



TARRYTOWN-ON-HUDSON

21 Wildey Street, Tarrytown, New York 10591-3199

Planning and Zoning Department
(914) 631-1652

Building Department
(914) 631-3668

Dear Zoning Board of Appeals Applicant:

The Zoning Board of Appeals meets regularly on the second Monday of each month at 8:00 p.m. in the Village Hall. Pursuant to the requirements of the Zoning Ordinance for the Village of Tarrytown, the following submission requirements will be strictly enforced.

SUBMISSIONS

Chapter 305 of the Tarrytown Village Code outlines the information/documentation that is required to be submitted by an applicant. All required application information must be submitted to the Planning and Zoning Department at least twenty-four (24) calendar days prior to the next regularly scheduled meeting. This will ensure enough time for preparation and forwarding of the legal notice to the newspaper, review of the short Environmental Assessment Form by the Environmental Review Officer and review of the drawings by the Building Department. It is necessary that the following information be submitted:

- Twelve (12) folded copies of the descriptive drawings and any color photographs
- One (1) copy of the completed application and any supporting papers (if this document includes appendices, twelve copies must be supplied)
- One (1) copy of the deed showing ownership of the property in question
- One (1) copy of the survey of the property which is the subject of this application (if this document is larger than 11 x 17, twelve copies must be supplied)
- Appropriate fee: \$150 for variance (residential); \$750 for variance (commercial).

Section 305-51 of the Zoning Ordinance outlines the criteria, which must be met for the granting of a variance. An applicant for an AREA variance must prove to the ZBA that applying the strict requirements of the Zoning Code will create a practical difficulty for the applicant. All criteria in Section 305-51B(1) must be addressed by the applicant in WRITTEN format and submitted as part of the application.

An applicant for a USE variance must prove to the ZBA that applying the strict requirements of the Zoning Code will create an unnecessary hardship. All criteria in Section 305-51B(2) must be addressed by the applicant in WRITTEN format and submitted as part of the application. The applicant may also have to submit certified financial statements to prove economic hardship. Applicants should consult their legal or financial advisors if they are unfamiliar with the standards of proof required. If these requirements are not met and all information and documentation submitted in the proper time frame, the application will not be considered by

the Zoning Board of Appeals.

Should it be necessary to remove a tree due to a zoning variance request, it will be necessary for you to inform the Zoning Board of Appeals of the removal per the requirements of the Tree Ordinance. The Zoning Board has the right to approve, deny, or approve with conditions the removal of trees.

NOTICE OF PUBLIC HEARING - §305-45 OF THE TARRYTOWN VILLAGE CODE

All applicants at least 10 days prior to the public hearing shall send written notice by certified mail, return receipt requested, to all owners within 100 ft. of the affected property and to any other such persons as the applicable Board may deem necessary, all at the expense of the applicant. Property owners entitled to notice shall be those listed as owners on the record in the Village of Tarrytown Tax Assessor's office as of the date of mailing. The written notice shall contain information equal to the notice published in the newspaper, and proof of mailing receipts must be furnished prior to the public hearing. Any person making an application is further required to erect a sign facing each public street on which the property abuts, giving notice that such application has been made and that a public hearing will be held. Such signs shall be obtained from the Planning and Zoning Department. Signs are to be displayed for a period of not less than ten days immediately preceding the hearing date or any adjourned hearing date. The sign shall not be set back more than 10 feet from any property or street line and shall not be less than 2 feet or more than 6 feet above the grade at the property line. Said sign shall be affixed to a suitable frame, which will assure visibility from the street at all times. At the commencement of the public hearing, the applicant is required to file an affidavit, which states that the aforementioned public notice requirements have been complied with.