

SOUTHOLD TOWN ZONING BOARD OF APPEALS
Phone (631) 765-1809 Fax (631) 765-9064

Instructions for Accessory Apartment
Special Exception Application

Please submit seven (7) collated sets with the ORIGINAL SIGNED SET on top of the following:

1. Application Form typed or neatly printed. (Your application will be read during the hearing.) Include the following information:
 - a. House No., and Street, Hamlet, Subdivision Name and Subdivision Lot Number (if any), County Tax Map District, Section, Block, Lot Numbers.
 - b. Please indicate Zone District (from Town Zoning Map).
 - c. Please include current owner's name and address (if different from applicant). If applicant is not one of the owners, you must furnish written authorization to act as the owner's agent, and written Disclosure showing your interest and any others, in the subject property.
2. At a date in the near future, you will receive a letter asking that the next step for "Notice to Surrounding Property Owners" under Ch. 58 of the Town Code be followed. You may wish to confirm current landowners' mailing addresses according to the assessment/tax records (located either at the County Center Real Estate Office in Riverhead, or Southold Town Assessors Offices. The list of names should include landowners (vacant or improved land) located across the street, right-of-ways, and opposite all sides of your property.
3. Please submit one copy of your Certificate of Occupancy of existing land and structures issued before January 1, 1984, together with a copy of the current Deed of the premises showing proof of owners. The owner must reside in the principal dwelling after the Accessory Apartment is established.
4. An original and six prints (total 7) of building plans of existing dwelling drawn to scale and signed by the preparer showing:
 - a. square footage of dwelling floor areas; and
 - b. livable floor area of proposed apartment (must be not less than 450 sq. ft. and not more than 40% of existing dwelling floor area); and
 - c. Apartments may not be added to separate buildings and must be in the main dwelling.
 - d. If cottages or separate rentals exist on the property, please furnish copies of C. O.'s for all structures.
5. Original and six (6) prints (total 7) of available survey showing all setbacks of existing structures and uses of all structures, together with parking area with at least three spaces (minimum size 9 ft. x 18 ft. for each space).
6. A \$400.00 filing fee (payable to Southold Town Clerk). Please either mail or drop off your application forms. Your filing receipt will be mailed later to you after review and acceptance by ZBA representatives.

After reviewing your documentation, notification will be sent to you by mail or fax confirming the expected date and time of the public hearing (at which one property owner-resident must attend). A notice for posting of the hearing date will also be available for pick up about 2-3 weeks before the hearing. ZBA office may call for an appointment to see the layout of your home. Please be aware that an Accessory Apartment Permit is not transferable to a future owner, and the future owner must reapply. An annual renewal inspection is required by the Building Department. Please feel free to call either 765-1809 or the Building Dept. At 765-1802 if you have any questions concerning these procedures.

**ZONING BOARD OF APPEALS
TOWN OF SOUTHOLD, NEW YORK
Phone (631) 765-1809 (631) 765-9064**

**ACCESSORY APARTMENT
APPLICATION FOR SPECIAL EXCEPTION**

Application No. _____
Date Filed: _____

TO THE ZONING BOARD OF APPEALS, SOUTHOLD, NEW YORK:

I (We), _____ of

Parcel Location: House No. _____ Street _____ Hamlet _____

SCTM 1000 Section _____ Block _____ Lot(s) _____ Lot Size _____ Zone District _____

hereby apply to THE ZONING BOARD OF APPEALS for a SPECIAL EXCEPTION in accordance with the ZONING ORDINANCE, ARTICLE _____, SECTION _____, SUBSECTION _____ for the below-described property for the following uses and purposes:

as shown on the attached plan drawn to scale.

A. Statement of Ownership and Interest:

_____ is (are) the owner(s) of property known and referred to as _____ (House No., Street, Hamlet) identified on the Suffolk County Tax Maps as District 1000, Section _____, Block _____, Lot _____, which is (is not) on a subdivision map (Filed _____ "Map of _____" Filed Map No. _____).

The above-described property was acquired by the owner on _____.

B. The applicant alleges that the approval of this exception would be in harmony with the intent and purpose of said zoning ordinance and that the proposed use conforms to the standards prescribed therefore in said ordinance and would not be detrimental to property or persons in the neighborhood for the following reasons:

C. In addition to meeting the standards prescribed by the zoning ordinance, the following requirements will be met:

1. The accessory apartment will be located only in the principal building.
2. The owner of the existing dwelling will occupy one of the dwelling units as the owner's principal residence. The other dwelling unit which is part of this application shall be leased for year-round occupancy, evidenced by a written lease for a term of one or more years, which will be filed annually.
3. The existing one-family dwelling shall contain not less than sixteen hundred (1,600) square feet of livable floor area.

(continued on page two)

4. The accessory apartment shall contain not less than four hundred fifty (450) square feet of livable floor area.
5. The accessory apartment shall not exceed forty (40%) percent of livable floor area of the existing dwelling unit.
6. A minimum of three off-street (on-site) parking spaces shall be provided as shown on the attached plan.
7. Not more than one (1) accessory apartment will be on this parcel.
8. The accessory apartment will meet the requirements of a dwelling unit as defined in Section 100-13 of the Zoning Code.
9. The exterior entry to the accessory apartment has not changed the existing exterior appearance of a one-family dwelling.
10. All exterior alterations to the existing building, except for access to the apartment, is made on the existing foundation as shown on the attached plans.
11. I understand that the Certificate of Occupancy will terminate upon the transfer of title or upon the owner ceasing to occupy one of the dwelling units as the owner's principal residence; and that in the event of the owner's demise, the occupant of the accessory apartment may continue in occupancy until a new owner shall occupy the balance of the dwelling or one (1) year from the date of said demise, whichever shall first occur.
12. This conversion shall be subject to inspection of the Building Inspector and Renewal of Certificate of Occupancy annually.
13. The existing building which is converted to permit this accessory apartment has been in existence and has a valid Certificate of Occupancy issued prior to January 1, 1984, and attached hereto.
14. The existing building, together with this accessory apartment, shall comply with all other requirements of Chapter 100 of the Town Code of the Town of Southold.
15. This conversion for the accessory apartment shall comply with all other rules and regulations of the New York State Construction Code and other applicable codes.

- D. The property which is the subject of this application is zoned _____ and
 has not changed since the issuance of the Certificate of Occupancy attached.
 has changed or received additional building permits, and Certificates of Occupancy for these changes are attached or will be furnished.

COUNTY OF SUFFOLK)

ss.:

STATE OF NEW YORK)

(Signature)

Sworn to before me this _____ day of _____, 20 _____.

(Notary Public)