

REGULATIONS FOR FILING FOR A VARIANCE TO THE ZONING BOARD OF APPEALS

The Zoning Board of Appeals regularly conducts public hearings on the first Thursday of each month.

You will be issued a ZBA Notice sign. A \$25 deposit in the form of a check (payable to The Town of North Castle) will be required for the sign to be issued. If the sign and its stand are returned in a reusable condition, as determined by the ZBA secretary, your deposit will be returned. If the sign is not reusable, the deposit will be used to replace the sign.

The following items *must* be submitted to the Zoning Board Secretary *no later* than the date specified on the Zoning Board Meetings Date calendar and application deadline date posted on the Town website and also available at the Building Department

- ✦ Application or building permit must be completed.
- ✦ Application for a zoning variance must be completed.
- ✦ Application fee for ZBA application in the amount of \$250.
- ✦ Site plan or current survey, seven (7) copies, showing the following:
 - Building plans showing all dimensions and exterior elevations (rendering of structures)
 - Set-backs for zoning district – front, side, and rear.
 - All measurements, calculations, heights, and elevations needed for processing application.
- ✦ Proof of publication for notice of public hearing in the Journal News (Greater Westchester area) at least ten (10) days prior to the date of said public hearing.
- ✦ Notice of public hearing will be prepared for the applicant by the Zoning Board secretary only upon submission of completed application form and all documents needed to complete application.
- ✦ Notification to Neighbors: A minimum of ten (10) days prior to the public hearing, copies of the notice of hearing shall be sent 1st class mail to all property owners within a distance of two-hundred-fifty (250) feet of the property lines of the applicant. This list can be obtained at the North Castle Assessor's office. Postal Form 3877 "Certificate of Mailing" shall be filled out and stamped by the Post Office at the time of mailing. (Copy of form 3877 attached)
- ✦
 - A list of these property owners with the section, block, and lot numbers set opposite their respective names and the certificate of mailing receipts must be submitted to the ZBA secretary by 12:00 noon on the Monday preceding the date of the meeting. If this is not complied with, the public hearing will be adjourned until such time that all requirements are met. *The accuracy of this list is the full responsibility of the applicant.*
- ✦ Other notification: If the application involves curb cuts, changes or other alterations to Town roads, the notice of hearing and a copy of the application must be sent by certified mail, return receipt requested to the Senior Highway Foreman at least ten (10) days prior to the hearing.

Other Notification: If the application involves problems of traffic in front of and/or adjacent to the premises in question, the notice of hearing and a copy of the application must be sent by certified mail, return receipt requested, to the Chief of Police at least ten (10) days prior to the hearing.

General Municipal Law: County Planning Board has jurisdiction over certain actions on properties within 500 feet of County and State Highway or Parks, County drainage, channel lines, and State and County owned land on which public buildings or institutions are situated on Municipal Boundaries. The County Planning Board must be notified within 30 days prior to the meeting date so that that they may review and submit a report.

The property identification card must be conspicuously placed on the mailbox or entrance of the property (in plain sight) so as to identify the property locations requesting a variance.

Note the Following:

1. The preparation and cost of publication and mailing of any notice required for public hearings shall be at the cost and expense of the applicant. At the hearing, the applicant must appear in person or by duly authorized representatives(s) to present his or her proofs, including the proof of title.
2. When applying for an area variance, the applicant should seek the least amount of relief possible from the requirements of the zoning code.
3. The applicant must make a Good Faith Attempt to purchase adjoining property before seeking an area variance.

If a meeting is cancelled due to circumstances beyond our control, the “public hearing and notification process must start anew.”

TOWN OF NORTH CASTLE
APPLICATION FOR ZONING VARIANCE

Please Print or Type

APPLICANT: Name: _____ Address: _____ Phone #: _____	AGENT/ATTORNEY: Name: _____ Address: _____ Phone #: _____
OWNER: Name: _____ Address: _____ Phone #: _____	LESSEE: Name: _____ Address: _____ Phone #: _____

LOCATION OF PREMISES IN NEED OF A VARIANCE:			
Address: _____			
Section: _____ Block: _____ Lot: _____ Zoning District: _____			

Please check the box that describes the variance you are requesting:

