



(631)957-7500
FAX (631)957-4605

INCORPORATED VILLAGE OF LINDENHURST
430 SO. WELLWOOD AVENUE - LINDENHURST, NEW YORK 11757

TWO FAMILY REVIEW BOARD

REQUIREMENTS TO OBTAIN A TWO FAMILY TEMPORARY PERMIT

APPLICATION

The following must be submitted to apply for a Two Family Temporary Permit:

1. Completed Application
2. Completed Full Disclosure Affidavit
3. Copy of Deed
4. Copy of Certificate of Occupancy
5. Copy of recent, accurate survey
6. Closing Statement for new ownership if necessary
7. A drawn set floor plans for **each** unit. Show **size** and **location** of **all rooms** as well as the **size and location** of **all doors and windows**.
8. Parking plan showing off-street parking for four (4) vehicles. Each parking space must measure at least 9ft. by 19ft. (Indicate on copy of survey or provide picture of 4 cars parked in driveway.
9. A fee of \$200.00 and a sign permit fee of \$20.00 per sign. Checks are payable to the **Inc. Village of Lindenhurst.**

Once your application is complete, you will be scheduled for an inspection and a public hearing date.

INSPECTION

The Building Department will review the application, inspect the premises and make recommendations to the Two Family Review Board. After inspection, the applicant will be provided a list of items that must be complied with (if any) to bring the dwelling units up to New York State Building Code and Village of Lindenhurst requirements. The applicant will be required to sign a form listing the deficiencies and agree that these deficiencies will be corrected and complied with. Approval of your application by the Two Family Review Board is contingent upon all deficiencies being corrected.

PUBLIC HEARING NOTICE

For the initial application for a two family permit, a public hearing is required and the applicant/owner must provide notice as follows:

Posting of sign- A sign with notice of the public hearing must be posted ten (10) days prior to the Public Hearing. A sign is required on each side of said property, which faces a public road. The sign must be posted no more than (15) fifteen feet from the street/curb line and have an unobstructed view from the road. The sign, must be no less than (3) three feet measuring from the ground to the bottom of the sign. An affidavit of sign posting must be provided at least (1) one day before Public Hearing.

Return Receipt Mailing- Prior to the public hearing the applicant/owner must notify all property owners abutting, adjoining and across the street of the outer perimeter of the applicant property about this application. Such notification shall be by return receipt mail. Proof of service along with list of names provided shall be presented at least one (1) day before the Public Hearing.

PUBLIC HEARING

The Two Family Review Board will review the application at a public hearing and make a decision based on the following:

- (a) The recommendation of the Building Department
- (b) The testimony recorded at the Public Hearing
- (c) Compliance with the deficiency list
- (d) Other information provided to the Two Family Review Board
- (e) Return receipt mailing (etc.)
- (f) Posting of sign

APPROVAL/DENIAL OF APPLICATION

Should the dwelling pass inspection and the application is approved by the Two Family Review Board, a Certificate of Compliance will be issued. The apartment **may only** be occupied after a Certificate of Compliance is issued by the Building Department. The Two Family Review Board may also grant a 90 day temporary permit. The applicant will be required to complete all necessary work within that 90 days or the permit becomes **null and void**.

Should the Two Family Review Board deny the application, a temporary permit will **not** be issued. The applicant may correct any deficiencies and re-apply for a two family temporary permit.

The temporary permit for two family use is granted for a period specified by the Two Family Review Board. At the end of this period, the applicant must **renew** this permit.

Any questions, please call Maria in the Two Family Permit Department at 631-957-7513

SPECIAL NOTES:

NEW DWELLINGS CONSTRUCTED AFTER JANUARY 1, 2008 ARE INELIGIBLE FOR A TWO FAMILY PERMIT.

THE USE OF THE CELLAR AND/OR BASEMENT AS A RESIDENTIAL DWELLING IS STRICTLY PROHIBITED AND WILL NOT BE CONSIDERED UNDER ANY CIRCUMSTANCES.

NO TWO FAMILY PERMIT WILL BE CONSIDERED FOR A DWELLING THAT HAS OUTSTANDING CODE OR BUILDING VIOLATIONS, SUMMONSES BEFORE THE VILLAGE COURT OR UNPAID TAXES. ALL VIOLATIONS MUST CORRECTED PRIOR TO THE APPROVAL OF A TWO FAMILY TEMPORARY PERMIT APPLICATION.



