

Pre-Existing Certificate of Occupancy Application Checklist



Incorporated Village of Westhampton Beach
Phone: (631) 288 - 3478 Fax: (631) 288 - 6275
Email: building-zoning@westhamptonbeach.org



Pre-existing uses are established pursuant to Chapter 70-30 of the Village Code.

In order to obtain a Pre-existing Certificate of Occupancy for a building structure or use that existed prior to May 18, 1953, it is necessary to give the following information:

- (1) *An original survey accurately depicting all buildings and structures on the property.*
- (2) *Sworn affidavits before a Notary Public of proof that the building(s) or structure(s) and the use(s) on the property existing prior to the enactment of zoning, which is May 18, 1953. Typical information submitted as proof of a pre-existing use are:*
 - (A) *Affidavits by persons familiar with the property documenting continuous specific uses, buildings and structures on a property from prior to May 18, 1953 to the present (See Page 4).*
 - (B) *Copies of leases and other agreements documenting uses and structures at specific time periods.*
 - (C) *Assessor's records.*
 - (D) *Any other information which conclusively proves a continuous chain of pre-existing use.*

NOTE: Pre-existing certificate of occupancies are granted based on conclusive evidence of continuous use from prior to May 18, 1953 through the current date. Applicants unable to provide adequate documentation will be rejected.

- (3) *A Certificate of Occupancy request for a nonconforming commercial use or multiple occupancy use must be submitted with a floor plan drawn to quarter-inch scale which accurately depicts the layout and areas of use throughout the building.*
- (4) *Smoke Alarm and Carbon Monoxide Detector Affidavit (if applicable)(See Page 5).*
- (5) *A correct Suffolk County Tax Map Number and street address.*
- (6) *Owner(s) Authorization (if applicable)(See Page 6).*
- (7) *Cash or a check for **\$100.00** made payable to the Village of Westhampton Beach.*
- (8) *The attached application **must** be complete.*



Pre-Existing Application

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This cover sheet **MUST** be completed before a Pre-Existing Certificate of Occupancy application can be accepted. **NOTE:** All issued Pre-Existing Certificate of Occupancies will be mailed to the homeowner so be sure that a correct mailing address is listed.

Application / Receipt Number: _____ Date Received: _____

Tax Map Number: 905 - _____ - _____ - _____

PART I: OWNER INFO - Please type or Print below

Property Location: _____

Owner(s) of Record: [Full Name] _____

Home Phone #: () - Work #: () - Cell #: () -

Email Address: _____

Mailing Address of Owner(s): _____

City, State, Zip Code: _____

Corporate Officer/Partners Name (if applicable): _____

PART II: AGENT INFO

Agent Responsible (if applicable): _____

Work #: () - Cell #: () - Email Address: _____

Mailing Address of Agent: _____

City, State, Zip Code: _____

Telephone Number of Person to contact if any problems arise: _____



Sample Copy of Sworn Affidavit for Pre-Existing Use

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STATE OF NEW YORK)
COUNTY OF SUFFOLK) SS:

John Doe, being duly sworn, deposes and says:

- (1) I reside at: 18 Any Street, New York.
- (2) I am very familiar with the structures located on the North side of 18 Any Street, New York as shown on the survey of Rogers & Rogers dated 6/10/85 (copy annexed hereto). I have owned said land and structures since 1950 and have had discussions with neighboring property owners and prior owners of the subject premises concerning the construction and use of these buildings. Other sources of my knowledge are as follows:

Deed of property dated 1950, sworn affidavit from Davie Jones stating that he helped construct the home in 1950.

- (3) All of the structures shown on said survey were fully completed before May 3, 1953, and have remained in their current state without expansion from said date, other than those under permit A1234. Said structures have been continuously used as a One Family Dwelling since prior to May 18, 1953.
- (4) I make this affidavit knowing full well that the Village of Westhampton Beach Building and Zoning Department will rely upon the facts as stated herein to issue a pre-existing Certificate of Occupancy for said structures to John Doe for use as a one family dwelling.

Signature of Owner: _____

Before me, this _____ day of _____, 20 _____.

Notary Public: _____

SAMPLE

