



Town of Babylon
Zoning Board of Appeals

200 East Sunrise Highway, Lindenhurst, NY 11757-2598
Phone (631) 957-3011 or 957-3012 Fax (631) 957-3186

APPLICATION TO THE ZONING BOARD OF APPEALS

GENERAL INFORMATION AND INSTRUCTIONS

If a building plan or site plan does not comply with Babylon Town building or zoning codes, suggestions may be made for changes that would bring the plan into compliance. When the plan cannot be changed so that it complies (for instance, due to substandard lot size), then application is made to the Zoning Board of Appeals. This Board has the authority to grant special permits and variances for plans out of compliance with local codes when a majority of the Board deems the use appropriate and compatible with the surrounding properties.

When a completed application is received by the Department of Planning and Development, Division of Zoning Board of Appeals, the appropriate divisions will review it and a Zoning Board of Appeals public hearing will be scheduled. The applicant must post an "Official Notice" sign on the subject property stating the time and date of the public hearing for a period of not less than 10 days before the public hearing (signs are available in the Zoning Board of Appeals office). The property owner or his/her designee is required to appear before the Zoning Board of Appeals at a public hearing to present the application and answer any questions posed by the Board. The Board will render a decision and advise the applicant by mail.

If the application is to establish a use and the applicant/tenant is not the owner of the property and there is also more than one tenant using the property, then the landlord or the landlord's authorized agent must appear with the applicant/tenant at the public hearing. If the application is for renewal of permission to maintain a use, only the tenant is required to attend the hearing.

Pursuant to Babylon Town Code, every variance or application granted by the Zoning Board of Appeals is valid for 180 days and shall become null and void unless within this 180 day period, a building permit is obtained and the work associated with the variance or the special use granted is commenced. No land can be cleared of trees, shrubs, bushes, grass and similar plant life until a building permit has been obtained.

Pursuant to the Babylon Town Code, if an application is denied, a new application will not be accepted within one year after the Zoning Board of Appeals has held a public hearing unless there is a substantial change in such application or if granted permission by the Board after submission of letter setting forth any new evidence which might indicate such substantial change or unless directed by a court of competent jurisdiction.

REQUIREMENTS FOR ALL APPLICATIONS

1. Application Filing Fee

Check or money order made payable to the Town of Babylon – see below for amount

Application Type	Amount	Application Type	Amount
Residential-Proposed	\$125.00	Public Garage	\$500.00
Residential-Maintain	\$300.00	Sign Permit	\$500.00
Business	\$500.00	Special Exception	\$750.00
Industrial	\$500.00	Subdivision (per plot)	\$250.00
Multi-Residence	\$1,000.00	Transfer Station	\$1,000.00
Sr. Citizen Multi Residence	\$1,000.00	Telecommunications	\$2,000.00

2. Forms Required

- Zoning Board of Appeals application – completed, signed and notarized
- Building Permit application with Denial of Building Permit Application form from the Building Division and associated paperwork
- Copy of the Deed or Owner’s Certificate of Title for the subject property

3. Construction Plans and Elevational Drawings – 3 sets

In a form acceptable to the Building Division. This is required for all structures, alterations to existing structures, and applications to legalize existing structures. Professionally drawn, signed and sealed plans by a licensed architect or engineer and on a CD in pdf format may be required. Note: This is in addition to the 3 sets of plans (hard copies).

4. Surveys – 15 (one original and 14 copies); for subdivisions – 15 individual & 20 or more overall surveys

Signed and sealed by a professional surveyor

The survey of the property must include the following:

- All existing and proposed structures
- The sizes of the structures and setbacks to front, rear and side property lines

5. Suffolk County Tax Map – 12 copies

- Highlight subject property
- For residential property only - 200’ border drawn around the perimeter of the property (Zoning Board of Appeals staff will draw the 200’ radius circle)

6. List of Property Owners within 200’ Radius

- List of names and addresses of all property owners within 200’ perimeter of the subject property (as listed on the Town’s Assessment rolls)
- For residential property only – Town will provide the list of property owners (the list must be submitted with the complete application package)

7. Envelopes (4¼ X 9½) - UNSEALED

With first class postage, the return address of the Zoning Board of Appeals and a copy of page 1 of the ZBA application for the following:

- Addressed to all property owners within 200’ perimeter of the subject property
Note: mailing labels will be provided by the Town; and the
- Administrative Office of the School District which the property is located within

