

VILLAGE OF MILL NECK
INFORMATION SHEET FOR
BOARD OF ZONING APPEALS

1. Application of: _____

Name: _____

Address: _____

Phone No: _____ Cell No.: _____ Email: _____

STATUS: Check One () Owner () Contract Vendee

If Contract Vendee, give owner's name and address and attach consent to make this application:

2. Attorney / Architect / Other Contact: _____

Address: _____

Phone No: _____ Cell No.: _____ Email: _____

3. Have the subject premises or any part thereof ever been the subject of a prior Appeal or application to this Board or the Board of Zoning Appeals? () YES () NO

If yes, state relief and date of hearing(s): _____

4. Is property affected by any other encumbrances such as utility easements, rights of way, covenants and restrictions, road agreements or other reservations?

() YES () NO

If yes, please explain on separate sheet and include a copy of the recorded document(s).

Date: _____

**Incorporated Village of Mill Neck
BOARD OF ZONING APPEALS
32 Frost Mill Rd – P.O. Box 351
Mill Neck, NY 11765
(516) 922-6722
(516) 922-5190 – Fax**

ZBA checklist and filing instructions for application for variance:

BZA package must include all that is listed. There must be 1 original and 7 copies of the complete package. All documents must be returned to the Village Clerk at the address above.

- () **Filing fees and Deposits*** are required to be paid with two checks. One in the amount of **\$2,000 and one for \$2,400 both** payable to:
Incorporated Village of Mill Neck
- () Completed and signed **original** Appeal with all required supporting documents including the names and tax lot numbers for the adjoining land owners.
- () A copy of the **Building Inspector's denial letter**.
- () An **updated survey** showing **ALL** existing structures and proposed construction location with relief requesting.
- () A radius map showing all adjoining properties.
- () Copy of last Recorded Deed.
- () Copy of Prior Variances.
- () 2 Copies of Building Permit Application and Plans.
- () All submissions **MUST** include a digital copy (PDF format) of the Complete submission (e.g. appeal package, survey, site plan, construction plans, etc.) on either a flash drive or CD-Rom, clearly labeled with the Applicant's name, address, Section, Block and Lot.

***Please see Village Ordinance regarding fees.**

Note:

- [] The Board reserves the right of inspection.
- [] Photographs of the involved area should be obtained.
- [] Consent of adjoining neighbors should be obtained.
- [] The acceptance of the aforementioned documents by the Village Clerk does not constitute an acknowledgement that the documents are in proper form/complete. That determination is made by the Village Attorney's Office.

**THIS APPLICATION MUST BE SUBMITTED
WITHIN 60 DAYS FROM YOUR DENIAL**

**Short Form Environmental Assessment Form not required -
Do not include with application documents.**

BOARD OF ZONING APPEALS FEES

Make checks payable to the Incorporated Village of Mill Neck

VARIANCES AND SPECIAL PERMITS

Filing Fee	\$2,000.00*
Legal Fees (minimum deposit)	\$2,000.00*
Advertising and Stenographer Fees (minimum deposit)	\$ 400.00*
Engineering Fees (as incurred no minimum deposit)	\$_____
Consultants Fees (as incurred no minimum deposit)	\$_____
Document Recording Fee (as incurred no minimum deposit)	\$_____
TOTAL	\$_____

*Two checks are required. One check in the amount of \$2,000.00 and the other check in the amount of \$2,400.00.

NOTE: Wire transfers are not an acceptable form of payment.

PLEASE NOTE: THE APPLICANT SHALL BE LIABLE FOR AND SHALL PAY ALL CHARGES INCURRED BY THE VILLAGE IN CONNECTION WITH THE APPLICATION (§A132-3 B VILLAGE CODE)

Applicant(s)

Rev. 02-2023

BOARD OF ZONING APPEALS
VILLAGE OF MILL NECK

-----X
In the Matter of the Appeal of :
: APPEAL
_____X

_____, APPELLANT(S) :
from an order, requirement, decision or determination of
the Building Inspector of the Village of Mill Neck
-----X

PLEASE TAKE NOTICE THAT _____
(Appellant's Name)

whose address is _____
(Post Office Address)

the owner/contract vendee (*cross out one*) of the property herein described, hereinafter called
Appellant(s), hereby appeal(s) from the order, requirement, decision or determination of the
Building Inspector of the Village of Mill Neck affecting said property, to the Board of Zoning
Appeals and state(s) and allege(s):

FIRST: The following is a description of said property: *STREET ADDRESS*
_____, _____ Section: ____ Block: ____
Lot(s): _____ on the Land and Tax Map of Nassau County. Said property is in
The Village's _____ Zoning District.

SECOND: Appellant(s) became the owner(s)/contract vendee(s) (*cross out one*) of
said property on _____ and the structure(s) on the property was
(were) built on the following date(s) _____

THIRD: The purpose of this Appeal is to obtain a reversal of said order, requirement, decision or determination of the Building Inspector; and obtain from said Board of Zoning Appeals a permit, variance or modification of or pursuant to, the regulations or provisions of Section(s) _____ of the Village's Zoning Code, so as to permit the use, construction or alteration of the building(s) or structure(s), or the use of the land sought by Appellant(s).

FOURTH: State the zoning requirements, the proposed dimensions, and the differences for which the variance is requested.

