



INCORPORATED VILLAGE OF SAGAPONACK

PO Box 600, 3175 Montauk Highway

Sagaponack, NY 11062

631-537-0017

631-537-0612 (FAX)

**REQUEST FOR PRE-EXISTING
CERTIFICATE OF OCCUPANCY
INSTRUCTIONS**

In order to obtain a Pre-Existing Certificate of Occupancy for a building structure or use that existed prior to October 14, 1957, 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 October 14, 1957.

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 October 14, 1957 to present.
- B. Copies of leases and other agreements documenting uses and structures at specific time periods.
- C. Assessor records (available through a property search request).
- 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 October 14, 1957 through the current date. Applications unable to provide adequate documentation will be rejected. An appeal may be filed to the Zoning Board of Appeals as provided for in §245-77.

3. A Certificate of Occupancy request for a nonconforming commercial use or multiple commercial use must be submitted with a floor plan drawn to 1/4" scale which accurately depicts the layout and areas of use throughout the building.
4. A sworn affidavit before a Notary Public stating that there are smoke alarms in the dwelling if applicable.
5. The attached cover sheet completed.
6. A check for \$250.00 (two hundred and fifty dollars) made payable to the Village of Sagaponack.
7. If you are not listed as an owner, a deed or bill of sale for the property must be submitted.



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CERTIFICATE OF OCCUPANCY**

This cover sheet must be completed before a Pre-Existing Certificate of Occupancy application can be accepted. All pre-existing Certificate of Occupancies will be mailed to the home owner so be sure that a correct mailing address is listed.

Application Date: _____ Application Number: _____

1. Property Address _____

2. SCTM# 908- _____ - _____ - _____ . _____

3. Present Owner of Premises _____

Present Owner's Address _____

Present Owner's Telephone Number _____

4. Name of Agent (if applicable) _____

Agent's Address _____ Telephone Number _____

Note: If this application is being made by someone other than the owner, the owner must sign the owner's authorization at the end of this form.

5. Name of Attorney for Applicant _____

Attorney's Address _____

Attorney's Telephone Number _____

6. Corporate Officer/Partners Name (if applicable) _____

Corporate Officer/Partners Address _____

7. Name the Certificate of Occupancy should be issued in _____

Address: _____

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

Notary Public

Signature of Owner

If owner is a Corporation, indicate name of corporation and officer's title

Name of Corporation

Title of Officer

OWNER'S AUTHORIZATION

STATE OF NEW YORK)
)ss:
COUNTY OF SUFFOLK)

_____, being duly sworn, depose and say, that I reside at _____
_____. That I am the owner (or an officer of the corporation, which is the owner) of the
premises described in this application, and hereby authorize _____
whose mailing address is _____ to make the foregoing
application and to appear on my behalf before the Planning Board of the Village of Sagaponack with reference to this application. I
hereby agree to allow my agent, whose name and address appears above, to act on my behalf and I further agree to abide by any
requirements imposed by the Planning Board as a condition of its approval.

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

Notary Public

Signature of Owner

AFFIDAVIT

In the matter of the Application of

(name of property owner)
For a Pre-Existing Certificate of Occupancy

STATE OF NEW YORK)
COUNTY OF SUFFOLK) SS:

I, _____, being duly sworn, deposes and says:
(name of person filing affidavit)

1. I reside at _____.

2. I am very familiar with the structures located on the _____
(state north, south, east or west)
side of _____, New York, as shown on the survey of
(subject property address)
_____ dated _____
(name of surveyor)

(copy annexed hereto). I have known said land and structures since _____
(year you have knowledge
_____ and have had discussions with neighboring
of land and structures)

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: _____
Sworn affidavit from builder stating that he helped construct the home:

(name of builder and year of construction)

3. All of the structures shown on said survey were fully completed before October 14, 1957, and
have remained in their current state without expansion from said date, other than those under
permit number(s) _____. Said structures
have been continuously used as _____
(ie: one-family dwelling, commercial building, barn, etc)
since prior to October 14, 1957.

4. I make this affidavit knowing full well that the Village of Sagaponack Building and Zoning
Division will rely upon the facts as stated herein to issue a pre-existing Certificate of
Occupancy for said structures to _____
(property owner)
for use as _____.

DATED:
Before me, this _____ day of _____, 20____

Signature

Notary