

Village of Greenwood Lake Zoning Board of Appeals

Notice to Applicants

This packet must be delivered to the Building Department no later than 10 business days prior to the scheduled meeting.

Applications must be completed in blue ink.

Please make sure you have all questions answered. Attach all requested items and make 10 packets for distribution (1 original in blue ink and 9 others.)

Once you have submitted the packet, your \$125.00 fee payment and the required escrow in a minimum amount of \$1,000. The secretary to the Board will run your notice, which must run in the Warwick Dispatch 2 times, first time being 15 days prior to the meeting and the second time 10 days after the first or at least 5 days prior to meeting.

The Building Department will then prepare a mailing list of neighboring properties to be picked up by the applicant. The fee for this mailing list is \$25.00.

**Village of Greenwood Lake
P.O. Box 59
18 Church Street
Greenwood Lake, NY 10925**

NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS

To Whom It May Concern:

LEGAL NOTICE is hereby given to you that _____,
the Petitioner, has applied to the Zoning Board of Appeals for the Village of Greenwood
Lake, for a Variance and/or Interpretation pursuant to
Chapter____, Section_____, et. Seq of the Zoning Law of The Village of Greenwood
Lake. Said Petition for a Variance and/or Interpretation seeks authority for the Petitioner
to _____

Which requires the said Zoning Board to review those Sections of the said Law, Chapter
_____, and Section(s) _____ thereof.

The property which is the subject of said action by the Board is identified as
Section____, Lot____ and Block____ on the Tax Map of the Village of Greenwood Lake
and is also known as the address _____

This appeal follows the Written Disapproval issued to the Petitioner because the Zoning
Law of Greenwood Lake prohibits the Petitioner's actions without specific approvals for a
variance of the Law or otherwise. That same Law requires property owners such as
yourself to be notified of the public hearing held upon the Petitioner's appeal to give you
the opportunity to object or be heard and to answer any questions you may have about
your neighbor's appeal.

A public hearing will be held commencing at 7:30 PM on _____
at the Village Hall on Church Street in the Village of Greenwood Lake, New York. At that
hearing you will be given an opportunity to be heard. You may appear in person and be
represented by an attorney or other agent.

Documents relating to this application may be inspected by the public during regular
business hours in the Building Department at Village Hall.

Dated: _____

(Name)

(Authority)

**VILLAGE OF GREENWOOD LAKE
ZONING BOARD OF APPEALS**

LEGAL NOTICE

To Whom It May Concern:

LEGAL NOTICE is hereby given to all persons that _____, the petitioner, has applied to the Zoning Board of Appeals for the Village of Greenwood Lake, for a Variance and/or Interpretation pursuant to Chapter _____, Section _____, et, seq. of the Zoning Law of the Village of Greenwood Lake. Said Petition for a Variance and/or Interpretation seeks authority for the Petitioner to _____

_____ which requires the said Zoning Board to review those sections of said Law as stated herein above.

The property which is the subject of said action by the Board is identified as Section____, Block _____, Lot _____ on the Tax Map of the Village of Greenwood Lake and is also known as the address of _____, Greenwood Lake, NY 10925.

All interested parties to be heard on the Board's actions must appear at a public hearing to be held commencing at 7:30 PM on _____ at the Village Hall on Church Street in the Village of Greenwood Lake, NY. Documents relating to this application may be inspected by the public during regular business hours in the Village Clerk's Office at the Village Hall.

Dated: _____

**Danielle Mulqueen
Planning & Zoning Board of Appeals Secretary**

**To: Warwick Dispatch
P.O. Box 594, Warwick, NY 10990
Phone (845) 986-2216
Fax: (845) 987-1180
Email : editor@wvdispatch.com**

**REVIEW OF ZONING BOARD “NOTICE OF PUBLIC HEARING TO
PROPERTY OWNER’S SIGN OFF SHEET.**

_____, FROM THE VILLAGE OF GREENWOOD LAKE
VILLAGE HALL HAS REVIEWED AND CONFIRMED THAT THE APPLICANT
_____ HAS SENT THEIR NOTICE TO PROPERTY
OWNERS IN A TIMELY FASHION IN ORDER TO APPEAR AT THE MONTH’S
ZONING BOARD MEETING.

