

**INCORPORATED VILLAGE OF UPPER BROOKVILLE**  
**APPLICATION TO BOARD OF APPEALS FOR VARIANCE**

1. Applicant(s) Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone# \_\_\_\_\_ Fax # \_\_\_\_\_ E-Mail \_\_\_\_\_
2. If Applicant is Contract Vendee, list name and current address of property owner(s) and attach owner's consent to the application.  
\_\_\_\_\_  
\_\_\_\_\_
3. Attorney, Engineer, or other Representative \_\_\_\_\_  
Firm/Company Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone# \_\_\_\_\_ Fax # \_\_\_\_\_ E-Mail \_\_\_\_\_
4. Description of Subject Property:  
Address: \_\_\_\_\_ Sec. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Zoning District: \_\_\_\_\_ Lot area: \_\_\_\_\_
5. Application to vary the provision of Article \_\_\_\_\_, Section(s) \_\_\_\_\_  
Subsection(s) \_\_\_\_\_  
of the Building Zone Ordinance to construct or maintain (describe project).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach the Building Inspector's written denial of building permit/certificate of occupancy.**  
**(IF MORE THAN ONE VARIANCE IS REQUESTED, PLEASE CHECK HERE [ ] AND LIST THE INFORMATION REQUIRED UNDER #6 ON AN ADDITIONAL PAGE.)**



(b) State how the granting of this variance will benefit the owner and why it is necessary.

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8. The ZBA will also consider the following five factors when making its determination. Applicant must answer the questions, in writing, on the application and be prepared to explain and support those answers at the hearing:

(a) If the area variance is granted, will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created? (Please explain) \_\_\_\_\_

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(b) Could the implementation of a feasible alternative provide similar benefit to the applicant (in place of granting the area variance)? (Please explain) \_\_\_\_\_

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**AFFIRMATION ON SEARCH OF NEIGHBORING PROPERTY OWNERS**

deposes and says:

That he/she is over the age of eighteen and resides at

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, deponent searched the current Village or Town tax roll records and hereby certifies that such records show the above listed current title owners of the above listed properties within 100 feet of the subject premises.

**I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Record Search Deponent's Signature

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

**I HAVE READ THE FOREGOING APPEAL /APPLICATION AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant(s)/Appellant(s) Signature(s)

(Note: General Municipal Law of the State of New York, Section 809 enacted in 1969 **requires** the filing of the following completed Disclosure Statement)

**DISCLOSURE STATEMENT**

\_\_\_\_\_ deposes and says:

1. **FOR INDIVIDUAL**

a. I am over the age of 21 and reside at \_\_\_\_\_

b. I am \_\_\_\_\_ of the property designated as  
(owner/contract vendee - cross out one)  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ 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. I am the \_\_\_\_\_ of \_\_\_\_\_  
(Office Held) (Name of Corp.)  
and am fully familiar with all the facts and circumstances hereinafter set forth.

b. The business address of \_\_\_\_\_ is  
(Name of Corp.)  
\_\_\_\_\_  
\_\_\_\_\_

c. Said corporation was incorporated under and pursuant to the \_\_\_\_\_  
\_\_\_\_\_ Law of the State of \_\_\_\_\_ and is the  
\_\_\_\_\_ of the property designated as Section \_\_\_\_\_ Block \_\_\_\_\_  
Lot(s) \_\_\_\_\_ on the Nassau County Land and Tax Map which forms the subject matter of this application.

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

e. 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.)

(Delete this page from application if not necessary.)

1. ***FOR PARTNERSHIP***

a. I am a \_\_\_\_\_ of \_\_\_\_\_  
(Partner, Joint Venturer, etc.) (Name of Partnership)  
and am fully familiar with all the facts and circumstances hereinafter set forth.

b. The above partnership was established in  
\_\_\_\_\_  
(Place)  
on \_\_\_\_\_ and is the \_\_\_\_\_ of the property  
(Date) (Owner or Contract Vendee)  
designated as Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ on the Nassau  
County Land and Tax Map which forms the subject matter of this application.

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

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

3. Neither deponent nor any other person mentioned in this statement is a Village officer or employee, or is related to a Village officer or employee. (except: if any set forth details.)

4. No State Officer or employee or local municipal officer or employee in the Nassau County or his 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 compensation for services is to be dependent or contingent upon the favorable exercise of discretion in the granting of the application herein. (except: if any set forth details.)

5. 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 statement indicating the details of such change within 48 hours of such change.

**I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant(s) Signature(s)