8. Photographs

Submit 4 photographs depicting different views (front, rear and sides) of the existing building or structure and/or the location of the proposed building or structure

9. Oversized Exhibits (larger than 11X17) will not be accepted

ADDITIONAL REQUIREMENTS

For Commercial, Business, Industrial, SCMR or MR Zoning Districts

- **Radius Map – 12 copies**
Professionally drawn by a licensed engineer or architect which shows all properties and zoning districts within 200' of the perimeter of the subject property (See note below)
- **Site Plans – 15 copies**
Professionally drawn, signed and sealed by a licensed architect or engineer as per the Town of Babylon Site Improvement and Subdivision Specifications booklet
- **Construction Plans and Elevational Drawings – 3 sets**
Professionally drawn, signed and sealed by a licensed architect or engineer
 - Required for all structures, alterations to existing structures and applications to legalize existing structures
 - In order to serve the public & make the plans presented at the hearing more readily available, we request they be put on a CD in pdf. format. Note: This is in addition to the 3 sets of plans (hard copies).

For Subdivision Applications

- **Radius Map – 12 copies**
Professionally drawn by a licensed engineer or architect which shows all properties and zoning districts within 200/500' of the perimeter of the subject property (See note below)

For Sign Permit Applications ONLY

- **Colored Rendering of Sign – 1 – for new signs only**
- **Radius Map – 12 copies**
Professionally drawn by a licensed engineer or architect which shows all properties and zoning districts within 200' of the perimeter of the subject property
- **Site Plans – 15 copies**
Professionally drawn, signed and sealed by a licensed architect or engineer
 - Indicate the location of all free standing signs, i.e. ground, monument and/or directory signs
- **Elevational Drawings – 4 copies**
Professionally drawn, signed and sealed by a licensed architect or engineer
 - Depicting entire building façade and show all existing and proposed signs
 - Include dimensions of the building and all signs
- **Photographs – 1 set – for all existing signs**
- **For renewals only-The Building Department requires a copy of the existing Town of Babylon sign permit and a copy of the prior ZBA decision.**

Note: The Town of Babylon can provide the radius maps, list of property owners and mailing labels for properties within a 200' perimeter of the subject property – please contact the Zoning Board of Appeals office for details

Addresses of Local Governments, Agencies, and School Districts

Villages:

- Village of Amityville, 21 Greene Ave., Amityville, NY 11701
- Village of Babylon, 153 W. Main St., Babylon, NY 11702
- Village of Farmingdale, 361 Main St., Farmingdale, NY 11735
- Village of Lindenhurst, 430 S. Wellwood Ave., Lindenhurst, NY 11757

Towns:

- Town of Islip, 655 Main St., Islip, NY 11751
- Town of Huntington, 227 Main St., Huntington, NY 11743
- Town of Oyster Bay, 54 Audrey Ave., Oyster Bay, NY 11771-1592

Agencies:

- Suffolk County Department of Planning, P.O. Box 6100, Hauppauge, NY 11788
- Long Island Parks Commission, P.O. Box 247, Babylon, NY 11702

School Districts:

- Amityville Union Free School District #6, Central Administration Office
Park Ave. & Ireland Pl., Amityville, NY 11701
- Babylon Union Free School District #1, Administrative Office
171 Ralph Ave., Babylon, NY 11702
- Copiague School District #5, Administrative Office
2650 Great Neck Road, Copiague, NY 11726
- Deer Park School District #7, Administrative Office
1881 Deer Park Ave., Deer Park, NY 11729
- Farmingdale School District #22, Business Office
50 Van Cott Ave., Farmingdale, NY 11735
- Half Hollow Hills Central School District #16, Business Office
525 Half Hollow Rd., Dix Hills, NY 11746
(note: #5 is Town of Huntington's school district number)
- Huntington Union Free School District, Administrative Office
140 Woodhull Rd., Huntington, NY 11743
- Lindenhurst Union Free School District #4, Administrative Office
350 Daniel St., Lindenhurst, NY 11757
- North Babylon School District #3, Administrative Office
5 Jardine Pl., North Babylon, NY 11703
- West Babylon Union Free School District #2, Administrative Office
10 Farmingdale Rd., West Babylon, NY 11704
- Wyandanch Union Free School District #9, Administrative Office
Straight Path, Wyandanch, NY 11798