



VILLAGE OF MAMARONECK
PLANNING DEPARTMENT

169 Mt. Pleasant Avenue,
Mamaroneck, NY 10543

Phone: (914) 825-8758
www.village.mamaroneck.ny.us/planning-department

Zoning Board of Appeals Variance Application Checklist

SUBMISSION REQUIREMENTS: (TO BE DEEMED COMPLETE)

- Submit 6 collated packets of the items below:
 - Zoning Board of Appeals Variance Application.
 - Cover Letter explaining the application.
 - Copy of zoning compliance chart, detailing existing zoning and specify variance needed.
 - [Short Environmental Assessment Form](#) Part 1 ([Full Environmental Assessment Form](#) upon request of the commission or if the action is type 1).
 - Copy of the most recent survey, if the survey is more than one year old a sworn statement from the surveyor attesting there have been no changes that would affect the accuracy of the survey.
 - Photographs, including Google Aerial Photos of property.
 - Architectural Plans.
 - Site Plan (if applicable).
 - Copy of building permit application.
 - Copy of building determination letter.
 - For sign variance applications:
 - Sign compliance chart, to be drafted by applicant. (i.e. allowable letter height vs. proposed letter height)
- Submit one digital copy with each item on the above list as a separate pdf to the Planning Department (e.g. one pdf with architectural plans, one pdf of the survey, one pdf of the application, one pdf of zoning table etc.)
 - **Note: both physical and digital plans must be signed and sealed by a licensed architect or engineer.**
- Please confirm application fees with the Planning Department. A check with the application fee made payable to "Village of Mamaroneck" must be included with the application. The Village fee schedule is available [here](#).
- A check with the required escrow deposit made payable to "Village of Mamaroneck" must be included with the application as needed. Please refer to the determination letter for the specified escrow deposit amount.
 - **Note:** the escrow deposit must be a separate check from the application fees.

Notice requirements

- Please review Chapter [372-3 of the Village of Mamaroneck Zoning Code](#), staff will provide detailed notice instructions once the above has been deemed complete.



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Zoning Board of Appeals Variance Application
(Area, Use, Fence or Appeal/Interpretation)

Received By : _____ Date : _____

App # : _____

1. Project Address:

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

3. Zoning District: _____

4. Owners Name & Address:

Phone: _____ Cell: _____

Email: _____

5. Applicant (Not Owner or Owner's Representative):

Name: _____

Address: _____

Phone: _____ Cell: _____

Email: _____

Role: _____

6. Representative (if applicable):

Name: _____

Address: _____

Phone: _____ Cell: _____

Email: _____

Role: _____

7. This is an Application for the following (check one (1) or more as applicable):

- ☐ **Area Variance:** This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code
- ☐ **Use Variance:** This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning Code on the property that is the subject of the application.
- ☐ **Fence Variance**
- ☐ **Sign Variance**
- ☐ **Appeal or Interpretation (Specify Code Section)** _____
 - Date and description of the determination that is being appealed (a copy of the determination must also be attached with this application):

☐ **Other (Specify):** _____

8. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant with a signed lease or the owner.
- a. If you are the owner, on what date did you acquire title? _____
 - b. If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced:

NOTE: If the Applicant or Property Owner is a:

- 1. Corporation: Attach a separate Rider listing all the corporation's officers and corporate address.
- 2. Partnership: Attach a separate Rider listing the type of partnership and identify the general partner.
- 3. LLC: attach a separate Rider listing the LLC's members.

9. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

____ Yes

____ No

If YES, you must attach copies of the prior variance and resolution. Describe below:

10. List all permits you must obtain in order to complete the project that is the subject of this Application (include all permits or approvals necessary from any federal, state, county or local agency or department)

11. Is the property subject to any covenants, easement, or other recorded restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within Board purview will alter or modify existing contractual rights with respect to the subject property.

12. _____ Check here if there have been any violations issued with respect to the property, regardless of whether they have been removed or adjudicated.

If so, describe and provide the date(s) and details, including if the violation continues:

FOR USE VARIANCES:

A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that:

- Under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located This deprivation must be established by competent financial evidence.
- the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
- the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- the alleged hardship has not been self-created.

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider). A financial analysis must be included, showing the actual price paid for the property, the current market rate for sale or lease, as appropriate, and an analysis of the cost of the development proposed on the property.

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FOR AREA VARIANCES:

Under law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance. The Applicant must provide an answer to each of the following factors:

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

2. whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance.

3. whether the requested area variance is substantial.

4. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;

5. and whether the alleged difficulty was self-created.

FOR SIGN VARIANCES:

A sign variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that:

- Under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located This deprivation must be established by competent financial evidence.

- the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.

- the requested use variance, if granted, will not alter the essential character of the neighborhood; and

- the alleged hardship has not been self-created.

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

I hereby give permission to Members of said Boards/Commissions and/or supporting Staff to visit the property in question at a reasonable time during the day. The foregoing information is affirmed by:

APPLICANT SIGNATURE