



TOWN OF BABYLON
DEPARTMENT OF PLANNING & DEVELOPMENT
200 East Sunrise Highway
Lindenhurst, NY 11757-2598
Phone (631) 957-7468

APPLICATION FOR AN ACCESSORY APARTMENT PERMIT

PLEASE CALL (631) 957-7468 TO SCHEDULE AN APPOINTMENT
TO SUBMIT YOUR APPLICATION
ONLINE SUBMISSION IS ALSO AVAILABLE ON TOWNOFBABYLON.COM IN THE FORMS CENTER

GENERAL INFORMATION AND INSTRUCTIONS

The items listed below must be submitted with the completed application
with owner's endorsement (if required).

1. **Deed (1 copy)**
A copy of the recorded deed showing the liber and page numbers.
2. **Floor Plans (2 copies)**
A floor plan is required for every level including the basement drawn to 1/4" = 1' scale. Identify each plan as either the owner or tenant's unit. The plan must show all parts of the house that are finished. Label all rooms in both units with dimensions and locations of smoke detectors and CO detectors. Include measurements (height and width) for all doors, windows and floor to ceiling heights. See sample floor plan.
3. **Survey (2 copies)**
A current survey of the property showing all structures on site; including, dwelling, building(s), additions, garages, decks, sheds, pool, etc. The survey must be accurate and legible.
4. **Identification (1 copy)**
Identification must be a government issued picture ID with home address, such as a driver's license.
5. **Three proofs of residence (1 copy of each)**
Proof showing that you, the owner, live in the dwelling. We will accept **one** utility bill such as: PSEG, National Grid or SCWA. The other two proofs **must** be from the following list:
 - a. Current telephone bill
 - b. Bank account statement
 - c. Credit card statement
 - d. Cable/TV/Internet bill
 - e. Paystub
 - f. Car payment statement
6. **Photographs (1 copy of each photo)**
Two photographs – one photograph depicting the front of the house and one showing only the driveway.
7. **Fee (non-refundable)**
\$300.00 or \$75.00 for senior citizens over the age 65 (proof of age required for senior citizen rate). If paying by check, make payable to the Town of Babylon.
8. **Public Hearing Sign Fee**
There will be a charge of \$15.00 per Public Hearing.

THE ENTIRE HOME WILL BE INSPECTED

GENERAL PROCEDURE

1. An inspection date will be scheduled for a Building Inspector your entire residence. The Town is required to inspect the owner's apartment and the rental unit (including attics, basement, cellar, etc.). All structures on the property will be inspected.
2. The inspector must have access to both the owner's apartment and the rental unit from 9:30 a.m. to 3:30 p.m. on the day of your scheduled inspection; if the inspector cannot gain entry to the premises on the scheduled date, a \$50.00 re-inspection fee will be charged.
3. If the dwelling fails inspection, all violations must be corrected and another inspection must be scheduled. If you schedule an inspection and previously cited items have not been corrected, you will be charged a \$50.00 re-inspection fee.
4. A public hearing will be scheduled. Public Hearing notices will be published in the Town designated newspapers. Your adjoining property owners will be notified of the hearing date. A public notice sign(s) provided by the Town must be posted on the property ten days prior to the public hearing.
5. Your application will be heard by the Accessory Apartment Review Board.
6. A decision will be rendered by the Board (usually 4 to 8 weeks after the application is submitted).

WHAT YOU SHOULD KNOW ABOUT AN ACCESSORY APARTMENT PERMIT

1. It is a temporary exemption from the Town of Babylon zoning laws. It is not a guaranteed right and must be renewed upon expiration.
2. The permit is granted, at the Board's discretion, for a maximum of three years.
3. To qualify, you must maintain this address as your primary residence.
4. If you move or sell the residence, the permit may be transferred to the purchaser of the dwelling, provided the purchaser executes and submits to the Commissioner of Planning and Development the proper application and legal documents within 30 days of the transfer of ownership.
5. The homeowner is responsible for submitting a renewal application prior to the expiration of current accessory apartment permit.

ACCESSORY APARTMENT REQUIREMENTS

1. **A plumbing permit is required for the sink in a new second kitchen or may be required to legalize an existing sink in the second kitchen. You will be notified if a plumbing permit is necessary.**
2. A minimum of three hundred and fifty (350) square feet of habitable space for each unit. No rental unit may be contained in any other building or structure other than the main dwelling.
3. All rooms must have 80 square feet of habitable area.
4. One of the units in the dwelling must have no more than two (2) bedrooms.
5. Handrails to code on all stairways.
6. Stairways between units or hallway and over boiler must have 3/4 hour fire rated sheetrock.
7. Battery-operated smoke detectors are required in each bedroom. Electrically hardwired smoke detectors are required for any hallway leading to a bedroom. One battery-operated smoke detector for each level of the dwelling including the basement/cellar.
8. Per New York State Building Code, CO detectors must be installed on each sleeping level and in the boiler area.
9. Solid core door assembly in each apartment entry (wood or metal). **Raised panel doors are not acceptable.**
10. Ceiling height must be a minimum of 7'.
11. Minimum of four (4) parking stalls (asphalt, concrete or decorative stone).
12. Exterior of house must be in good condition and free of debris.
13. Address number must be visible from the street.
14. A single family dwelling with an accessory apartment must comply with all requirements of the New York State Building Code and International Building Code and all the laws and housing requirements of New York State and the Town of Babylon and be maintained in a neat and orderly manner.