FIFTH: In making its determination, the Board of Zoning Appeals must take into consideration the benefit to the Appellant(s) if the variance is granted weighed against the detriment to the health safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following 5 items:
(use additional page if necessary)

- a. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?

- b. Can the benefit sought in this appeal be achieved by some method feasible other than the requested area variance? Please explain.

- c. Is the requested area variance substantial?

-
-
-
-

-
-
-
-

POST OFFICE ADDRESS

[illegible]

WHEREFORE, in accordance with the foregoing alleged facts, Appellant(s) request(s) the Board of Zoning Appeals to vary the strict application of the aforesaid provision(s) of said Village's Zoning Code, to grant the relief requested and to grant such other and further or lesser relief as to the Board of Zoning Appeals seems just and proper.

I (WE) HAVE READ THE FOREGOING APPLICATION AND UNDERSTAND THAT ANY FALSE STATEMENTS MADE THEREIN ARE PUNISHABLE AT A CLASS A MISDEAMEANOR PURSUANT TO SECTION §210.45 OF THE PENAL LAW.

Appellant(s) Signature(s)

Date

Appellant(s) Signature(s)

[NOTE: An accurate survey of the subject property showing all the structures erected or to be erected thereon and their distances from all property lines must be attached to the original and each copy of the Appeal.]

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK)

) ss:

COUNTY OF NASSAU)

_____ being duly sworn, deposes and says that he/she resides at _____ in the County of _____ and State of _____; that he/she is/are (the owner in fee)* (the _____) of _____ the corporation which is owner in fee* of the property described in this application shown on the Nassau County Tax Map as Section: _____ Block: _____ Lot: _____: that he/she authorized _____ to make this application* and that the statements of fact contained in this application are true.

OWNER'S SIGNATURE

OWNER'S SIGNATURE

Sworn to before me this _____ day
of _____ 202__.

NOTARY PUBLIC

*STRIKE OUT INAPPLICABLE WORDS

CONSENT OF ADJOINING OWNERS

(this page is not required and may be deleted)

We the undersigned, property owners in the Village of Mill Neck adjoining the property
of Appellant(s) _____

herein described as Lot(s): _____

Block: _____ Section: _____, hereby approve(s) the granting of a
variance by the Board of Zoning Appeals of said Village so as to permit the use, construction or
alteration of the building or structure or the use of the land sought by Appellant(s):

NAME OF PERSON (Please Print)

SIGNATURE

DISCLOSURE AFFIDAVIT

Pursuant to section 809
Of General Municipal Law

NOTE: If applicant is a contract vendee, the Owner(s) of the subject property must
also file a Disclosure Affidavit with the application.

STATE OF NEW YORK)

) SS:

COUNTY OF)

_____, being duly sworn, deposes
and says:

1. **FOR INDIVIDUAL**

a.) That I am over age 18 and reside at _____

b.) That I am the () owner () contract vendee

(Check one) of the property designated as:

Lot(s): _____ Block: _____

Section: _____ on the Nassau County Land and Tax Map
which forms the subject matter of this application and am fully familiar with all
the facts and circumstances hereinafter set forth.

1. **FOR CORPORATION**

a.) That I am the _____ of the _____
(office held) (Name of Corporation)

_____ and am fully familiar with the fact and circumstances hereinafter set forth.

b.) That the business address of _____
(Name of Corporation)

is _____

c.) That said corporation was incorporated under and pursuant to the _____

_____ Law of

The State of _____ and is the

owner/contract vendee of the property designated as

(cross out one)

Lot(s): _____ Block: _____ Section: _____

On the Nassau County Land and Tax Map which forms the subject matter of this
application.

d.) That the following are names and residences of each officer, director and shareholder: (Set forth names, residences and relationship to Corp.)
(Add additional sheet if necessary.)

e.) That the corporate stock of said corporation has not been pledged to any person nor has any agreement been made to pledge the said stock: (except: If any, set forth details.)

1. FOR PARTNERSHIP

a.) That I am a _____
(partner, joint venture, etc.)

of the _____
(name of partnership)

and am familiar with all the facts and circumstances hereinafter set forth.

b.) That the above partnership was established in _____
(place)

on _____ and is the (owner/contract vendee)
(cross out one)

Designated as Lot(s): _____ Block: _____ Section: _____
on the Nassau County Land and Tax and Tax Map which forms the subject matter of this application.

c.) That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.):

2. That there are no encumbrances or holders of any instruments creating an encumbrance upon the subject property (except: If any set forth details.)

3. That neither deponent nor any other person mentioned in this affidavit is a Village officer or employee, or is related to a Village officer or employee. (except: If any set forth details.)

4. That no State officer or employee or local municipal officer or employee in Nassau County or his/her spouse or a person by consanguinity related to either of them within the third degree is (are) the Applicant(s) or an officer, director or employee of the Applicant(s), or legally or beneficially owns or controls the corporate stock of the Applicant(s) or is a partner of the Applicant(s) or associated with the Applicant(s) in a joint venture or has an agreement with the Applicant(s) , expressed or implied whereby his/her compensation for services is to be dependent or contingent upon the favorable exercise or discretion in the granting of the appeal herein. (except: If any set forth details.)

5. That in the event there is any change in the matters set forth herein prior to the public hearing relating to the property affected hereby, deponent(s) will file with the Village a supplemental affidavit indicating the details of such change within 48 hours of such change.

(Signature)

Sworn to before me this
Day of _____

Notary Public

Rev. 09/2025