

BLACK POINT BEACH CLUB ASSOCIATION ZONING REGULATIONS

APPROVED ZONING REGULATION AMENDMENTS

EFFECTIVE DATE – NOVEMBER 1, 2018

Approved Amendments in Bold

SECTION I – DEFINITIONS

Building Height. The vertical distance from the average height of the highest and lowest point of the center of the street parallel to the front lot line of the property to the highest point of a flat or mansard roofs, including the top of the parapet, or to the mean level between the eaves and the ridge for gable, hip or gambrel roofs. (See Figure I-BH)]

Building Height – The maximum height of any building structure shall be twenty-seven feet, measured from the grade plane to the mean roof height. In no case shall any peak or other building feature exceed thirty-eight feet when measured from the grade plane to that roof peak or other building feature, except chimneys may be of such height as regulated by the building code as amended time to time.

Purpose - By using the center of the street line, the measurement may allow the height of the building three feet higher or three feet lower depending on which side of the hill you are on. Most regulations use the grade plane around the proposed building.

Building Line. – The lines parallel to a street, **side yard, and rear yard** which establishes the minimum depth of front yard, **side yard, and rear yard** for the particular district as measured from the street right-of-way, **side and rear property lines**.

Purpose - The Building Line is not just parallel to the street.

Front Lot Line. – The lot line on the street address of a lot. **In cases when a property abuts multiple streets, the street address shall be the same as the front entrance of the single-family dwelling.**

Purpose – Defines street address for quick identification for emergency services.

Grade Plane - A reference plane representing the average of the finished ground level adjoining the building of the exterior walls as measured at the corners. The lowest finished grade measured shall be no higher than the natural grade. (The Commission will not consider platforms built above the natural grade as a valid measuring point.)

Purpose – defines “grade plane” when used in the building height definition.

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Trailer. – A vehicular device designed to be pulled by a motor vehicle as provided below:

- a. Boat Trailer – A trailer designed to store and transport a boat not exceeding 26 feet in length.
- b. Camping Trailer – A vehicle not exceeding a gross vehicle weight rating of 5,000 pounds which is designed to be used primarily as temporary living quarters for recreational, camping, travel, or seasonal use that does not have its own motor power but is mounted on or towed by another vehicle.
- c. Utility Trailer – A trailer, whether uncovered or enclosed, used for hauling materials, good or objects, provided that it shall not exceed 16 feet in length and it shall not have a gross vehicle weight rating of more than 2,600 pounds.

GENERAL REGULATIONS

3. [*Boats, boat trailers, camping trailers, or utility trailers* - One of the following may be stored on a lot:

One unoccupied boat not exceeding 26 feet in length and one boat trailer, **OR**

One unoccupied camping trailer, **OR**

One utility trailer

Except that any such utility trailer, boat or camping trailer shall be located behind the front setback building line. The only exception is the period between April 15th and Memorial Day, while boats are being prepared for the season. During this period, boats are allowed forward of the front setback building line. This subsection shall not prohibit the storage of boats not exceeding 16 feet in length nor boats designed to be propelled solely by oar or paddle. (Former 2b)]

Purpose – To still allow 1 item to be stored on each lot, to not allow unregistered items to be stored on a lot.

APPROVED AMENDMENT

Boats, boat trailers, camping trailers, or utility trailers - One (1) of the following may be stored on a lot:

One unoccupied boat not exceeding 26 feet in length and its trailer, OR

One unoccupied camping trailer, OR

One utility trailer

Except that any such items listed above, shall:

- a. **Except that any such utility trailer, boat or camping trailer shall be located behind the front setback building line. The only exception is the period between April 15th and**

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June 1st, while boats are being prepared for the season. During this period, boats are allowed forward of the front setback building line.

- b. All boats, boat trailers, camping trailers, or utility trailers shall be licensed and registered as required by Connecticut State law. Any of the above items that are unregistered shall be considered junk under these regulations and prohibited for storage in any area of the Black Point Beach Club Association.
- c. Not to extend into a public area or right-of-way, not to obscure any view which may cause danger to vehicular or pedestrian traffic on a public street or an Association right-of-way. The Zoning Enforcement Officer has the duty to determine if the placement may cause danger and has the authority to order the object(s) removed.
- d. This subsection shall not prohibit the storage of boats not exceeding 16 feet in length nor boats designed to be propelled solely by oar or paddle. (Former 2b)

11. Handicapped Access –

- d. Said temporary ramp shall be **permitted** for a period of two years but can be automatically renewed by the Zoning Enforcement Officer, provided the circumstances initially requiring the handicapped access still exists. When such circumstances cease to exist, the access will be removed by the end of the permit period or within sixty (60) days of notice to remove from the Zoning Enforcement Officer, whichever is sooner.
(Former 10) Purpose – Typographic correction

SECTION V – DIMENSIONAL REQUIREMENTS

1. Dwellings - All Other Lots

Twenty (20) feet from the front lot **line[s]**, Purposes – there is only one front lot line.