Town of Babylon

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FOR OFFICE USE ONLY

SCTM #0100-		
Zoning Districts:		
PTS Appl. #	COP	
Date	Amount	Receipt #
Proofs of Residence Submitted:		
<input type="checkbox"/> Driver/Non-Driver ID	<input type="checkbox"/> Credit Card Statement	
<input type="checkbox"/> Current Telephone Bill	<input type="checkbox"/> Cable/Direct TV Bill	
<input type="checkbox"/> Bank Account Statement	<input type="checkbox"/> Neighbor Affidavits (3)	

Property Owner's Information:		
Owner's Name:		
Owner's Address:		
Home Phone #:	Cell Phone #:	email:

Please answer the following questions:		
% of Ownership:	Total # of cars (both units):	Age of house:
Are your tenant's related to you?		
If yes, state relationship:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
I consent to an inspection of the premises?		

I (we), the owner(s) of the dwelling, swear under penalty of perjury that the following is true:

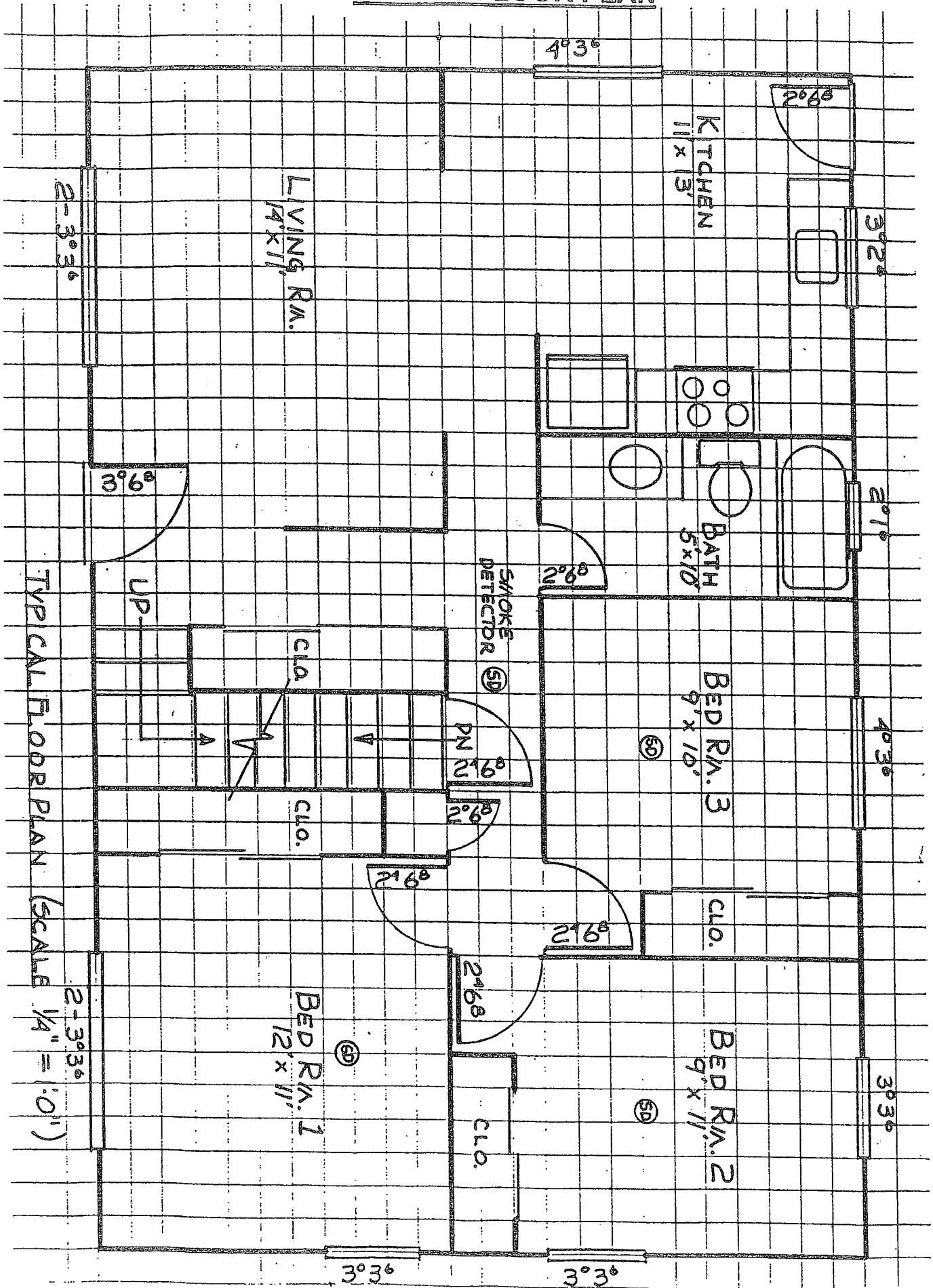
- I (we) reside at the address shown above.
- I (we) own the percentage of this property as stated above.
- The documents, survey and plans submitted as part of the application are true and accurate for the subject premises.

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

 Notary Public

 Owner's Signature

SAMPLE FLOOR PLAN



TYPICAL FLOOR PLAN (SCALE 1/4" = 1'-0")