DATED: _____

SIGNATURE: _____

VILLAGE OF GREENWOOD LAKE ZONING BOARD OF APPEALS
APPLICATION CHECKLIST

Please include the following items to your ZBA application.

1. A copy of the deed or other document establishing interest. _____
2. A copy of the last real estate bill. _____
3. A copy of the Notice of Disapproval, Stop Work Order or Order to Remedy, received from the Building Department _____
4. An original survey bearing the raised seal of the surveyor. _____
5. A recent survey or a depiction of an as built survey. _____
6. A completed SEQR form. _____
7. A copy of the plot plan containing the property and neighbors. _____
8. Ten (10) copies of the petitioner's plans. _____
9. The Building Inspector's sections of application filled out. _____
10. Copy of recent septic pump records. _____
11. Ten (10) copies of the completed application including all of the above documents, placed in separate packets with a \$125 submission fee. _____

The following items you must bring to the meeting with you.

1. The original certified mailing slips. _____
2. Affidavit of Legal Notice. _____
3. A copy of each of your published Legal Notices. _____
4. Four (4) pictures (N,S,E,W) of property. _____

NOTICE TO APPLICANT

PLEASE BE ADVISED THAT IF YOUR CASE IS REFERRED TO AN ENGINEER FOR QUESTIONS OR ANY OTHER OUTSIDE SOURCE YOU WILL BE RESPONSIBLE FOR THE CHARGES.

APPLICANT SIGNATURE

DATE

BUILDING DEPARTMENT

**VILLAGE OF GREENWOOD LAKE
18 CHURCH STREET
GREENWOOD LAKE, NY 10925**

NOTICE OF APPEAL FROM WRITTEN DISALLOWANCE

PLEASE TAKE NOTICE that _____, residing at _____, hereby appeals the written disallowance of the Building Inspector dated _____, whereby Petitioner was not permitted to _____

The grounds for this appeal are: _____.

The location of the property pertinent to this appeal is as follows:

Street Address: _____

Tax Map Designation: Section _____ **Block** _____ **Lot** _____

Class of District: _____ **Present Use:** _____

Wherefore, Petitioner also files a copy of the Written Disallowance, the Petition and the Supporting Documents herewith.

For use by the Planning & Zoning Secretary

Date Received: _____

Fee Paid: _____

Date of Application: _____

Type of Application: _____

Date of Disallowance: _____

Stop Work Order: _____

Other Violations: _____

Petitioner Name (Printed)

Petitioner Signature

**VILLAGE OF GREENWOOD LAKE
18 CHURCH STREET
GREENWOOD LAKE, NY 10925**

PETITION FOR A VARIANCE OR INTERPRETATION OF THE ZONING LAW

PART I- THE PETIONER

NAME OF PERSON(S) FILING APPEAL: _____

MAILING ADDRESS: _____

TELEPHONE HOME: _____ **CELL:** _____

IS THE PETITIONER ALSO THE OWNER OF THE PROPERTY **YES** **NO**

PART II- THE PROPERTY

STREET ADDRESS: _____

TAX MAP DESIGNATION: SECTION _____ **BLOCK** _____ **LOT** _____

OWNER'S NAME & ADDRESS: _____
(IF DIFFERENT FROM PETITIONER)

CLASS OF DISTRICT: _____ **PRESENT USE:** _____

DIMENSIONS: WIDTH AT FRONT: _____ **DEPTH AT LONGEST SIDE:** _____

AREA OF LOT: _____ **(IN SQUARE FEET)**

IS THE PROPERTY SLOPED GREATER THAN 15%? _____

IS THE PROPERTY LOCATED IN A FLOOD ZONE? _____

IS THE PROPERTY LOCATED WITHIN 500 FEET OF ANY OF THE FOLLOWING:

