

Zoning Board of Appeals
INCORPORATED VILLAGE OF RUSSELL GARDENS

6 TAIN DRIVE
RUSSELL GARDENS
GREAT NECK, NEW YORK 11021
(516) 482-8246

APPEAL TO ZONING BOARD OF APPEALS FROM
DETERMINATION OF ADMINISTRATIVE OFFICIAL and/or
APPLICATION FOR VARIANCE PURSUANT TO ARTICLE IX
OF THE CODE OF THE VILLAGE OF RUSSELL GARDENS

File No. _____

Notice: This Application shall be written legibly in ink or typewritten and filed in triplicate.

APPLICATION WILL NOT BE ACCEPTED UNLESS AFFIDAVIT OF OWNERSHIP IS EXECUTED BY THE RECORD OWNER OF PROPERTY DESCRIBED, REQUISITE FEE PAID AND APPLICABLE QUESTIONS ANSWERED FULLY.

Applicant Address Phone

State applicants interest in or association with property - i.e. architect, builder, etc.

Owner Address Phone

Street address of affected premises

Name and address of person who will appear for the applicant at the public hearing.

Phone No. _____

ITEM Application is hereby made for a conditional use under Article _____ Section _____

1. Application is hereby made for a permit under Article _____ Section _____

Application is hereby made for a variance of Article _____ Section _____

Appeal is hereby made for a determination under Article _____ Section _____

of the Building Zone Ordinance under the authority vested in the Zoning Board of Appeals.

2. Subject Premises situated on the _____ side of _____
_____ feet of nearest intersection _____

Location: _____

Section No. _____ Block No. _____ Lot No. _____

3. Located in Zoning District designated as _____

4. To Permit the Erection _____ Alteration _____ Conversion _____ Maintenance _____

Extension _____ Use of ** _____ in accordance with

plans filed under New Building File No. _____ Alteration File

No. _____ Dated _____. Application for

Certificate of occupancy _____

5. Attached hereto is copy of the decision by the Building Official issued on _____

6 Question Involved _____

7. In connection with _____ A Proposed _____ An Existing _____ Building _____ Use**

8. If existing building, give date of erection _____
Furnish date certificate of occupancy was issued and its number _____

9. Class of Construction under Building Code _____

10. Size of Lot _____ feet front _____ feet rear _____ feet deep
Size of Existing Building _____ feet front _____ feet deep
Size of Building as Proposed _____ feet front _____ feet deep
Size of Building: Height _____ stories _____ feet.

11. Use. Present (or former, if unoccupied) _____
Proposed _____

What is the present assessed valuation of the property in the question?
_____ Land _____ Buildings _____ Total

Is there a petition pending before the Board of Trustees to change the zoning district designations affecting this plot? _____

12. Identify by date and description any previous Application covering these premises _____

When did present owner acquire title to property _____
has any violation been issued affecting these premises, if so, describe same and file copy, if available _____

As of now, what Village taxes and assessments remain unpaid specifying years and amounts?

I hereby submit the principal points on which this application is based with description of existing conditions and proposed work. In requesting a variance include a statement concerning your practical difficulty or hardship. Also annex any relevant document, paper or agreement.

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION, I SUBMIT
THE FOLLOWING:

Survey and plans submitted to Building Inspector and are in the possession of Village of Russell Gardens.

1. Building application with plans and plot plan, where a building or structure or extension to building or structure is proposed.
2. Survey of existing premises.
3. Such other information as may be required.

I hereby depose and say that all the above statements and information and all statements and information contained in papers submitted herewith are true.

Sworn to before me this _____ day of _____ 19 _____

Notary Public

Applicants Signature

Applicants Name (typed)

Address (typed)

Phone Number (typed)

VILLAGE OF RUSSELL GARDENS

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AFFIDAVIT OF DISCLOSURE IN COMPLIANCE WITH SECTION 809 OF THE GENERAL MUNICIPAL LAW

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

_____ being duly sworn, deposes and says:

- 1) Your deponent is over 18 years of age and resides at _____
- 2) Deponent is the (a) applicant (b) one of the applicants (c) officer of applicant _____
(state office held)
and (d) partner in applicant

(strike inapplicable language)

- 3) To deponent's knowledge, the name, address and nature and extent of the interest in the applicant of every state officer and every officer and employee of the Village of Russell Gardens (as the term "interest in applicant" is defined in General Municipal Law 809) is as follows:

_____ (name) _____ (residence) _____ (nature of relationship)

Sworn to before me this _____ day

of _____, 20__

Applicant

Notary Public

§ 60-64. Lapse of variance. [Added 11-2-1992 by L.L. No. 3-1992]

- A. After the Board of Appeals has granted a variance or other relief under the provisions of this chapter, such variance or other relief shall expire:
- (1) If a building permit has not been issued in accordance with the plans for which such variance or other relief has been granted within ninety (90) days of the date of the decision of the Zoning Board of Appeals.
 - (2) If construction has not commenced in accordance with the plans for which such variance or other relief was granted within ninety (90) days of the issuance of the building permit.
 - (3) If construction has not been completed in accordance with the plans for which such variance or other relief was granted within one (1) year of the date that the permit was issued.
- B. The Zoning Board of Appeals, for good cause shown, may extend the time in which to obtain a building permit, commence construction or complete construction, pursuant to the schedule set forth in this section, provided that such request for an extension of time is received by the Zoning Board of Appeals prior to the applicable expiration date and further provided that it finds that the conditions and circumstances essential to the original granting of the variance have not changed.
- C. If any property owner has been granted a variance, but has not obtained a building permit as of the effective date of this section, the ninety-day period in which to obtain the building permit shall commence on the effective date of this section.