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In order to be granted a Certificate of Compliance for two family use, the following criteria and requirements must be met:

1. The two family dwelling must be OWNER OCCUPIED.
2. The two family dwelling must have two on-site parking spaces per dwelling unit (a total of four on-site parking spaces for each two family dwelling). The parking spaces shall be paved with asphalt, concrete or other similar permanent materials.
3. The two family dwelling will be required to have only one front entrance, all other entrances will be on the side or in the rear of the dwelling. A front entrance leading to the foyer to the two dwelling units will be acceptable.
4. The rental apartment must have a Certificate of Occupancy.
5. Smoke detectors must be installed outside the sleeping area and in each bedroom. Carbon Monoxide detectors must be installed on each floor and within 15' of bedrooms.
6. Cooking area must be adequately fireproofed.
7. Each room must have at least 2' x 2' of window area (clear opening). NEW CONVERSIONS: Each bedroom window on the 1st floor must have a minimum clear opening of 5.0 sq. ft. and every other bedroom window must have a minimum clear opening of 5.7 sq. ft.
8. All ceilings must be a minimum of 7'6".
9. Handrails must be installed on all stairways.
10. Stairway between units or hallways must have ¾ hr. fire rating (1/2" type sheetrock under stairs)
11. Doors between dwelling units must have a minimum ¾ hour fire rating and must self-close. Door and frame must have label indicating the fire ratings.
12. The exterior of the house must be in good condition.
13. The yard must be adequately maintained and free of debris.
14. There must be interior access between the two dwelling units.
15. Ceiling to be protected with (1) one layer 5/8" type-X Gypsum board or equivalent above burner and/or Hot Water Heater, must extend outward 2' in all directions.
16. Sewers must be installed.

25. Acknowledgements by Applicant:

- A. That request is for temporary usage for a period up to one year.
- B. That permit must be renewed at the end of period.
- C. That premises will be maintained in a neat and orderly manner.
- D. That the peace and tranquility of the neighborhood will be insured.
- E. That if conditions change or house is sold, it will revert back to one family.
- F. That this permit is not transferable.

_____, being duly sworn, deposes and says that he/she

is _____ of the property above described.

(Owner or Agent for owner)

That all statements made in this application are true to the best of his/her knowledge and belief, except as to the matters therein stated, to be alleged on the information and belief and as to the matters he/she believes same to be true.

DEPONENT

NOTARY:

SWORN to me this

____ day of _____, 2____

Application taken in by: _____



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FULL DISCLOSURE AFFIDAVIT

In the matter of the application of:

Subject Premises:

To the Two-Family Board of the Inc.
Village of Lindenhurst

State of New York)
County of Suffolk)

The undersigned, being duly sworn, deposes and says:

That this affidavit is made in accordance with the requirements of Section 809 of the General Municipal Law of the State of New York with respect to the above-entitled application and the above described premises.

That except as set forth on the schedule annexed hereto, and made part of this affidavit, your deponent certifies that:

1. Your deponent is the above-named applicant and resides at the above address.
2. No person other than your deponent has any interest whatsoever in the above-described property, direct or indirect, vested or contingent, regardless of whether such person has an interest as a contract vendor, contract vendee, lessor, sub-lessor, leasee, sub-lessee, contract lessee, holder of any beneficial interest, mortgagor, mortgagee, holder of any encumbrance or lien, guarantor, assignee, agent or broker, or otherwise and regardless of whether the interest arises as the result of advancing or lending funds in connection with the acquisition or development of the property and regardless of whether the interest may rise or be affected by the decision to be made by the municipal Board set forth above.
3. No person will receive any benefit as the result of their work, effort or services in connection with this application.
4. No person named in the schedule of exceptions as to paragraphs 2 and 3 has any interest as defined in paragraph 2 hereof in any properties within one mile of the property described in this application.
5. No person named in the schedule of exceptions as to paragraphs 2, 3 and 4 are officers or employees of the Incorporated Village of Lindenhurst.
6. No person named in the schedule of exceptions as to paragraphs 2, 3 and 4 are related to any officer or employee of the Incorporated Village of Lindenhurst.
7. No state officer or officer or employee of the Incorporated Village of Lindenhurst has any interest in the person, firm partnership, corporation or association making this application.

DEPONENT
(SEE SCHEDULE ANNEXED HERE TO)

NOTARY:

