names.)

✓ **Any EASEMENTS and/or any COVENANTS AND RESTRICTIONS** relative to the subject property, if applicable. (should be noted on your deed)

**-CERTIFICATES OF OCCUPANCY** and/or **LETTER IN LIEU OF CERTIFICATE OF OCCUPANCY** for ALL structures on the property. MUST BE LEGIBLE. You can obtain these items from the Building Department. (there may be an additional fee).

**-PHOTOGRAPHS** of the **ENTIRE PROPERTY** from all angles and showing all structures on the property. Include pools, sheds, decks, cabanas, gazebos, etc. from various angles. We must see all sides of the dwelling unit **and all (full) yards**. Include interior photos of sheds/garages. **Must be in color.** (you may put several photos on a page) **\*\*\*If there is an existing or proposed accessory apartment, you MUST include interior photos of the apartment.\*\*\***

**-COMPLETE ASSESSOR'S CARD/PROPERTY INFORMATION CARD** Email the Assessor's Office at [Assessorinfo@HuntingtonNY.gov](mailto:Assessorinfo@HuntingtonNY.gov) (There may be an additional fee)

**-SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1 (attached)**, Must be fully completed and signed). Depending on the type of action proposed, additional submission of a completed **FULL EAF PART I** may be required (additional fee of \$500). If the application will result in a subdivision, then an additional **FULL EAF PART I** is required. You will be notified by this office if either of the above are applicable.

**-CERTIFICATION FORMS (Applicant/Owner) and DISCLOSURE FORM** (Attached). Must be fully completed and signed). READ CAREFULLY - must be signed by all applicants and owners where applicable.

**Once you have received confirmation that your application is complete and a hearing date has been assigned, please submit payment.**

**ANY DOCUMENTS PERTAINING TO THIS APPLICATION MUST BE SUBMITTED IN PDF FORMAT TO THE EMAIL ABOVE NO LATER THAN 10 DAYS PRIOR TO HEARING DATE – NOTIFY ALL PARTIES INVOLVED – NO DOCUMENTS or HANDOUTS WILL BE ACCEPTED AT THE HEARING**

**FEES**

**Check (payable to Town of Huntington)**

\$ 25.00	Mailing List (Mailings are required but purchase of list from Town is optional)
\$ 125.00	Residential Variance Application
\$ 25.00	Notification Sign (one per street frontage)
\$ 250.00	SEQRA Short EAF review (if applicable)
\$ 500.00	SEQRA Long EAF review (if applicable)
\$ 350.00	Home Occupation
\$ 750.00	Conversion from single-family dwelling to two-family or construction of new two-family dwelling §198-68(A)(17)
\$ 125.00	Validation of Non-Conforming Use
\$ 250.00	Subdivisions/substandard lot variances/per lot

## **HEARING DATE AND LEGAL NOTICE OF HEARING**

When your application is accepted as complete, you will receive an email which will include your hearing date.

The ZBA staff will email your LEGAL NOTICE OF HEARING (this is the letter you will send out to the neighbors as per the owners and residents lists you previously purchased and included in your application)

**\*\*Check Junk and Spam folders if you do not receive approx. 40 days prior to your hearing date\*\***

Hearings are always held on Thursdays. If you, or any representatives, are unavailable any given Thursday, please notify this office at time of submittal.

# APPLICATION FORM - SAMPLE

Use this form to assist you in filling out the Application Form below (on next page)

TAX MAP NUMBER: 0400-\_\_\_\_(Available from your Letter of Denial) \_\_\_\_

APPLICANT – Applicant must be a party in interest. This includes the property owner, or designated representative.

NAME: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

PHONE NUMBER (\_\_\_\_)\_\_\_\_\_

OWNER (S) - All owners on the current deed.

