

**LOCAL LAW "F" -  
2023**

**A Local Law amending Chapter 58 of the Village Code entitled "Zoning Board of Appeals" to amend section 58-8(B) "Variances", as follows:**

**BE IT ENACTED**, by the Board of Trustees of the Inc. Village of Flower Hill as follows:

**Section 1. Amending section 58-8(B) entitled "Variances" to include the underlined italicized language as follows:**

In the filing of an application with the Board of Appeals for a variance or conditional use permit, the applicant shall either file with the Board, on forms provided by the Board, the written consents of all owners of adjoining and abutting properties and all property across the street within 200 feet of the applicant's property line or, in lieu thereof, shall file with the Board written proof that said owner or owners have been notified, by registered or certified mail with return receipts, *or USPS Priority Mail with proof of delivery* as to the date of the public hearing on such applications, including a statement of the permit, variance or variances requested. Such written proof shall be filed with the Board not less than 10 days prior to the date set for public hearing on such application. Forms for such notification shall be furnished by the Board.

**Section 2. Authority.**

The Board of Trustees of the Village of Flower Hill is authorized to adopt this local law pursuant to Municipal Home Rule Law 10(1)(i), 10(1)(ii)(a)(11), and 10(2).

**Section 3. Determination for the purposes of the State Environmental Quality Review Act, (SEQRA)**

The Board of Trustees is designated as lead agency with respect to this action and the within action is deemed a Type II action as defined under SEQRA having no significant impact on the environment and requiring no further action for the purposes of SEQRA.

**Section 4. Severability.**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**Section 5. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State.