

APPLICATION FOR ARTIST STUDIO

Pursuant to Section 255-11-88 of the East Hampton Town Code, certain criteria must be met in order for the Planning Board to approve any Artist Studio. As the applicant it is your responsibility to show that these criteria have been met. Six copies of the following documents must be submitted for review purposes:

1. Application- Completed, signed, and notarized
2. Fee- \$250.00
3. Building Plans that reflect that the proposed studio will not have a gross floor area greater than:

The gross floor area of the ground floor of the existing residence

An area equal to 5% of the area of the lot; or

Two thousand five hundred square feet, whichever is lesser.

The plans must also reflect that the proposed studio will not contain any provision for a bath, shower, toilet, or other plumbing facilities except for a slop sink. Compliance with all other provisions of the East Hampton Town Zoning Code must also be followed.

4. Guaranteed Survey that reflects the proposed location of the studio, if it is a new structure or where the studio is to be located, if an existing structure.

5. Professional Documentation that reflects the artist's commitment to the arts. This documentation must include: a description of the art form; a professional fine arts resume; documentation reflecting a body of work (this may include photographs, exhibition announcements and catalogue reviews); three (3) letters of reference attesting to the artistic nature of the artist's work.

After review and approval of the plans and specifications by the Planning Board, a fully executed and recorded Declaration of Covenants and Restrictions signed by all owners of the property and stating certain terms and conditions of the usage of the proposed studio as set forth by the Planning Board will be submitted. The Declarations will be reviewed by the Town Attorney and forwarded to the Town Board for final approval.

If the application is not completed fully, or any required documentation is missing, the application will not be reviewed by the Planning Board.

NOTE: IF YOU ARE PROPOSING TO UTILIZE AN EXISTING PORTION OF YOUR RESIDENCE OR PROPOSING AN ADDITION TO AN EXISTING RESIDENCE FOR AN ARTIST STUDIO YOU DO NOT NEED TO FILE THIS APPLICATION.



**TOWN OF EAST HAMPTON
PLANNING BOARD
ARTIST STUDIO APPLICATION FORM**

Name of application (Project Title): _____

I. APPLICANT INFORMATION:

A. Landowner: _____

Mailing Address: _____

Telephone: _____ Facsimile: _____

B. Applicant (if other than landowner): _____

Mailing Address: _____

Telephone: _____ Facsimile: _____

C. Attorney: _____

Address: _____

Telephone: _____ Facsimile: _____

D. Agent: _____

Address: _____

Telephone: _____ Facsimile: _____

CORRESPONDENCE TO BE SENT TO: (Please check one) A B C D

Contact Email (not required): _____

Location of Proposed Studio: _____

SCTM # of Proposed Studio: _____

QUESTIONNAIRE

1. Please state the name of the person who will be using the proposed artist studio.

2. Is the person using the studio the owner or a tenant?

3. Is the person using the studio a professional artist? *(Please note that a fine arts resume must be attached to this application.)*

4. Please describe the art discipline proposed for the studio use.

5. Is a refrigerator required for the art discipline? If so, please explain.

6. Does the artist plan to hold commercial art exhibits on the property other than as part of an artist studio tour?

7. Does the artist plan to leave the area for periods of time in excess of six (6) months? If so, for what reason?

8. In the event that the property is sold, the art studio must be removed or the property must be sold to an artist that can qualify for an Artist Studio. Would you attempt to sell the studio to an artist or remove the studio from the property?

PLEASE ALSO INCLUDE WITH THIS APPLICATION:

- A PROFESSIONAL FINE ARTS RESUME PERTINENT TO THE APPLICANT'S WORK WHICH MAY INCLUDE EDUCATIONAL BACKGROUND, PROFESSIONAL TRAINING, PUBLIC EXHIBITIONS, CRITICAL REVIEWS, GRANTS AND AWARDS.
- DOCUMENTATION APPROPRIATE TO THE APPLICANT'S PARTICULAR ART FORM WHICH SHOULD REFLECT A BODY OF WORK INCLUDING RECENT WORK WHICH MAY INCLUDE BUT IS NOT LIMITED TO, PHOTOGRAPHS OF HIS/ER WORK, EXHIBITION ANNOUNCEMENTS AND CATALOGUE REVIEWS AND
- THREE (3) LETTERS OR REFERENCE ATTESTING TO THE ARTIST NATURE OF THE APPLICANT'S WORK

STATE OF _____) SS.:
COUNTY OF _____)

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

- Owner of the Property
- Contract Purchaser of the Property
- Agent for Owner/Contract Purchaser of the Property

and that all statements made in this application are true to the best of his/her knowledge and belief; and that he/she has read the notices contained in this application and understands the same and agrees to abide thereby; and that the project which is the subject of this application, if approved, will be carried out in accordance with the terms and conditions set forth by the Planning Board in their decision and in accordance with all applicable laws.

Signature of Applicant

Sworn to before me this

_____ day of _____, 20_____.

NOTARY PUBLIC

AUTHORIZATION

I, the owner, hereby authorize the Planning Department and the Planning Board to enter the subject parcel to review the pending application for site plan/site plan-special permit.

(Note – Each person required to sign this statement must have his/her signature separately attested before a Notary Public. Use additional pages if necessary.)

ATTEST:

STATE OF _____) SS.:

COUNTY OF _____)

_____, being duly sworn, deposes and says that the foregoing Statement of Disclosure of Interest is true and accurate to the best of his/her knowledge and belief; that all statements set forth in Part I of this Statement of Disclosure of Interest are true and accurate, except and to the extent that any contrary statements are set forth in Part II of this Statement; and that any such statements made in Part II of this Statement of Disclosure of Interest are true and accurate to the best of his/her knowledge and belief.