NAME: \_\_\_\_\_ NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

\_\_\_\_\_

Are there any Violations or Notices of Violation outstanding on this property? YES / NO (Circle)

If yes, what sections of Code are cited? (Attach copies) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Application is herein made for section(s) of the Code of the Town of Huntington. \_\_\_\_\_(Obtain from

Letter of Denial) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Property Location from the Letter of Denial (as description) from the Town of Huntington Building Department:

Is the property within 500 feet of: (a) the boundary of any existing or proposed county, state or federal park or other recreation area, (b) the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, (c) 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, (d) the existing or proposed boundary of any other county, state or federally-owned land or (e) the boundary line of any village or town? Yes\_\_\_\_\_ No \_\_\_\_\_

Located in Zone District designated as:\_\_(Obtain from Letter of Denial) \_\_\_\_\_

Previous Appeals. Please check one.

( ) A previous appeal has been made dated \_\_\_\_\_ ZBA#(s) \_(Obtain from Letter of Denial and/or Property History) \_\_\_\_\_

( ) A previous appeal has not been made with respect to this property.

Reason for Appeal to change present status: (Explain why you are appearing before the ZBA)

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

I hereby affirm that to the best of my knowledge the list of property owners presented with this application is accurate and that all statements herein are true.

\_\_\_\_\_  
Signature(s) of Applicant

\_\_\_\_\_  
Print Name of Applicant.

The undersigned certifies that the owner(s) listed in section 2 of this application is/are a complete representation of the current owner(s) of the real property referred to in this application.

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Print Name of Owner

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Print Name of Owner

\*\*\*If owner is other than a individual(s), then additional submissions may be required. Contact the Office staff for details\*\*\*

# APPLICATION FORM

TAX MAP NUMBER: 0400-\_\_\_\_\_

APPLICANT – Applicant must be a party in interest

NAME: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBER (\_\_\_\_) \_\_\_\_\_

OWNER (S) - All owners on the current deed.

NAME: \_\_\_\_\_ NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

\_\_\_\_\_

Are there any *Violations or Notices of Violation* outstanding on this property? YES / NO (Circle)

If yes, what sections of Code are cited? (Attach copies) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Application is herein made for section(s) of the Code of the Town of Huntington.

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Property Location from the Letter of Denial from the Town of Huntington Building Department:

Is the property within 500 feet of: (a) the boundary of any existing or proposed county, state or federal park or other recreation area, (b) the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, (c) 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, (d) the existing or proposed boundary of any other county, state or federally-owned land or (e) the boundary line of any village or town? Yes\_\_\_\_\_ No \_\_\_\_\_

Located in Zone District designated as: \_\_\_\_\_

Previous Appeals. Please check one.

( ) A previous appeal has been made dated \_\_\_\_\_ ZBA#(s) \_\_\_\_\_

( ) A previous appeal has not been made with respect to this property.

Reason for Appeal to change present status:

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

*I hereby affirm that to the best of my knowledge the list of property owners presented with this application is accurate and that all statements herein are true.*

\_\_\_\_\_  
Signature(s) of Applicant

\_\_\_\_\_  
Print Name of Applicant.

The undersigned certifies that the owner(s) listed in section 2 of this application is/are a complete representation of the current owner(s) of the real property referred to in this application.

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Print Name of Owner

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Print Name of Owner

\*\*\*If owner is other than an individual(s), then additional submissions may be required. Contact the Office staff for details\*\*\*

# *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.			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:				
5. Urban <input type="checkbox"/> Forest <input type="checkbox"/> Parkland	Rural (non-agriculture) Agriculture	Industrial Aquatic	Commercial Other(Specify):	Residential (suburban)

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	NO   <input type="checkbox"/>   <input type="checkbox"/>	YES   <input type="checkbox"/>   <input type="checkbox"/>	N/A   <input type="checkbox"/>   <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation services available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO   <input type="checkbox"/>   <input type="checkbox"/>	YES   <input type="checkbox"/>   <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	NO  <input type="checkbox"/>	YES  <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?   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?	NO   <input type="checkbox"/>   <input type="checkbox"/>	YES   <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?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO   <input type="checkbox"/>   <input type="checkbox"/>	YES   <input type="checkbox"/>   <input type="checkbox"/>	



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    Agricultural/grasslands    Early mid-successional Wetland <input type="checkbox"/> Urban    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"/>
49. 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"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		