THE BOUNDARY OF ANY VILLAGE OR TOWN? **YES** **NO**

THE BOUNDARY OF ANY STATE PARK OR OTHER RECREATIONAL AREA? **YES** **NO**

**THE RIGHT OF WAY OF ANY STREAM OR DRAINAGE CHANNEL OWNED BY THE COUNTY
OR FOR WHICH THE COUNTY HAS ESTABLISHED CHANNEL LINES ?** **YES** **NO**

THE RIGHT OF WAY OF ANY COUNTY OR STATE PARKWAY, THRUWAY, EXPRESSWAY OR OTHER CONTROLLED ACCESS HIGHWAY? YES NO

THE BOUNDARY OF ANY COUNTY OR STATE OWNED LAND ON WHICH A PUBLIC BUILDING OR INSTITUTION IS LOCATED? YES NO

IS THE PROPERTY LOCATED IN A FLOOD HAZARD ZONE OR FLOOD PLANE? YES NO

IS THE PROPERTY OR STRUCTURE REGISTERED AS A HISTORICAL PLACE? YES NO

ARE THE PROPERTY TAXES PAID CURRENTLY? YES NO

PART III- THE STRUCTURE (S)

IDENTIFY THE STRUCTURE UTILIZED FOR THE PRICIPLE USE: _____

DIMENSIONS AT GROUND LEVEL: WIDTH: _____ DEPTH: _____

INTERIOR FLOOR SPACE: _____ (SQ FT)

INTERIOR FLOOR SPECE: _____ (SQ FT)
(FOR A SECOND FAMILY)

HEIGHT: _____ STORIES: _____

NUMBER OF BEDROOMS: _____ NUMBER OF BATHROOMS: _____

SHORTEST SIDE YARD: _____ TOTAL OF SIDE YARDS: _____

FRONT YARD (S): _____ TO _____ STREET

_____ TO _____ STREET

IDENTIFY ANY OTHER STRUCTURE: _____ USE: _____

DIMENSIONS AT GROUND LEVEL: WIDTH: _____ DEPTH: _____

HEIGHT: _____ STORIES: _____

NUMBER OF BEDROOMS: _____ NUMBER OF BATHROOMS: _____

WHAT PERCENTAGE OF THE LOT IS OCCUPIED BY STRUCTURES?

PART IV- THE DISAPPROVAL APPEALED

DATE OF ORIGINAL APPLICATION: _____

NATURE OF APPLICATION DISAPPROVED: _____

DATE OF WRITTEN DISAPPROVAL: _____

WAS THERE A STOP WORK ORDER ISSUED? YES NO

THE REASON (S) FOR DISAPPROVAL: _____

(REFER TO APPLICABLE ZONING LAW SECTIONS)

PART V- THE APPEAL

- A. ___ THIS IS AN APPEAL FROM AN ORDER, REQUIREMENT, DECISION OR REFUSAL BY THE BUILDING INSPECTOR BASED ON THE BUILDING INSPECTOR'S ENFORCEMENT OF THE ZONING LAW THAT IS CLAIMED TO HAVE BEEN MADE IN ERROR.
- B. ___ THIS IS A REQUEST FOR AN INTERPRETATION OF THE ZONING LAW OR THE ZONING MAP.
- C. ___ THIS IS A REQUEST FOR A VARIANCE FROM THE STRICT APPLICATION OF THE ZONING LAW; HOWEVER, DOES NOT REQUEST A VARIANCE FOR A USE, STRUCTURE, CHANGE OR IMPROVEMENT THAT IS RESTRICTED OR OTHERWISE PROHIBITED. (USE VARIANCE)
- D. ___ THIS IS A REQUEST FOR A VARIANCE TO PERMIT A USE, STRUCTURE, CHANGE OR IMPROVEMENT THAT IS RESTRICTED BY THE ZONING LAW. (USE VARIANCE)

HAS THERE EVER BEEN ANY OTHER APPEAL INVOLVING THE PROPERTY? YES NO

IS THERE ANY APPEAL, APPLICATION OR REQUEST RELATED TO THIS PROPERTY, THAT IS PRESENTLY PENDING BEFORE ANY MUNICIPAL OR GOVERNMENTAL BOARD OR AGENCY? YES NO

IS THE SUBJECT MATTER OF THIS APPEAL REQUIRED TO BE REVIEWED BY OTHER STATE, COUNTY, TOWN OR VILLAGE DEPARTMENT, BOARD OR AGENCY?

