



## Zoning Board of Appeals

### Town of Islip

40 Nassau Avenue, Suite 1  
Islip, NY 11751  
(631) 224-5489

#### **DOCUMENTS AND FORMS REQUIRED FOR ACCESSORY APARTMENT APPLICATION**

#### ***THE BOARD OF APPEALS WILL NOT ACCEPT AN INCOMPLETE APPLICATION FOR FILING***

**ZBA Application** Signed by all title owners with each signature notarized.

**Letter of Zoning Denial** Please complete and submit a [Zoning Inquiry Form](#) to [ZoningDepartment@islipny.gov](mailto:ZoningDepartment@islipny.gov). The Zoning Division will respond with a written Letter of Denial, or follow up if more information is required.

**Survey** Less than one (1) year old, with eight (8) copies, drawn to scale, signed and sealed by a NYS licensed surveyor. Must show all existing site structures and improvements; include names of adjacent roadways; property line bearings and distances; tie distance to nearest street corner; lot area; tax lot information; dimension of existing structures; heights of perimeter improvements (fences, walls, etc.); distances from existing structures and perimeter improvements to property lines; pavement and parking stall striping; abutting road improvements (curbing, pavement, sidewalks, drainage structures, etc.) If actual conditions on the subject property are different from the survey provided, an updated survey, additional applications and/or approvals may be required. A site plan is not a substitute for a survey.

**Copy of Certificate of Occupancy or Compliance** On file at the Records Division of the Building Department, 1 Manitton Court, Islip. Request may be submitted online: <https://islipny.gov/foi>

**Affidavit of Residency** Required to be signed and notarized.

**Affidavit of Inspection & Compliance** Required to be signed and notarized.

**Floor Plan** Showing layout, dimensions, fixed structures (doors, plumbing, large appliances) and location of all entrances of principal dwelling and accessory apartment. May be hand-drawn.

**Driveway Review** Completed by Engineering Division prior to submission of application

**Photographs of Site** Indicating all four sides of the house, parking area, garage and interior of proposed apartment.

**Tax Bill** Copy of current bill for subject property

**NY State Driver's License** of all Title owners

**Disclosure Affidavit** Must be signed by all title owners and each signature notarized. If property is under contract of sale this form must be submitted by the Owner and the Contract Vendee. If held in trust, we need to see a copy of trust to determine the Trustee. Disclosure Affidavit must be signed by trustee (or co-trustees) and all beneficiaries. If property owned by a corporation, affidavit must be signed by a corporate officer.

**Recorded Photocopy of Deed** If applicant is contract vendee or tenant, executed contract of sale or lease is required.

**Filing Fee** - Visit our website for current [Fees](#), and [Applications](#):  
<https://www.islipny.gov/departments/planning-and-development/zoning-board-of-appeals>  
Requirements are subject to change without notice.

#### **RULE ADOPTED BY THE TOWN OF ISLIP BOARD OF APPEALS. APRIL 21. 1981**

If a prior application was DENIED, a new application cannot be accepted by the Board of Appeals unless there is substantial change in such application and permission is granted 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.

(Revised 04/29/2024)



**TOWN OF ISLIP ZONING BOARD OF APPEALS**  
**APPLICATION TO APPEAR BEFORE THE BOARD OF APPEALS**

**A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK**

**OFFICE USE ONLY**

**Application Information**

**TYPE OF APPLICATION:**

- Variance or Special Exception
  
- Appeal of the Building Inspectors Denial or Directive from other Town Agency

B/A #: \_\_\_\_\_  
 T.M. #: \_\_\_\_\_  
 Filed: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
 Public Hearing Date: \_\_\_\_\_  
 S.C. Notified: \_\_\_\_\_ F.I. Nat Sea: \_\_\_\_\_  
 Zoning District: \_\_\_\_\_  
 Granted: \_\_\_\_\_  
 Expires: \_\_\_\_\_  
 Denied: \_\_\_\_\_  
 Dec. filed with Town Clerk: \_\_\_\_\_  
 Secretary: \_\_\_\_\_

**Owner(s) Information**

**Applicant/Representative Information**

\_\_\_\_\_  
 Name  
 \_\_\_\_\_  
 Street No.      Street Name  
 \_\_\_\_\_  
 City/Town                                      State/Zip  
 \_\_\_\_\_  
 Telephone Number                      Email

\_\_\_\_\_  
 Name  
 \_\_\_\_\_  
 Street No.      Street Name  
 \_\_\_\_\_  
 City/Town                                      State/Zip  
 \_\_\_\_\_  
 Telephone Number                      Email

**REQUEST BEING SOUGHT:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Surrounding Property Owner Information**

**ADDRESS OF OWNER DIRECTLY:**

North: \_\_\_\_\_  
 East: \_\_\_\_\_  
 South: \_\_\_\_\_  
 West: \_\_\_\_\_

Sworn before me on this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 Owner Signature                                      Date