# APPLICANT CERTIFICATION

## Signed by ALL Applicants

STATE OF NEW YORK)  
COUNTY OF SUFFOLK) SS.:

\_\_\_\_\_, being by me duly sworn, deposes and says:

- I am interested in an application for a variance or special exception now pending before the Town of Huntington Zoning Board of Appeals, identified by tax map number:

\_\_\_\_\_.
- I reside at \_\_\_\_\_.
- The nature of my interest in the aforesaid application is as follows:

\_\_\_\_\_

\_\_\_\_\_
- It is my understanding that the Huntington Town Board has determined that public policy requires a full, frank and complete disclosure of all persons having an interest, direct or indirect, in all applications to the Huntington Zoning Board of Appeals and other agencies of Town Government, to insure that no question of conflict of interest or favoritism may arise.
- To the best of my knowledge, information and belief, there are no other persons, firms or corporations interested in this application, except as hereafter set forth (If either Corporation or Company, etc., list all officers):

If on the New York or American stock exchanges applicant must state: “No officer or employee of the Town of Huntington owns 5% or more of the listed stock.”

Sworn to before me this

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

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

\_\_\_\_\_

Signature(s) in front of Notary

\_\_\_\_\_

Please print name(s) in front of Notary

**OWNER CERTIFICATION**  
**Signed by ALL Deeded Owners**

STATE OF NEW YORK)  
COUNTY OF SUFFOLK) SS.:

\_\_\_\_\_, being by me duly sworn, deposes and says:

1. I am interested in an application for a variance or special exception now pending before the Town of Huntington Zoning Board of Appeals, identified by tax map number:  
  
\_\_\_\_\_.
2. I reside at \_\_\_\_\_.
3. The nature of my interest in the aforesaid application is as follows:  
  
\_\_\_\_\_  
  
\_\_\_\_\_.
4. It is my understanding that the Huntington Town Board has determined that public policy requires a full, frank and complete disclosure of all persons having an interest, direct or indirect, in all applications to the Huntington Zoning Board of Appeals and other agencies of Town Government, to insure that no question of conflict of interest or favoritism may arise.
5. To the best of my knowledge, information and belief, there are no other persons, firms or corporations interested in this application, except as hereafter set forth (If either Corporation or Company, etc., list all officers):

If on the New York or American stock exchanges applicant must state: “No officer or      employee    of    the Town of Huntington owns 5% or more of the listed stock.”

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

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

\_\_\_\_\_

Signature(s) in front of Notary

\_\_\_\_\_

\_\_\_\_\_  
Please print name(s) in front of Notary

# DISCLOSURE STATEMENT

## Signed by ALL Applicants and Deeded Owners

In accordance with the requirements of §809 of the General Municipal Law of the State of New York, directing that all applications requesting relief from the Zoning Board of Appeals of the town of Huntington must include a statement by the applicant disclosing, to the extent known to said applicant, the name and residence of any officer or employee of the Town of Huntington or County of Suffolk, or any state officer, having an interest in the applicant and the nature and extent of that interest, the applicant provides as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>NATURE AND EXTENT OF INTEREST</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

(if the space allocated above is insufficient to list all persons interested in the applicant, please provide the required information on additional interested persons on a separate sheet(s) of paper and attach hereto)

For the purposes of completing this statement, the word “applicant” shall mean the person, corporation, partnership or association making such application.

Furthermore, 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 of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

**A PERSON WHO KNOWINGLY AND INTENTIONALLY WITHHOLDS THE NAMES AND ADDRESSES OF ANY PERSONS INTERESTED IN THE APPLICANT AS DESCRIBED IN THIS STATEMENT VIOLATES §809 OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK AND SHALL BE GUILTY OF A MISDEMEANOR.**

The undersigned affirms, to the best of his or her knowledge, that the person(s) disclosed in this statement is/are the only person(s) having an interest in the applicant.

Date:

_____ Signature of Owner	_____ Signature of Applicant
_____ Signature of Owner	_____ Signature of Applicant
_____ Signature of Owner	_____ Signature of Applicant

If the Applicant is a Corporation, Partnership or Association, state the relationship of the signer to the Applicant.