(ASK THE BUILDING INSPECTOR)

DESCRIBE YOUR SEPTIC SYSTEM (SIZE, AGE, CONDITION):

I HAVE READ AND COMPLETED THE FILING AND MAILING REQUIREMENTS: _____
(INITIAL HERE)

THE PROPOSED ALTERATION, ADDITION OR CHANGE WOULD CREATE OR CAUSE THE FOLLOWING CHANGES TO THE STRUCTURE (S) OR PROPERTY FOR WHICH A VARIANCE IS SOUGHT (INDICATE CHANGES BY “+” OR “-“ DIMENSIONS):

THE PRICIPAL USE AD FOLLOWS: _____

DIMENSIONS AT GROUND LEVEL: WIDTH: _____ DEPTH: _____

INTERIOR FLOOR SPACE: _____ (SQ FT)

HEIGHT: _____ STORIES: _____

NUMBER OF BEDROOMS: _____ NUMBER OF BATHROOMS: _____

SHORTEST SIDE YARD: _____ WHERE: _____ IS REQUIRED BY THE CODE.

TOTAL OF SIDE YARDS: _____ WHERE: _____ IS REQUIRED BY THE CODE.

FRONT YARD(S): _____ TO _____ WHEN _____ IS REQUIRED BY THE CODE.

_____ TO _____ WHEN _____ IS REQUIRED BY THE CODE.

_____ **THERE WOULD BE NO CHANGE TO ANY AREA OR BULK REQUIREMENT.**

_____ **A VARIANCE OR INTERPRETATION IS REQUESTED FOR THE OTHER REASON(S) THAT:** _____

PART VI A- THE PRESENTATION

PETITIONER MAKES THE FOLLOWING AFFIRMATION ARGUMENTS IN SUPPORT OF PETITIONER'S REQUEST(S) FOR RELIEF FROM THE BOARD OF APPEALS:

PETITIONER HAS CONSIDERED WHETHER OR NOT THE PROPOSED CHANGE WOULD BE UNDESIRABLE FOR, OR DETRIMENTAL TO, THE PRESENT CHARACTER OF THE NEIGHBORHOOD OR TO NEARBY PROPERTIES. _____

PETITIONER HAS EXAMINED WHETHER OR NOT THE PROPOSED CHANGE CAN BE ADEQUATELY ACCOMPLISHED BY SOME OTHER MEANS OR METHOD THAN TO REQUIRE A VARAINCE. _____

PETITIONER HAS CONSIDERED WHETHER OR NOT SOME OTHER MEANS OR METHOD OF PURSUING THE PROPOSED CHANGE COULD BE UTILIZED TO SATISFACTORILY COMPLETE THE PROJECT WITH LESS OF A VARIANCE THAN IS REQUESTED IN THIS APPEAL. _____

PETITIONER HAS CONSIDERED WHETHER OR NOT THE CHANGE PROPOSED AND THE VARIANCE, IF GRANTED, WOULD HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIROMENTAL CONDITIONS OF THE NEIGHBORHOOD OR DISTRICT.

PETITIONER WAS NOT THE PERSON WHO CREATED THE CIRCUMSTANCES THAT NOW REQUIRE A VARIANCE IN ORDER TO ACCOMPLISH THE PROPOSED CHANGE.

PETITIONER SUGGESTS THAT THE PROPOSED CHANGE AND VARIANCE SOUGHT, IF GRANTED, WILL NOT IMPAIR OR BE ADVERSE TO THE CHARACTER OF THE NEIGHBORHOOD AND WILL NOT ADVERSELY IMPACT THE HEALTH, SAFETY OR WELFARE OF THE COMMUNITY.

PETITIONER SUGGESTS ADDITIONAL ARGUMENTS AS FOLLOWS:

IF THIS PETITION IS FOR A USE VARIANCE COMPLETE THE NEXT TWO (2) PAGES.

