

BLACK POINT BEACH CLUB ASSOCIATION

Application to the Black Point Beach Club Zoning Board of Appeals

PLEASE READ THOROUGHLY BEFORE COMPLETING AND SUBMITTING APPLICATION

Questions regarding the application may be sent to bpbcazba@gmail.com.

REQUIRED BACKGROUND INFORMATION

When applying for a variance, the applicant is seeking approval to use the property in a manner that would not otherwise be allowed under the current Black Point Beach Club Association's Zoning Regulations. These Regulations are Land-Use Laws authorized under the Connecticut General Statutes, Chapter 124, Section 8. The ZBA's authority to grant variances is limited by law and must comply with the statutory requirements under Chapter 124. Under section 8, a variance may be granted when "a literal enforcement of ... regulations would result in exceptional difficulty or unusual hardship..."

To ensure that the application accurately reflects which regulations are to be varied, it is highly recommended that the applicants, or their representative(s) discuss the variance application with the Black Point Zoning Enforcement Officer prior to submission. Incorrectly identifying the variance(s) requested may require a new application, incurring additional fees and delays.

Applicants should understand that the phrases "exceptional difficulty" and "unusual hardship" refer to an inability to make reasonable or practical use of the property in a manner that conforms to the Association's zoning regulations.

In making a determination on a variance, the Zoning Board of Appeals shall include consideration of the following issues:

1. The extent to which the applicant has demonstrated that exceptional shape, size, topography, or other unique characteristics of the property requires a variance from a literal enforcement of the Zoning Regulations. Exceptional shall mean that the conditions cited do not generally affect other properties in the Association.
2. Whether the exceptional difficulty or unusual hardship claimed has been created by the owner requesting the variance.
3. Whether the variance(s) requested will adversely affect the neighborhood and whether they will be in harmony with the purpose and intent of the Zoning Regulations.
4. Whether the applicant has shown that there is no reasonable alternative other than to grant the requested variance(s).
5. Whether economic hardship is the only basis for requesting the variance.

INSTRUCTIONS

FEES:

An application fee of \$600.00 is required. This fee covers all costs associated with the public hearing process. The fee must be paid by cashier's check made payable to: The Black Point Beach Club Association.

Applicants must ensure that Association fees are current and in good standing.

MATERIALS:

- This application and associated fee.
- Property deed showing legal description of the property and owner.
- Property plans showing lot lines, setback lines, existing building outlines and location of new work requiring zoning variance. While formal A2 property survey and construction documents are not required at this time, these documents will help illustrate the existing property conditions and the impact of requested variances on the overall property.

SUBMISSION:

The complete variance application, including ALL supporting plans, photographs, and ownership documentation, must be submitted IN TRIPLICATE (original plus 2 copies) with a cashier's check for the \$600.00 application fee.

Mailing address: BP ZBA, 6 Sunset Drive, Niantic, CT 06357

Electronic submission via PDF is strongly encouraged in addition to the hard copy submission requirement.

Electronic submissions must be emailed to bpbcazba@gmail.com.

ESTIMATED TIMELINES:

- Public hearing within 65 days of completed application receipt
- Final decision within 35 days of hearing
- Formal public notice of decision within 15 days of final decision
- Appeal window is 15 days from public notice of decision

NOTE: If completed on-line, you must save the completed file in order to email the application. You should save the completed file before printing for your hard copy submission.

APPLICATION DETAILS

Applicant Name _____ Phone _____

Address _____ Email _____

Owner Name _____ Phone _____

Address _____ Email _____

Property Address _____

Assessor's Map No. _____ Lot No. _____

Has any previous variance request or appeal relative to this property been filed with the Board of Appeals?
(if unsure, please consult with Black Point Zoning Enforcement Officer)

☐ No ☐ Yes – Date(s) of previous variance request(s) _____

Abutters – Properties within 50 feet of *any* lot line

Name _____ Mailing Address _____

Black Point Address _____

Name _____ Mailing Address _____

Black Point Address _____

Name _____ Mailing Address _____

Black Point Address _____

Name _____ Mailing Address _____

Black Point Address _____

Name _____ Mailing Address _____

Black Point Address _____

Name _____ Mailing Address _____

Black Point Address _____

Name _____ Mailing Address _____

Black Point Address _____

LIST OF VARIANCE(S) REQUESTED:

Section No (from Zoning Regulations)	Allowed / Required	Existing Scenario	Proposed Scenario

VARIANCE IS REQUESTED TO ALLOW: (briefly describe any changes in setbacks, use, total floor area, building/structure coverage, total ground coverage, height, and structure dimensions, etc.)

STRICT APPLICATION OF ZONING REGULATIONS WOULD RESULT IN UNUSUAL HARDSHIP BECAUSE:
(Support topological claims w/photos, survey):

THE HARDSHIP IS UNIQUE TO THIS PARCEL AND NOT SHARED BY OTHERS IN THE DISTRICT BECAUSE:

DESCRIBE PROPOSED REDUCTIONS IN LEGAL PRE-EXISTING NON-CONFORMITIES, IF ANY:

REQUESTED VARIANCE(S) ARE IN HARMONY WITH THE PURPOSE AND INTENT OF BLACK POINT ZONING REGULATIONS AND WILL NOT ADVERSELY AFFECT THE COMPREHENSIVE PLAN OF ZONING BECAUSE:

(For all of above responses, please attach supplemental sheet(s), if space provided is insufficient.)

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CHECKLIST OF REQUIREMENTS

ALL DOCUMENTATION MUST BE SUBMITTED IN TRIPLICATE. PDF electronic copies are also helpful!

- ☐ A Plot Plan including drawn-to-scale lot dimensions, location and footprints of existing and proposed additions/modifications, and new buildings or structures.
Note that the East Lyme GIS map is not sufficient for this purpose.
- ☐ Elevation drawings of existing structures being modified or removed AND any proposed new construction, including a supplemental overlay drawing depicting the changes in elevations, when applicable.
- ☐ Contextual photos of existing structures and area(s) to be altered.
- ☐ Copy of owner's deed to premises.
If necessary, please contact the East Lyme Town Clerk for assistance with seeking a copy of your deed.
- ☐ \$600.00 Variance Application fee, in the form of a cashier's check made payable to The Black Point Beach Club Association

OWNER/APPLICANT COMMITMENTS

I (WE) CERTIFY that the statements made herein above and the documents submitted herewith are true to the best of my (our) knowledge and belief.

NOTICE: If the Board determines or discovers that information submitted in support of the variance, if granted, was incorrect or invalid, the Board may, following a public hearing with notice to the subject property owner, void such approval.

OWNER _____ Date _____
(signature)

APPLICANT (if different from owner) _____ Date _____
(signature)

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