BOARD OF ZONING AND APPEALS
INCORPORATED VILLAGE OF RUSSELL GARDENS

GREAT NECK, NEW YORK
RULES OF PROCEDURE

Adopted by the Board, June 15th 1970.

1. The Board shall be governed by the provisions of all applicable State statutes, local laws, the Zoning Ordinance and Building Code of the Village of Russell Gardens and these rules.

2. The Chairman and Vice-Chairman of the Board, shall be designated by the Board of Trustees at its annual meeting. Upon the Board of Trustees' failure to designate a Chairman & Vice-Chairman, the Board of Zoning and Appeals shall designate its own chairman & vice-chairman. The Village Clerk-Treasurer shall serve as Secretary of the Board. Nothing herein contained shall affect or curtail the term of office of any Board member.

3. A quorum shall consist of four (4) voting members of the Board, if the Board shall consist of five (5) members; and a quorum of three (3), if the Board consists of three (3) members.

4. No member of the Board shall sit in hearing or vote on any matter in which he shall be personally or financially interested.

5. Special meetings may be called by the Chairman at any time, provided that at least forty-eight (48) hours notice shall be given in any form to each member of the Board before a special meeting is held. The Chairman shall call a special meeting within five (5)

days of receipt of a written request from any two (2) members of the Board.

6. Any appeal to the Board shall be taken by filing notice thereof with the Village Clerk and the Secretary of the Board within thirty (30) days after the filing of the determination appealed from. The Village Clerk shall thereupon promptly transmit the record and papers upon which the determination was made, to the Chairman and/or the Secretary of the Board. For good cause shown the Board, by unanimous vote of the entire Board, may extend the period of time from thirty (30) to not more than sixty (60) days within which an appeal shall be taken.

7. Notices of appeal shall be filed with the Secretary of the Board and submitted in type-written form, in triplicate, signed by the owner or other duly authorized person and shall set forth the nature of the determination appealed from the date of such determination, the grounds for the appeal and reference to the applicable provisions of the Building Code or Zoning Ordinance or other law governing said appeal. Appeals involving variances, shall be accompanied by an accurate and intelligible plan drawn to scale, unless the Village files contain such plan. If the Village has made available a form for

such appeal, such form, in triplicate, shall be submitted. A notice of appeal shall be accompanied by a non-refundable Twenty-five Dollar ~~(~~25.00~~)~~ ^{10.00} payment in the case of an appeal affecting each property within any Residential District and ~~Twenty Dollars (\$20.00)~~ for appeals affecting each property within the Apartment or Business District.

8. All decisions of the Board shall set forth the Board's findings and determination in such form as shall be deemed appropriate, and said decision shall form part of the record in the case, and shall be filed with the Secretary of the Board.

9. These rules may be amended at any regular or special meeting, by an affirmative vote of not less than four (4) voting members of the Board providing that such amendment has been presented in writing, to each member of the Board at least forty-eight (48) hours preceding the meeting at which the vote on such amendment is taken. If the Board shall consist of three (3) members a quorum to consider amendments in such case shall be the full Board.

Dated: Great Neck, New York
June 15th, 1970.

ADOPTED AND APPROVED
By the full Board of
ZONING AND APPEALS,
of the Incorporated Village
of Russell Gardens

This notice must be sent to owners of each property within 200 feet of subject premises.

NOTICE TO PROPERTY OWNERS IN AREA

TO: _____

PLEASE TAKE NOTICE that the undersigned has made application to the Zoning Board of Appeals of the Inc. Village of Russell Gardens to permit

At (street address) _____

(owner's name) _____

described on the Nassau County Tax Map as Section ____ Block ____ Lot ____

in Zoning District _____.

A PUBLIC HEARING will be held by the Zoning Board of Appeals on this application at Village Hall, 6 Tain Drive, Russell Gardens, Great Neck, New York on

_____ at _____ p.m.

Date _____

Signed _____

CONSENT FORM

**TO THE ZONING BOARD OF APPEALS
INC. VILLAGE OF RUSSELL GARDENS
6 TAIN DRIVE
GREAT NECK, NEW YORK 11021**

The undersigned, owner of real property situated at _____,
Know on the Nassau County Tax Map as Section ____ Block _____ Lot(s) _____,
Said property being located within 200 feet of property of _____
_____ situated at _____,
known on the Nassau County Tax Map as Section ____ Block _____ Lot(s) _____, on
which application for a variance has been made, hereby gives his (her) consent for a
variance of _____ of the Code of
the Village of Russell Gardens in the construction of (use of) _____

(Signed) _____

Sworn to before me this _____

Day of _____, 20____

Notary Public

VILLAGE OF RUSSELL GARDENS

AFFIDAVIT OF DELIVERY OF NOTICE

_____ being duly sworn, deposes and says:

On the _____ day of _____, 20____ I hand delivered to each person on the list names and addresses filed with my application a true copy of the notice by the Village of Russell Gardens, a copy of which notice is hereto annexed.

The persons named in said list and to whom I delivered said notice, are all of the owners of all of the lands within a radius of 200 feet of the property affected by my said application and the addresses designated in said list are the post office addresses of said persons.

Sworn to before me this _____ day

Of _____, 20____

Notary Public