WHEREFORE, PETITIONER REQUESTS THE RELIEF SOUGHT BY THIS PETITION.

PETITIONER SIGNATURE

**SWORN TO BEFORE ME THIS _____
DAY OF _____ 20 ____**

NOTARY PUBLIC- STATE OF NEW YORK

MY COMMISSION EXPIRES: _____, _____

PART VI B- THE PRESENTATION FOR A USE VARIANCE

PETITIONER IS DEPRIVED OF THE ECONOMIC USE OR BENEFIT OF THE PROPERTY IN IT'S DISTRICT BY THE ZONING LAW AND CANNOT ACHIEVE ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN ANY WAY PERMITTED BY THE ZONING LAW.

PETITIONER ARGUES THAT THE ECONOMIC LOSS IS SUBSTANTIAL IN THE FOLLOWING RESPECTS:

THE CIRCUMSTANCES THAT HAVE CAUSED THE PETITIONER TO SUFFER THE ECONOMIC LOSSES DESCRIBED CREATE AN UNNECESSARY HARDSHIP.

THE CIRCUMSTANCES THAT HAVE CAUSED THE PETITIONER TO SUFFER THE UNNECESSARY HARDSHIP DESCRIBED WERE NOT CAUSED BY THE PETITIONER.

THE UNNECESSARY HARDSHIP DESCRIBED IS UNIQUE TO THE PETITIONER'S PROPERTY AND DOES NOT EXIST FOR THE SUBSTANTIAL PORTION OF THE PROPERTIES IN PETITIONER'S DISTRICT.

THE PETITIONER HAS CONSIDERED WHETHER OR NOT THE USE SOUGHT TO BE PERMITTED WOULD ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD.

THE PETITIONER HAS CONSIDERED WHETHER OR NOT THE USE SOUGHT TO BE PERMITTED WOULD, IF GRANTED, VIOLATE THE GENERAL PURPOSE AND SPIRIT OF THE ZONING LAW.

THE PETITIONER HAS CONSIDERED WHETHER OR NOT THE USE SOUGHT TO BE PERMITTED, IF GRANTED, SERVES TO PRESERVE AND PROTECT THE CHARACTER OF THE NEIGHBORHOOD, CAUSES NO ADVERSE EFFECT TO THE SAFETY AND WELFARE OF THE COMMUNITY, AND GRANTS NO GREATER RELIEF THAN THAT WHICH IS APPROPRIATE TO RELIEVE THE PETITIONER OF THE HARDSHIP DESCRIBED.

PETITIONER HAS CONSIDERED THE ADDITIONAL ARGUMENTS AS FOLLOWS:

WHEREFORE, PETITIONER REQUESTS THE RELIEF SOUGHT BY THIS PETITION.

PETITIONER'S SIGNATURE

**SWORN TO BEFORE ME THIS _____
DAY OF _____, 20____**

**NOTARY PUBLIC- STATE OF NEW YORK
MY COMMISION EXPIRES: _____, _____**

THE APPLICANT

THE PROPERTY

FIRST & LAST NAME: _____

DISTRICT: _____

TYPE OF APPEAL
AREA USE OTHER

SECTION: ____ **BLOCK** ____ **LOT:** ____

USE: _____

ADDRESS: _____

**BUILDING INSPECTOR'S APPEAL REVIEW
PART I**

PETITIONER RECEIVED NOTICE OF DIDALLOWNACE ON: _____

THE SECTION(S) OF THE ZONING LAW PREVENTING PETITIONER'S APPLICATION FROM BEING APPROVED: _____

**IS ANY EXTERIOR BOUNDARY LOCATED WITHIN 500 FT OF ANY OF THE FOLLOWING?
(PLEASE EXPLAIN ANY ANSWERS, AS NECESSARY, ON THE REAR OF THIS FORM)**

