

BLACK POINT BEACH CLUB ASSOCIATION

Application to the Black Point Beach Club
Zoning Board of Appeals

1. Applicant _____ Phone _____
Address _____
2. Owner _____ Phone _____
Address _____
3. Street Address of affected property _____
4. Zone _____ Assessor's Map No. _____ Lot No. _____
5. Properties within fifty (50) feet of ANY lot line (attach additional if necessary)
 - a. Name _____ Address _____
 - b. Name _____ Address _____
 - c. Name _____ Address _____
 - d. Name _____ Address _____
 - e. Name _____ Address _____
6. Is affected property within 500 feet of Town Line? Yes _____ No _____
7. Application relates to (check appropriate items):
____ Request for variance of following section(s) of zoning regulations _____
____ Alleged error in Zoning Official's action under section _____
8. If variance requested, describe exceptional difficulty or unusual hardship on which request is based. If error alleged, explain basis for allegation (See instructions (d) and (e)). Attach additional details if necessary.

9. Has any previous variance request or appeal relative to this property been filed with Board of Appeals?
No _____ Yes _____ Specify date _____

I hereby certify that the above information is true and correct to the best of my knowledge, and I authorize the members of the Zoning Board of Appeals to inspect the property in question.

Signed _____ Date _____

IMPORTANT: Ten copies of the completed application form (original and nine copies) must be submitted to the Chair or the Secretary of the Zoning Board of Appeals by mail (Black Point Beach Association, Zoning Board of Appeals, P.O. Box 715, Niantic, CT 06357). The application must be accompanied by Ten (10) copies of the Zoning Official's action, ten (10) copies of the complete legal description of the property, a cashier's check in the amount of \$450.00 made payable to "The Black Point Beach Club Association," and any additional information that may be appropriate.

This space reserved for Zoning Board of Appeals

Date application received _____ Appeal No. _____

Date of Hearing _____ Action _____

BLACK POINT BEACH CLUB ASSOCIATION
INSTRUCTIONS FOR ZONING BOARD OF APPEALS APPLICATION

- a) Meetings of the Zoning Board of Appeals are held at such times and place as the caseload warrants and the Chair designates. All public hearings will be held within 65 days following receipt of application.
- b) Ten copies of the completed application form (original and nine copies) must be submitted to the Chair or the Secretary of the Zoning Board of Appeals accompanied by ten (10) copies of the Zoning Official's action, ten (10) copies of the complete legal description of the property and a cashier's check in the amount of \$450.00 made payable to "The Black Point Beach Club Association."
 - 1. The application fee covers the cost of the required processes associated with holding a public hearing. These costs include notice publications in The New London Day and fees associated with the official recording of the hearing.
 - 2. The "legal description of the property" is legal language associated with the property deed and not simply identification on a map.
 - 3. Applicants must ensure that Association fees are current and in good standing.
- c) All pertinent questions must be answered. When additional space is needed, attach separate sheet. Floor plans, sketches, photos or other illustrative material should be added when desirable.
- d) In item 8, applicants should understand that terms "exceptional difficulty" and "unusual hardship" refer to an inability to make reasonable or practical use of property in a manner that conforms to the Association's zoning regulations. "The zoning board of appeals may vary the application of the Zoning Regulations when it determines that such action is in harmony with their general purpose and intent, with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel, but not affecting generally the district in which it is situated, a literal enforcement of such regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured by granting the variance. 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 site requires a variance from a literal enforcement of the Zoning Regulations
 - 2. Whether the exceptional difficulty or unusual hardship claimed has been created by the owner or the person or persons requesting the variance
 - 3. Whether the variances 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".
- e) When an applicant enters an appeal charging the Zoning Enforcement Official with error in item 8, a detailed explanation of the basis for the allegation must be attached.
- f) A variance becomes effective when a copy has been filed in the Town Clerk's Office and has been recorded in the Town's land records. The applicant must initiate this action.
- g) All appeals from the Zoning Official's decisions must be filed with the Chair or Secretary of the Board within 30 days of the date of the action from which the appeal is entered. There is no similar time limit by which a request for variance must be presented.
- h) Appeals from the Board's decision may be taken to the Superior Court within 15 days of the date when notice of decision is published in a newspaper.
- i) **Applications must be submitted to the Board by mail (Black Point Beach Association, Zoning Board of Appeals, P.O. Box 715, Niantic, CT 06357).** Questions regarding the application process may be directed to the Chair of the ZBA prior to submission.
- j) Applicant or representative must be present at public hearing.