\_\_\_\_\_  
 Additional Owner/Applicant Signature                                      Date

\_\_\_\_\_  
 Home Telephone Number                      Business Telephone Number

# Disclosure Affidavit

Application of: \_\_\_\_\_

Location of Property: \_\_\_\_\_ Tax Map No. 0500 \_\_\_\_\_

\* Cross out phrase where it is not appropriate

STATE OF NEW YORK)

:SS.:

COUNTY OF SUFFOLK)

That in connection with the above captioned application to the Zoning Board of Appeals I, \_\_\_\_\_ the \*(applicant herein), (an officer or agent of the corporate applicant, namely its \_\_\_\_\_), swear or affirm under the penalties of perjury, that no other person will have any direct or indirect interest in this application except \_\_\_\_\_

(in case of corporations, all officers of the corporations and stockholders owning more than 5% of the corporation stock must be listed. Attach separate sheet if necessary)

That \*(I am not) (none of the officers or stock holders are) related to any officer or employee of the Town of Islip, except \_\_\_\_\_

That there is not any state or local officer or employee, a member of a board of commissioners of local public authorities or other corporation within the county (exclusive of a volunteer fireman or civil defense volunteer) interested in such application, except \_\_\_\_\_

Signature of Applicant(s) \_\_\_\_\_ Date: \_\_\_\_\_

Sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public



**Zoning Board of Appeals Town of Islip**

40 Nassau Avenue, Suite 1  
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(631) 224-5489

**Affidavit of Residency**

I, \_\_\_\_\_ being duly sworn proposes and say that I reside  
at \_\_\_\_\_ and that I have resided there continuously since

\_\_\_\_\_  
(Date)

This Affidavit of Residency is submitted to the Town of Islip knowing it will be relied upon for the purpose of hearing an accessory apartment application for an apartment in my residence.

This is my primary residence, where I reside for at least nine (9) months of the year.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

Sworn before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

**AFFIDAVIT OF COMPLIANCE AND INSPECTION**

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

I, \_\_\_\_\_, being  
duly sworn, deposes and says that I reside at \_\_\_\_\_,  
the town of Islip, in the County of Suffolk, and the State of New York, and that I am the owner in fee of the premises described in the foregoing petition and that I have read the foregoing application and know the contents thereof: that the same is true to their knowledge; and that I make the foregoing petition for special exception for temporary Accessory Apartment and further that I will obtain a building permit and a change of use permit within ninety (90) days after approval by the Board of Appeals.

Furthermore, I will comply with all New York State Building Code Requirements and Town of Islip Requirements pertaining to Temporary Special Permits for Accessory Apartments and will I obtain Certificate of Compliance within one-hundred eighty (180) days of the granting of the permit or the permit will become null and void.

I further consent to periodic inspections of the subject premises during reasonable hours so that it may be determined that the premises remain in substantial compliance with the representations set forth in the application herein, and which were relied upon by the Town of Islip in granting the temporary Accessory Apartment permit.

I further agree that consent shall be binding upon my agents, heirs, executors, administrators, assigns and successors in interest and that any tenancies that I may grant shall be subject to such inspection, and that the number of tenants in said apartment shall not exceed one person per one hundred square feet.

I understand that pursuant to Section 68-615 (B) of the Town Code, the accessory apartment use and permit shall terminate upon the death of the applicant or the survivor of the applicant, upon the transfer of title to said premises, upon the applicant no longer occupying the premises as their principal residence or upon conviction for violation of this section.

I further agree that if upon a revocation of the Accessory Apartment Permit, that an inspection by an official of the Town of Islip determines that compliance with the Accessory Apartment Ordinance by means of its removal has not occurred, that owner will be given notice in writing to remove said apartment within sixty days, and that the applicant consents and understands, that at the expiration of said sixty days, that the Town reserves the right to assign a qualified contractor to remove the apartment, and that the cost of this work shall be added to the tax roll of this property as a special assessment.

Signature: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

RECEIVED STAMP

SCTM# \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

## ACCESSORY APARTMENT DRIVEWAY REVIEW

Provide this form and a copy of your recent survey to the Engineering Division for review and determination of existing driveway, pursuant to Section 68-612 of the Accessory Apartment Ordinance.

NAME: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

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### BELOW IS FOR OFFICE USE ONLY

\_\_\_\_\_ Driveway complies

\_\_\_\_\_ Driveway is legal nonconforming (predates current code)

\_\_\_\_\_ Driveway can be modified to comply (see attached)

\_\_\_\_\_ Driveway denied for the following reason(s):

\_\_\_\_\_ Driveway cannot be modified to comply

\_\_\_\_\_ Driveway has excessive width

\_\_\_\_\_ More than one driveway exists