Sworn to me this _____ day of _____, 20_____

SCHEDULE OF EXCEPTIONS

As to Paragraph #1 _____

As to Paragraph #2 (**Mortgage Bank**): _____

As to Paragraph #3 _____

As to Paragraph #4 _____

As to Paragraph #5 _____

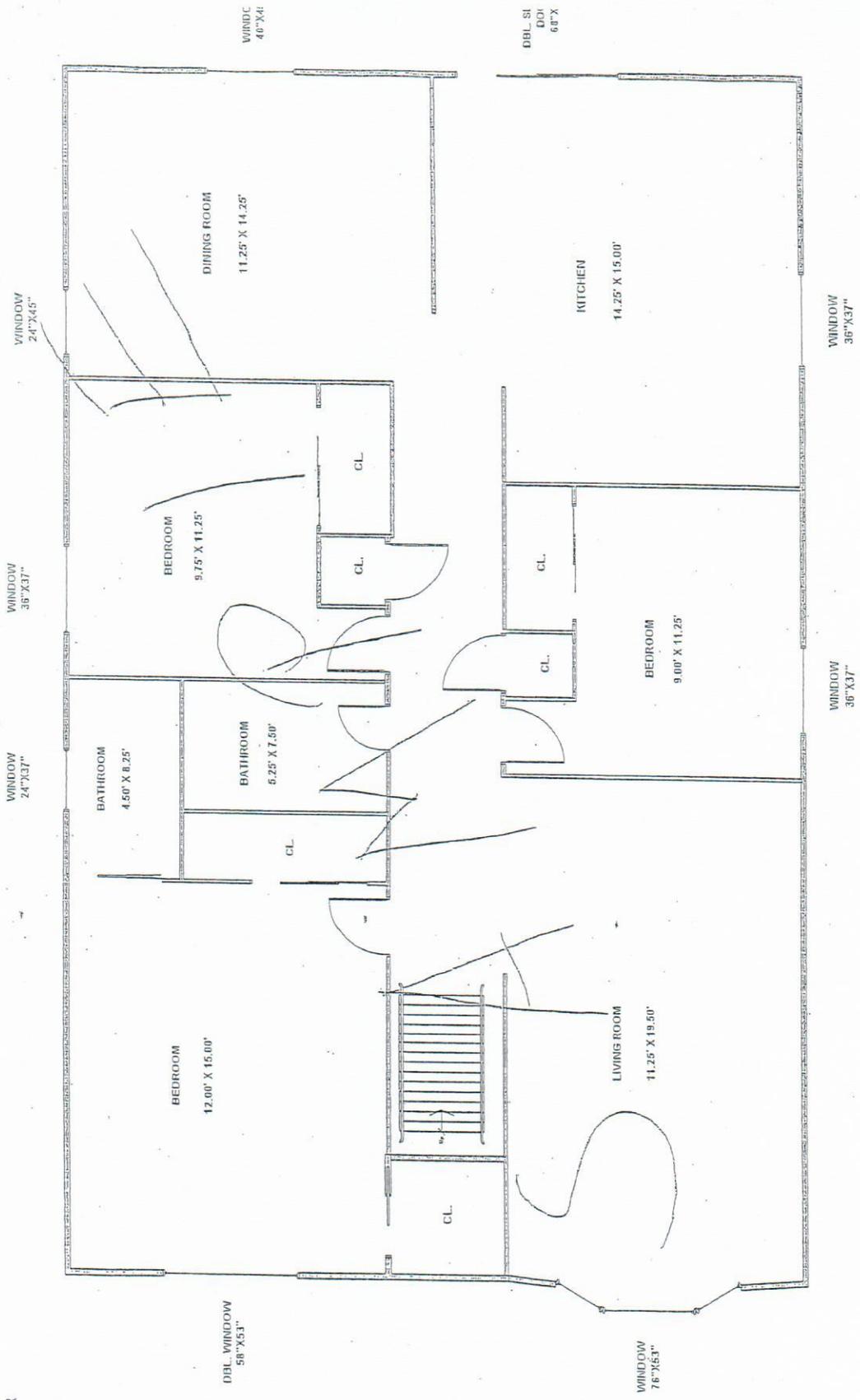
As to Paragraph #6 _____

As to Paragraph #7 _____

DEPONENT



2ND FLOOR



SCALE:
1" = 6'



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SIGN POSTING INSTRUCTIONS FOR THE TWO FAMILY REVIEW BOARD

All notice signs as required by Village Code for public hearing shall be posted as follows:

1. For a minimum of ten (10) days prior to the date of the scheduled public hearing.
2. On the property which is the subject of the public hearing.
3. Not more than fifteen (15) feet from street/curb line.
4. The view of such sign from the street shall be unobstructed.
5. Not less than three (3) feet, measuring from the bottom of the sign, from the ground.
6. Supported by adequate means to prevent falling or blowing away due to inclement weather.
7. Protected to insure legibility of notice information.

NOTICE

A public hearing will be held before the Two Family Review Board of the Incorporated Village of Lindenhurst on the above mentioned application on the _____ day of _____, at 7:00 PM, at the Municipal Building, 430 South Wellwood Avenue, Lindenhurst, New York 11757.

Dated: _____

Your Name

For further information, call the Two Family Review Board, Incorporated Village of Lindenhurst at (631) 957-7513 Monday through Friday from 9:00 AM to 4:30 PM.



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RETURN THIS FORM AFTER POSTING SIGN(S)

AFFIDAVIT OF POSTING FOR TWO FAMILY REVIEW BOARD

In the Matter of the Application of

Address

STATE OF NEW YORK)
COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says:

1. That (s) he is the () applicant () agent for applicant.
2. That this affidavit is made in compliance with the provisions of the building zone ordinance of the Incorporated Village of Lindenhurst, Chapter 85, Article X, Section 85-70.1, requiring an affidavit of posting.
3. That the deponent has read the provision of the aforesaid chapter of the building zone ordinance of the Incorporated Village of Lindenhurst, and is familiar with same.
4. That in compliance with the provisions of the aforesaid chapter or the building zone ordinance on the Incorporated Village of Lindenhurst, the deponent has posted or has caused to be posted upon the property which is the subject of this application, a notice of said application.
5. That said notice was posted on subject property on the _____ day of _____, 2_____.
6. That said notice complies in all respects with the requirements, as to content, size, form, material, location, and time of posting, elevation and length of time displayed.
7. That the deponent makes this affidavit knowing full well that the truth of the statements contained herein will be relied upon.

Signature

Sworn to before me this _____ day of

_____, 2_____

Notary Public