Signature: _____

Name & Capacity: _____

Sworn to before me this

_____ day of _____, _____.

NOTARY PUBLIC

ARTIST'S STUDIO DECLARATION

Tills DECLARATION, made as of this _____ day of _____, by

_____ residing at _____

_____ here there after referred to

as the "DECLARANT," as owner of the premises described herein.

WITNESSETH

WHEREAS, DECLARANT is the owner of certain real property situate at

_____, Town of East Hampton, County of Suffolk,

and State of New York, described as follows:

[INSERT METES AND BOUNDS DESCRIPTION OF LAND OR REFER TO SCHEDULE A]

WHEREAS, DECLARANT is desirous of constructing a detached artist's studio on the subject property in compliance with Sections 255-1-20 and 255-11-88 and all other applicable provisions of the Town of East Hampton Zoning Code;

NOW, THEREFORE, in conformance with said Section 255-11-88 of the Town of East Hampton Zoning Code, DECLARANT hereby makes known, admits, publishes, covenants, and agrees, that the artist's studio to be constructed on the subject property shall be constructed in conformance with all applicable provisions of the Town Zoning Code and shall at all times comply with the following restrictions and limitations:

- (I) An artist's studio, as defined in § 255-1-20, shall not contain more than one story which may be situated above a garage or other conforming accessory structure, shall not be of greater height together with any ground level garage or other conforming accessory structure than such residence and shall not

have a gross floor area greater than:

- a. The gross floor area of the ground floor of the residence;
 - b. An area equal to 5% of the area of the lot; or
 - c. Two thousand five hundred square feet, whichever is lesser.
- (2) An artist's studio may have a sink or sinks, but shall have no bath, shower, toilet, or other plumbing of any kind and shall not contain any kitchen appliances, but may have a microwave and coffee maker.
 - (3) The studio shall not be rented or sold to any person for any purpose, except as part of a rental or sale of the entire property.
 - (4) The structure shall not be used at any time for sleeping or living purposes.
 - (5) The studio shall be used only for painting, drawing, sculpting or other similar activities involving the crafting or manipulation of materials into objects of fine art by one or more members of the family of the owner or tenant of the residence located on the property.
 - (6) In the event that the studio is not, cannot or will not be employed for the purpose or use set forth for six (6) months, the artist, or a representative thereof, must notify the East Hampton Town Building Department in writing. At the request of the artist, the Town Board may permit a studio use to remain vacant for more than six (6) months upon a finding of extenuating circumstances based upon information attested to by the approved artist. Absent that finding, either the new artist occupying the studio must submit an application pursuant to Section 255-11-88 of the East Hampton Town Code or such studio shall be removed from the property or demolished, or the

plumbing existing therein removed, and such studio, if oversized, shall be reduced to a conforming size and put to a conforming use, at the sole expense of the property owner.

- (7) There shall be no commercial exhibits of art open to the public on the property except those exhibits that are a part of an organized and advertised tour of artist's studios.

There shall be no additional parking may be constructed on site to service the studio.

- (8) The owner or renter of the property hereby consents to an annual inspection of the artist studio upon reasonable notice by the Building Department or the Ordinance Enforcement Department for compliance with these provisions.

The studio may also be subject to inspection upon reasonable notice by Code Enforcement as part of an investigation in response to a complaint.

- (9) All applicable rules and regulations in the Town Code, as the same may from time to time be amended, regarding such studios and their uses shall at all times be adhered to.

- (10) Failure to comply with the any artist studio restriction may subject the owner or tenant to the penalties contained in the East Hampton Town Code.

- (11) Upon conviction for one (1) violation for having converted the artist's studio into living quarters, the Building Inspector, upon certification of those convictions, must either: (i) revoke the certificate of occupancy issued for the artist studio and refer the matter to the Zoning Board of Appeals for proceedings consistent with Section 102-15B of the East Hampton Town Code; or (ii) refer the matter to the East Hampton Town Board to seek the

revocation of the certificate of occupancy issued for the artist studio through New York State Supreme Court. The Building Inspector must require that the artist studio be removed, demolished or converted to a conforming use within a specific time period. An application to reinstate the artist studio may not be made for a period of five years following revocation of the certificate of occupancy.

- (12) In the event of failure by Declarant, or Declarant's successors or assigns, to comply with subparagraph (11) above, the Building Inspector shall, in addition to taking any other remedies or actions permitted by law, notify the Town Assessor, who shall make an appropriate adjustment to the assessed value for the subject property.
- (13) Nothing in this instrument shall be deemed to preclude the Town from exercising any particular legal or equitable remedy otherwise available to it to enforce the provisions hereof.
- (14) Town of East Hampton has approved and consented to the filing and/or recording of the Declaration in its present form and this Declaration may not be terminated, revoked, or abandoned, nor may any of its terms, restrictions, provisions, or conditions be amended or modified in any manner, without the prior written consent of the Town of East Hampton.
- (15) In the absence of such prior written consent by the Town of East Hampton, the terms, restrictions, provisions, and conditions of this Declaration shall continue to apply to the structure hereby designated as an artist's studio, regardless how or whether that structure is hereafter enlarged, modified, or in

any way altered by Declarant or Declarant's successors in interest who are all bound by this declaration.

- (16) The Declarant must record this Declaration at the Office of the Suffolk County Clerk.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be duly executed as of the date and year first above written.

(Declarant)

ACKNOWLEDGEMENT

STATE OF NEW YORK)

COUNTY OF)

On the _____ day of _____ in the year _____ before me the undersigned appeared known to me or proved to me on the basis of satisfactory evidence to the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

RECORD AND RETURN TO:

Town Clerk
Town of East Hampton
159 Pantigo Road
East Hampton, New York 11937

Approved as to Form, Content,
And Execution

Town Attorney