THE BOUNDARY OF ANY VILLAGE OR TOWN **YES NO**

THE BOUNDARY OF ANY STATE PARK OR OTHER RECREATIONAL AREA **YES NO**

THE RIGHT-OF-WAY OF ANY STREAM OR DRAINAGE CHANNEL OWNED BY THE COUNTY OR FOR WHICH THE COUNTY HAS ESTABLISHED CHANNEL LINES? **YES NO**

THE RIGHT-OF-WAY OF ANY COUNTY OR STATE PARKWAY, THRUWAY, EXPRESSWAY OR OTHER CONTROLLED ACCESS HIGHWAY **YES NO**

THE BOUNDARY OF ANY COUNTY OR STATE-OWNED LAND ON WHICH A PUBLIC BUILDING OR INSTITUION IS LOCATED **YES NO**

IS THE PROPERTY LOCATED IN A FLOOD HAZARD ZONE OR FLOOD PLAIN? **YES NO**

HAS THE PETITIONER SUBMITTED PLANS THAT WOULD BE APPROVED EXCEPT FOR THE VIOLATION(S) OF THE ZONING LAW FOR WHICH THE DISALLOWANCE WAS GIVEN? **YES NO**

IS THE APPEAL LIKELY TO BE ONE OF ENVIROMENTAL SIGNIFICANCE? **YES NO**

IS THE PROPERTY OR STRUCTURE REGISTERED AS A HISTORICAL PLACE? **YES NO**

DATE: _____

BUILDING INSPECTOR'S SIGNATURE

THE APPLICANT

THE PROPERTY

FIRST & LAST NAME: _____

DISTRICT: _____

TYPE OF APPEAL
AREA USE OTHER

SECTION: ____ **BLOCK** ____ **LOT:** ____

USE: _____

ADDRESS: _____

**BUILDING INSPECTOR'S APPEAL REVIEW
PART II**

PETITIONER THE VILLAGE ASSESSOR'S MAILING LIST ON: _____

PETITIONER HAS PRESENTED ME WITH A COMPLETED NOTICE OF APPEAL AND PETITION WITH THE COMPLETED SEQR ATTACHED AND UPON MY REVIEW OF THE DOCUMENTS, MY ANSWERS TO THE FOLLOWING QUESTIONS ARE MADE:

**IS ANY EXTERIOR BOUNDARY LOCATED WITHIN 500 FT OF ANY OF THE FOLLOWING?
(PLEASE EXPLAIN ANY ANSWERS, AS NECESSARY, ON THE REAR OF THIS FORM)**

THE BOUNDARY OF ANY VILLAGE OR TOWN **YES NO**

THE BOUNDARY OF ANY STATE PARK OR OTHER RECREATIONAL AREA **YES NO**

THE RIGHT-OF-WAY OF ANY STREAM OR DRAINAGE CHANNEL OWNED BY THE COUNTY OR FOR WHICH THE COUNTY HAS ESTABLISHED CHANNEL LINES? **YES NO**

THE RIGHT-OF-WAY OF ANY COUNTY OR STATE PARKWAY, THRUWAY, EXPRESSWAY OR OTHER CONTROLLED ACCESS HIGHWAY **YES NO**

THE BOUNDARY OF ANY COUNTY OR STATE-OWNED LAND ON WHICH A PUBLIC BUILDING OR INSTITUTION IS LOCATED **YES NO**

IS THE PROPERTY LOCATED IN A FLOOD HAZARD ZONE OR FLOOD PLAIN? **YES NO**

HAS THE PETITIONER SUBMITTED PLANS THAT WOULD BE APPROVED EXCEPT FOR THE VIOLATION(S) OF THE ZONING LAW FOR WHICH THE DISALLOWANCE WAS GIVEN? **YES NO**

IS THE APPEAL LIKELY TO BE ONE OF ENVIRONMENTAL SIGNIFICANCE? **YES NO**

IS THE PROPERTY OR STRUCTURE REGISTERED AS A HISTORICAL PLACE? **YES NO**

DATE: _____

BUILDING INSPECTOR'S SIGNATURE

The applicant is required to utilize the EAF Mapper provided by the DEC in order to generate correct responses to both/either the short form EAF or long form EAF.

<https://gisservices.dec.ny.gov/EAFPlugin/>