



ZONING BOARD OF APPEALS

Town of Lebanon

579 Exeter Road, Lebanon, Connecticut 06249
(860) 642-6028, Fax (860) 642-2022

REGULATIONS OF THE ZONING BOARD OF APPEALS Lebanon, CT APPLICATIONS REQUIRING A PUBLIC HEARING – Cover Page

All applications submitted to the Zoning Board of Appeals that require a public hearing shall comply with the following conditions and requirements in order to be considered complete.

1. **Plot Plan.** The application shall include a plot plan or site plan drawn to scale. A plot plan should be an accurate scale drawing of the subject property showing the following details and with accurate dimensions specified:
 - a. Accurate lot dimensions.
 - b. Locations of well, septic tank and leach field.
 - c. Sketch of the location, size and use of all buildings and structures now on the lot.
 - d. Sketch of the location, size and use of all proposed buildings and structures.
 - e. Sketch of the location of buildings on abutting lots for all setback variances requested.
 - f. If any sign is proposed, a scaled elevation drawing of the sign shall be included.

2. **Notification of Neighbors and Adjacent Property Owners.** To ensure ample opportunity for neighborhood opinion to be expressed, the applicant shall notify abutting property owners of the application by mailing notices to owners of land adjacent to the site and by the posting of a sign in the manner described as follows:
 - a. **Mailing notices.** The applicant shall be responsible for mailing notices to adjacent owners of property within **two-hundred fifty (250') feet (effective date, 8/1/01)** of any portion of the applicant's parcel. The term "adjacent" as used in this section includes properties located across the street or highway of the site. Such notice shall be sent by certified mail at least **ten (10) days** prior to the date of the scheduled public hearing. Such notice shall include the date and time of the scheduled public hearing, and the fact that the subject application and plans are on file in the office of the Clerk of the Commission for public inspection. The "Adjacent Property Owners Notice form" attached to this application shall be used for this purpose. The applicant shall provide a list of the property owners notified and the return receipts from the certified mailings at least five (5) days prior to the public hearing. Failure to provide evidence of compliance with this requirement shall result in the application being denied without prejudice. A new filing fee will be required for a re-application.

 - b. **Posting sign.** The applicant shall post a sign provided by the Board on the property at least **ten (10) days** before the date of the public hearing, said sign to remain in place until the public hearing. Such sign shall be erected and maintained by the applicant wherever the parcel abuts any public or private street, in a manner clearly visible from the adjacent street frontage. Failure to comply with this requirement shall result in the application being denied without prejudice. A new filing fee will be required for a re-application.

NOTE: Applicant should retain this cover page for reference. Complete and return the two-page application form attached to this cover page.

ZONING BOARD OF APPEALS

Applications for Public Hearings – General Information

Meetings

Regular meetings of the Zoning board of appeals are held on the third Thursday of each month. Public hearings when required on applications are scheduled for the regular meeting dates. The board has 65 days to schedule a public hearing following receipt of an application by the Board at a regular meeting. Whenever possible, however, the Board will try to expedite the application process by scheduling a hearing for the next regular meeting date provided that the application has been submitted at least 21 days prior to the next meeting date and that all conditions are met. Applicants should be aware that this is an optional convenience and that the Board may need additional time for scheduling a public hearing.

Applications

Application forms are available in the Building Department in Town Hall. Applicants should read the cover sheet on the application form with care and follow instructions regarding the required plot plan and required notification of neighbors by certified mail and by posting a sign. The following additional information may be helpful.

Plot plan. A plot plan or site plan should be an accurate scale drawing of your property showing the details outlined on the application cover sheet. It is not necessary to have a professional plot plan prepared. The plot plan can be a sketch drawn by the applicant. A sample plot plan is attached to this sheet for your information.

To be submitted with application.

- a. Copy of property description (deed).
- b. Copy of Assessor's map showing parcel.
- c. Copy of subdivision map if there is one.

Notification of neighbors. Applicants are required to notify neighbors by sending certified letters to adjacent property owners and by posting a sign on the premises. You must bring a list of property owners notified and the return receipts from the certified mailings to the public hearing. Be sure you are sending the certified letters to property owners, not renters. Names and addresses of property owners can be obtained from the assessment records in Town Hall if you do not know who the owners are. Also bring the ZBA sign to the hearing and your \$40 sign deposit check will be returned to you. Failure to return the sign in good condition for any reason will result in loss of deposit.

It is to your benefit to speak to your neighbors personally and to request a letter of support for presentation at the public hearing or a personal appearance to speak in your favor.

Material submitted a public hearing

Any documents or photographs you submit at the public hearing must be retained by the Board as exhibits presented as evidence. Make copies of all documents and photographs for your own records or to present to the Board in place of the originals.

