

## Zoning Board of Appeals Applications

Who appears before the Zoning Board of Appeals (ZBA)? Where there is a denial of an application by the Building Department, the applicant may appeal that denial to the ZBA which may, upon presentation of compelling testimony and evidence, modify or overrule the determination of the Building Administrator or Code Enforcement Officer. Additionally, someone may disagree with a decision rendered by another Village Board, and ask the ZBA to review such decision. Certain circumstances provide for persons with proper standing to request that the ZBA review the granting of an application if they feel that they may be adversely impacted by someone else's proposed activity. The ZBA approval process is as follows:

1. Zoning Board of Appeals application forms with detailed instructions are available at the Building and Zoning Department in the Municipal Building 165 Mill Road, Monday through Friday, between the hours of 9:00 am and 4:00 pm. \*
2. Ten (10) complete ZBA applications (2 signed originals + 8 copies) shall be submitted to the Building and Zoning Department Secretary who will be responsible to complete the Application Intake Checklist.
3. ZBA applications which are not complete or do not have the required attachments will not be accepted by the intake person. The application and copies will be returned to the applicant with a copy of the ZBA Application Intake Checklist attached.
4. Applications to the ZBA will be eligible to be placed on the agenda of the next scheduled monthly meeting if filed by no later than 3:00 pm on the day of the current monthly meeting. The ZBA meets on the third (3rd) Thursday of every month.
5. ZBA applications with attachments, which are deemed to be complete, must be individually date stamped and referred to the Building Administrator for initial review.
6. In the event that additional information is required to complete the initial review of ZBA applications, the Building Administrator or a designated representative will notify applicants. In such cases, the Building Administrator will complete the initial review after receipt of the additional submissions. Additional submissions must be date stamped by the Building Department Secretary.
7. Following the Building Inspector's initial review of all fully completed ZBA applications, one of the following actions will occur:
  - a. Applications will be referred to the ZBA and will appear on the agenda of the next monthly meeting.
  - b. Applications are not approved for referral to the ZBA. Applicants will be provided information on amending the applications to conform to Village code. In such cases, the Building Inspector will be available to meet with the applicants by appointment.
8. Applications which have been approved by the Building Inspector will be placed on the agenda of the next regularly scheduled monthly ZBA meeting held on the 3rd Thursday of every month.
9. Applications pertaining to properties which have code violations or where outstanding fees are owed the Village will not be acted upon by the ZBA until a release is authorized by the Village Attorney. This provision shall not apply if the subject application is intended to address such outstanding violations.
10. Applicants will be mailed the official ZBA meeting notice at least two weeks prior to a ZBA meeting.
11. The Public Notice will also appear in the "Southampton Press" on a Thursday two (2) weeks prior to the ZBA meeting.
12. Applicants are responsible to notify bounders (within a 200-foot radius of the subject premises) by sending a copy of the Public Notice, Zoning Board application and survey of the subject property to each bounder by Certified Mail, Return-Receipt-Requested, no later than ten (10) days prior to the date of the ZBA meeting, excluding the meeting date. Certified receipts of mailings to bounders must be submitted to the ZBA Secretary no later than five (5) days prior to the meeting date, together with the Affidavit of Mailing. A list of the names, addresses and tax map numbers of the bounders must be annexed to the Affidavit of Mailing. The Zoning Board secretary will provide applicant with the names and addresses of the bounders to be notified.
13. Applications which are withdrawn at the request of the applicant or Building Administrator after the publication of the meeting notice will remain on the agenda for an official resolution at the meeting.
14. Applications which are approved by the ZBA will be referred back to the Building Administrator who will proceed with the further processing of approved applications prior to the issuance of building permits.
15. Copies of ZBA decisions will be filed with the Village Clerk's Office for official recording. Copies of the decisions will be mailed to the applicant or applicant's designated agent by the ZBA secretary. Applications which have been approved subject to the approval of other governmental agencies will be retained by the ZBA secretary until all submissions have been received and are reviewed.

\* For your convenience, referenced Application Checklist Forms are down-loadable as Adobe Portable Document Format (PDF) files for recreating on your own printer