3. Exterior Accessory Equipment - All Exterior Accessory Equipment shall meet the following requirements:

- a. No accessory equipment shall be located in the front yard.
- b. No accessory equipment shall extend into the setback line more than three (3) feet **but in no case shall the extension into the setback be closer than five (5) feet from the property line.**

Purpose - Existing regulation does not address if the extension was from the setback line or a pre-existing nonconforming building.

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4. Grading of Property – Final grading of an entire lot shall not exceed one (1) foot of vertical rise or decline per every ten (10) feet of horizontal distance when measured from the existing street elevation of the front lot line and shall not increase or decrease water runoff to adjacent properties. **This measurement does not include approved retaining walls and terraces.**

Purpose – Final grade may not be able to be met with the introduction of approved retaining walls and terraces.

A. Detached Garage

On All Other Lots

Twenty (20) feet from the front lot line[s]: Purpose – only one front line.

1. It shall have only one floor **above the garage floor and that floor is to be used for storage only.**

Purpose – clarity.

C. Pools, Pool Cabanas and Pool Complexes –

On All Other Lots

Twenty (20) feet from the front lot line[s]; Purpose – only one front line.

1. For the purposes of this subsection, any above ground, movable pool **[not]** exceeding the dimension of eight (8) feet by eight (8) feet or eight (8) feet in diameter shall be required to meet the setback requirements for the sheds. Purpose – Typographical correction – remove “not”

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NEW SECTION – SOIL AND EROSION CONTROL REGULATIONS

1. INTENT – To minimize polluted stormwater runoff from construction sites and prevent it from carrying sediment into the streets, drainage systems, and eventually to Long Island Sound.
2. STANDARDS - Erosion, Sediment, and Runoff Control Standards.
 - a. No site plan shall be approved which will cause erosion, flooding, or sedimentation to run off the property. Stormwater runoff control shall be accomplished in accordance with proper civil engineering practice. Developers, construction site operators, and contractors shall maintain erosion and sediment control measures that are consistent with the 2002 Guidelines for Soil Erosion Sediment Control, as amended, the Connecticut Stormwater Quality Manual, and all stormwater discharge permits issued by the Connecticut DEEP.
 - b. Site plans submitted shall include soil erosion and sediment control plans depicted on the plans and shall include a narrative explaining the sequence of construction, measures to be implemented, and person(s) responsible for the control measures. Contact number(s) of the individual(s) responsible for the control measures shall be included on the plans. Consideration shall be given runoff reaching adjoining properties, streets, and catch basins.
 - c. Enforcement – The individual(s) responsible shall be required to inspect the site weekly and after each storm occurrence of one (1) inch or more of rain within a twenty-four (24) hour period. The Zoning Enforcement Officer may require additional measures if the installed measures have the potential to fail. The individuals will install these measure within forty-eight (48) hours of notice from the Zoning Enforcement Officer. In the case that the measures installed have failed, it will be the responsibility of the individual(s) responsible to remove sediment from the adjoining properties, streets, and catch basins within forty-eight (48) hours of the failure.

New Section V – 5 Portable Storage Containers (PODS) Requirements

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1. In the event of a fire, storm, major reconstruction of a home, or moving a temporary permit may be issued for the placement of a “Portable Storage Container”.
2. “Portable Storage Container” means any container designed for the temporary storage of personal property, which is typically rented to owners or occupants of property for their storage use and which is delivered and/or removed by truck or trailer.
3. No person shall place a portable storage unit on private property without first obtaining a zoning permit from the Black Point Beach Club Association Zoning Enforcement Officer. There is no fee for the permit.
4. Only one unit is permitted on the property and the size of any portable storage container shall not exceed sixteen (16) feet in length by eight (8) feet in width by eight (8) feet in height.
5. The portable storage container has to be located at least five (5) feet from any property line. Location shall not obscure any view which may cause danger to vehicular or pedestrian traffic on a public street or an Association right-of-way. The Zoning Enforcement Officer has the duty to determine if the placement may cause danger and has the authority to order the Portable Storage Container relocated.
6. The use of the portable storage container is temporary and a permit shall be issued for a period of one (1) year. The owner may apply for an extension if an unusual hardship can be demonstrated.
7. Any portable storage container shall be free of dents, rust and/or graffiti and shall be maintained in good condition.