

VILLAGE OF MILL NECK
INFORMATION SHEET FOR
ZONING BOARD APPROVAL FOR SPECIAL PERMIT FOR CONDITIONAL USE

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 a special permit for a conditional use:

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** Application, Disclosure Affidavit, and Short Environmental Assessment Form, 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 or Special Permits.
- () 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.
- [] 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**

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)

BOARD OF ZONING APPEALS
VILLAGE OF MILL NECK

-----X
In the Matter of the Application of :
:
: APPLICATION
:
for a special permit for a conditional use
-----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 Applicant, hereby makes application to the Board of Zoning Appeals and states and alleges:

FIRST: The following is a description of the property for which Applicant applies for a special permit for a conditional use: *STREET ADDRESS* _____, Mill Neck, NY 11765, which is known as Section: ____ Block: ____ Lot(s): _____ on the Land and Tax Map of Nassau County. Said property is in The Village's _____ Zoning District.

SECOND: The property was acquired by the owner by deed dated _____
From _____, as grantor, to _____,
as grantee, recorded in the Office of the Nassau County Clerk on _____,
in Liber _____ of deeds at page _____, a copy of which deed is annexed hereto.

THIRD: The property (is) (is not) (might be) located within a distance of 500 feet from the boundary of the Village or from the boundary of any existing or proposed county or state park or other recreation area, or from the right-of-way of any existing or proposed county of state parkway, thruway, expressway, road or highway, or from the 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, or from existing or proposed boundary of any county or state owned land on which a public building or institution is situated. The term "proposed" shall be deemed to include only those recreation areas, parkways, thruways, expressways, roads, or highways which are shown on a county plan adopted pursuant to subdivision two of Section 239(d) of the General Municipal Law or adopted on an official map pursuant to section 239(g) of such law. (*Cross out inapplicable words. Identify all applicable objects or entities which are or might be within 500 feet of the property.*)

FOURTH: Pursuant to Article IX and Section 129-89 of the Zoning Ordinance, Applicant hereby applies for permission to use the property for the following conditional use:

Academic School; Academic or Technical College:
Public Art Gallery; Library; Museum; Church:
Parish House; Sunday School; Nonprofit Club:
Cemetery, excluding a crematory; Monastery:
Convent; Novitiate; Nonprofit Reservation; Park or
other open recreational use. *(Cross out all applicable
uses.) [See §§129-7 and 129-15 of Zoning Ordinance.*

FIFTH: Specifically, the proposed use for which Applicant applies is as follows:
(Describe in detail.)

SIXTH: Prior applications to the Board of Zoning Appeals relating to the property were granted or denied as follows: *(Describe all such applications and annex copies of the prior determinations of the Board of Zoning Appeals.)*

SEVENTH: Covenants and restrictions relating to the property and which run in favor of the Village or any of its administrative boards are as follows: *(Identify and annex copies of the instruments containing any such covenants or restrictions.)*

EIGHTH: The proposed use will protect and conserve, insofar as possible, existing trees, soils, lakes, ponds, watercourses, tidelands and other natural features as follows: *(Describe and annex proposed site plan showing all existing and proposed buildings, structures, and driveways and parking areas, all existing trees having a diameter of equal to or greater than six inches measured at a point four feet six inches above ground level, all existing lakes, ponds, watercourses, tidelands and other natural features.) [See §129-66 (B) of Zoning Ordinance.]*

NINTH: For the reasons hereinafter stated, the proposed use will be of such location size and character that it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent property or inconsistent with development shown on the Master Plan of the Village: *(Explain) [See §129-66© of Zoning Ordinance.]*

TENTH: The proposed use complies with the standards of Section §129-68 of the Zoning Ordinance for the particular type of use proposed as follows: *(Explain)*

ELEVENTH: The Applicant understands that except for cemeteries, all applications for conditional uses shall be referred to the Village Board of Trustees for determination of the annual amount to be paid in lieu of taxes to cover the cost of municipal services to such tax-exempt use and so that a condition can be imposed requiring the payment thereof. *[See §129-71 of the Zoning Ordinance.]*

TWELFTH: A site plan showing all proposed new buildings and structures for the use has been submitted to the Village's Building Inspector and he/she has determined that (no variances are required for the construction of said new building and structures) (the following variances are required): *(Cross out one and annex a copy of the Building Inspector's determination.)*

THIRTEENTH: The names and addresses of all owners of property abutting the property which is subject of this application area as follows: (abutting property owners shall be deemed to include properties located opposite the premises but which are separated by a public or private road.)

NAMES

POST OFFICE ADDRESS

WHEREFORE, in accordance with the foregoing alleged facts, Applicant requests said Board of Zoning Appeals to authorize the grant of a special permit for the conditional use herein applied for. I have read the foregoing application and understand that any false statements made therein are punishable as a Class A Misdemeanor pursuant to Section §210.45 of the Penal Law.

Date

Applicant's Signature

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

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