- | | | | |
|--|-----------------------------------|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> Use | <input type="checkbox"/> Area | <input type="checkbox"/> Height | <input type="checkbox"/> Frontage |
| <input type="checkbox"/> Depth | <input type="checkbox"/> Coverage | <input type="checkbox"/> Floor Area | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Other (Please Describe) _____ | | | |

Application is hereby made under the discretionary power vested in you by the Zoning Ordinance of the Town of North Castle. You must state here all sections of Town Zoning Code from which you are requesting relief including descriptions, measurements, and calculations: _____

In connection with: New Construction Existing Structure Addition Alteration

Description of Work: _____

Has any previous application or variance been applied for or granted to this premises?
 Yes No If Yes, please list all: _____

What is the applicant's interest in the premises? Owner Lessee Contract Vendee

Is there any violation or court action pending relative to this premises or this matter?
 Yes No If Yes, please describe: _____

What is the approximate cost of this project? \$ _____

Are there any deed restrictions, covenants, or easements on the premises? Yes No
If Yes, please describe: _____

Has the applicant offered to purchase additional property from adjoining neighbors?
 Yes No If Yes, please describe: _____

Is the property affected by this application within 500 feet of any of the following: City, Village, Town, County, or State recreational areas; County or State right-of-ways, Thruways, Parkways, Expressways, Highways, Controlled-access ways; streams or drainage channels owned by the County, Town or State; land owned by the County, State, or City of New York, or any public building or institution? If Yes, please give the name and location of public land, institutions and buildings:

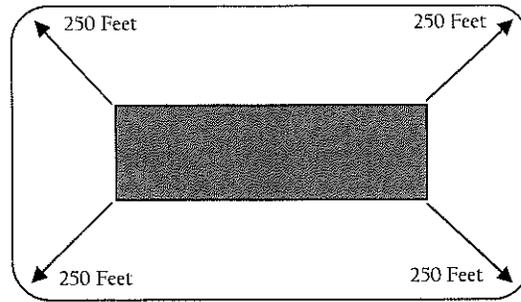
I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE PAPERS AND PLANS SUBMITTED WITH THIS APPLICATION ARE TRUE.

Applicant's Signature

Date

Zoning Ordinance – Town of North Castle

Section 213 - Board of Appeals
- Notice of Hearing



Notice of hearing shall be sent by 1st class mail, to all property owners within a distance of two-hundred-fifty (250) feet of the property lines of the applicant. In addition, the attached Postal Service Form 3877, "Certificate of Mailing filled out and verified by the Post Office.

* * *

The accuracy of the list submitted to the Secretary of the Zoning Board of Appeals in compliance with the section of the Zoning Ordinance cited above is the *sole responsibility of the applicant*. Assistance in compiling this list may be obtained in the Assessor's Office, located in the Town Hall Annex. The list should be left with the assessor for verification and it is anticipated that there will be approximately a one (1) week period, necessary to fulfill this request.

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Informal Checklist for Applicants to Zoning Board of Appeals

Have you completed the following?

- ✘ Submit your completed application, plus one notarized copy to the ZBA Secretary
- ✘ Submit your check for \$250 made out to the Town of North Castle
- ✘ Submit seven (7) copies of your current survey or site plan showing set-backs and all buildings
- ✘ Pick-up your legal notice from the ZBA Secretary
- ✘ Deliver or e-mail the legal notice to The Journal News
- ✘ Mail the legal notices to the surrounding property owners, residential, State, County, or City of New York buildings or institutions
- ✘ Make a list of property owners within fifty (250) feet as required with information from the Tax Assessor's Office.
- ✘ Give the list of property owners to the ZBA Secretary
- ✘ Return the postal certificate of mailing form to the ZBA Secretary
- ✘ Read this packet in its entirety and understand the type of variance needed
- ✘ Complete the forms and lists, supply surveys and site plans (7 copies), complete the mailings, and complete the public notices

Name and Address of Sender:

- Check type of mail or service:
- Adult Signature Required
 - Certified Mail
 - COD
 - Delivery Confirmation
 - Express Mail
 - Insured
 - Adult Signature Restricted Delivery
 - Recorded Delivery (International)
 - Registered
 - Return Receipt for Merchandise
 - Signature Confirmation

Affix Stamp Here
(If issued as a certificate of mailing or for additional copies of this bill)
Postmark and Date of Receipt

Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.														
2.														
3.														
4.														
5.														
6.														
7.														
8.														
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)											