Decisions and appeals

The Board has 65 days following the completion of the public hearing to make a decision, although that length of time is usually not needed. The applicant will be notified by certified mail of the Board's decision. There is a 15-day appeal period following publication of the decisions. Any person aggrieved by a decision of this Board may appeal to the Superior court during this appeal period. The decision of the Board does not become effective until the close of the 15-day appeal period. If a variance has been granted, the applicant is then responsible for filing the decision with the Town Clerk for recording in the land records. A variance does not take effect until it is recorded in the land records.

To ensure that you understand the appeal/variance process and that all required information is provided, you may wish, but are not required, to consult an attorney of your choosing. You may also wish to have your attorney represent your interests both in the preparation of the application and presentation of same at the hearing. The town cannot represent your interests or give you advice on how to present them.

Zoning Board of Appeals

#ZBA – _____
(For office use only.)

This application must be completed in full or it will not be accepted.
APPLICATION FOR PUBLIC HEARING – Page 1 of 2

1. Name(s) of applicant: _____
Address: _____
Phone: _____
CHECK ONE: Owner: _____ Agent for Owner: _____

2. Name(s) of property owner, if different from applicant: _____
Address: _____
Phone: _____

3. To whom should all official notices be mailed?
Name: _____
Mailing address, if different from above: _____

4. If the applicant is not the owner of the property and the owner will not appear at the public hearing, the applicant must submit a letter from the owner authorizing the applicant to act for the owner at the public hearing. Attach this letter to the application.
Check one: Authorization letter attached: _____ Authorization letter not required: _____

5. Exact location of property:
Street address (include street number) _____
On the _____ side of the above street and distant about _____ feet (north) (south) (east) (west) of the intersection with _____ Street.
Reference in Land Records: Volume _____ Page _____ Zoning District _____
When did applicant acquire an interest in property? _____

6. Attached is a copy of: The property description: Yes _____ No _____
Attached is a copy of: The Assessor's map showing parcel: Yes _____ No _____
Attached is a copy of: The subdivision map if there is one: Yes _____ No _____

7. By submitting this application, permission is hereby given to the Zoning Board of Appeals to enter upon this property to make an on-site inspection.

8. I understand that I must notify neighbors and adjacent property owners by mailing notices to owners of land adjacent to the site and by the posting of a notice sign on the site and that failure to do so will result in a denial without prejudice. A new application fee will be required for a re-application.

9. I have enclosed payment for the required fees listed below.
FEES: Public hearing fee: \$400.00 State fee: \$60.00 Sign deposit: \$40.00
Enclose two SEPARATE checks (\$460.00 & \$40.00) for fees. Make checks payable to Town of Lebanon.

10. I hereby swear that all statements contained in this application are true to the best of my knowledge and belief.

Signature(s) of applicant: _____ Date: _____
_____ Date: _____

Signature(s) of owner, if different from applicant: _____

Date: _____

APPLICATION FOR PUBLIC HEARING – Page 2 of 2

Applicant's last name: _____

Owner's last name: _____

The undersigned hereby petitions the Lebanon Zoning Board of Appeals to hold a public hearing on the following request (check appropriate box or boxes):

- _____ 1. Variance
- _____ 2. Change in Nonconforming Use of Land and Structures
- _____ 3. Claim of error by Zoning Enforcement Officer
- _____ 4. Location of Gasoline Station or Motor Vehicle Sales and Repair Business, per Conn. Gen. Stat. Sec. 14-55

Pertaining to Section _____ of the Lebanon Zoning Regulations.

Describe the purpose and nature of application (specify footage reductions from the requirements, if applicable):

Attach a copy of your plot plan in accordance with the instructions on the cover page of this application. Attach copies of any letters or documents that you think may be helpful to the board or that you may have received from the Zoning enforcement Officer, if applicable. Retain the original copies for your own file. Enclosed two separate checks for the required fees (\$460.00 & \$40.00). Return completed application to the Building Department in the Town Hall, or mail to Zoning Board of Appeals, 579 Exeter Rd., Lebanon, CT 06249.

Signature of Owner

Signature of Applicant (if not the owner)

ZBA USE:

DATE RECEIVED: _____ FEES PAID _____ DATE SIGN PICKED UP _____

ADJACENT PROPERTY OWNERS NOTICE FORM

This is to notify you that the Zoning Board of Appeals of the Town of Lebanon will hold a public hearing on (date)
_____ at 7:00 p.m. in the downstairs meeting room in the Lebanon

Town hall to hear the following application:

Purpose _____

Owner _____

Applicant _____

Address of property _____

The complete file on this application is available for inspection in the office of the Secretary of the Commission.

Notice to applicant: The Applicant shall be responsible for mailing notices to all adjacent owners of property within two-hundred fifty (250) feet of any portion of the applicant's parcel. Such notices are to be sent by certified mail at least ten (10) days prior to the date of the scheduled public hearing. The applicant shall use the "Adjacent Property Owner's Notice form" provided by the ZBA. The applicant shall provide a list of the property owners notified and the return receipts from the certified mailings at least five (5) days prior to the public hearing. Failure to provide evidence of compliance with this requirement shall result in the application being denied with prejudice. A new filing fee will be required for a re-application.