

Appeal No. _____
(to be filled in by ZBA)

Fee: \$50.00
\$ 100.00

TOWN OF CANAAN ZONING BOARD OF APPEALS
Town Hall, 107 Main Street, Falls Village, CT 06031

**APPLICATION FOR VARIANCE FROM THE ZONING ORDINANCE
OR APPEAL FROM DECISION OF ZONING OFFICER**

Date: _____

Applicant: _____

Address: _____

Owner: _____

Address: _____

Lessee: _____

Address: _____

To The Board of Appeals:

(I/We) hereby apply for: ☐ A variance

☐ An appeal from the decision of the zoning officer

Briefly describe situation: _____

This appeal relates to (check proper ones): ☐ USE ☐ AREA ☐ YARDS ☐ HEIGHT ☐ SIGNS

☐ BUILDING LINES ☐ HOME OCCUPATION ☐ ACCESSORY BUILDINGS

This appeal concerns (cross one out): a PROPOSED / an EXISTING building.

LOCATION OF PREMISES:

Zone _____, Town of Canaan Property Map page # _____, Lot Number _____, located on the _____
(direction)

side of _____ at a distance of _____ feet _____ from its intersection with
(street or route #) (direction)

(street or route #)

Under what portion of the zoning ordinance is this appeal based? _____

**DUTIES OF THE ZONING BOARD OF APPEALS
PERTINENT TO AN APPEAL**

The Zoning Board of Appeals must:

1. Upon receipt of an appeal application in its full and complete form, establish a date for a public hearing.
2. Cause such application, or a copy thereof, to be immediately transmitted to the Planning and Zoning Commission.
3. Cause a "legal notice" of such hearing to be published in a newspaper having substantial circulation in the community.
 - a. Such notice must appear twice in the newspaper, and not less than two (2) days apart; the first, not more than fifteen (15) days nor less than ten (10) days before the date of the hearing, and the second not less than two (2) days before the date of such hearing.
4. In the case of postponement of a hearing, or withdrawal of application after publication of a public notice in the newspaper, treat the application as a new application, including all costs, and notify all abutting property owners of such postponement or withdrawal.
5. Render a decision, via the concurring vote of at least four (4) members of the Zoning Board of Appeals and announce same within sixty (60) days of the public hearing upon which such decision was based, and establish therein an "effective date".
6. Transmit to the applicant, or his appellant, a true and exact copy of the written order of the appeals board setting forth the determination or decision.
7. Through its secretary, notify all other parties in interest, including the town clerk, assessor, and the Planning and Zoning Commission.
8. Cause the notice of the decision to be published before the effective date in a newspaper having general circulation in the community.
9. Cause a copy of the decision to be filed in the office of the town clerk.
10. Cause every order, requirement, decision, or determination of the appeals board to be immediately filed in the town hall, and be made a public record, along with all transcripts and recordings of the public hearing.
11. Establish a schedule of reasonable fees, necessary for the processing of hearings and actions thereon; such fees shall include those for application as well as for public notices of hearings and also postponement of public hearings and/or withdrawal of application.

The Zoning Board of Appeals may:

1. Mail a copy of the public notice to the P & Z Commission. (optional)
2. Mail a copy of the public notice to adjacent property owners. (optional)



MANNER OF FILING APPEALS or MAKING APPLICATIONS

1. Application for variances may be made at any time.
2. Appeals from the decision of the Zoning Commission or enforcement officer must be made within (30) days of the date of the written receipt of the decision.
3. The appellant or applicant must file his notice with the Board of Appeals and the Zoning Commission, or the officer from whom the appeal is taken.
4. All notices of appeal or applications for variance shall be contained in the form furnished to the applicant, available for that purpose, and found at the Town Hall.
5. Such application shall be accompanied by the necessary fee to defray the costs of legal notices and stenographic services.
6. The application shall be accompanied by a copy of the zoning permit application with reasons for rejection clearly specified by article and section of the zoning regulations.
7. The applicant must supply with the application a true and accurate list of all property owners within two hundred (200) feet from any boundary of the property subject to the application.
8. Each of the above mentioned property owners must be notified of the hearing by the applicant by registered mail no later than five (5) days prior to the public hearing, informing them of the time and place of said hearing.
9. The applicant must present to the Board of Appeals, or its secretary, on or before the date of the public hearing, the return receipts of the above mentioned registered letters of notification.
10. The applicant, appellant, or designated representative must be present at the public hearing in order to present his case.