

IMPORTANT

REQUIREMENTS

AND

INSTRUCTIONS

FOR

COMPLETING

ZONING BOARD OF APPEALS

APPLICATION FORMS

WARNING: In accordance with Section 8-3(2)(b) of the Connecticut General Statutes (CGS), there is a 15-day appeal period. This means that if your application for a Variance has been approved, anyone wishing to appeal the decision of the Zoning Board of Appeals (ZBA) may do so within 15 days after notice of publication of your application's approval in the Norwich Bulletin. If you begin construction prior to the 16th day after publication, someone may appeal the ZBA's decision in court and win, and you may have tear down all construction.

If your application for a Variance is denied, the ZBA may prevent you from returning before the ZBA for essentially the same request for a period of six (6) months. This period is set in Section 8-6 of the Connecticut General Statutes.

The members of the Griswold Zoning Board of Appeals intend this outline to assist you in preparing your application and its presentation before the Board.

Please read the attached Sections of the Zoning Regulations of the Town of Griswold and the Borough of Jewett City so that you will be aware of their requirements as they relate to your application. The section(s) for which you are requesting a Variance (#7 on the first page of the application form) is the Zoning Regulation section number of either the Town of Griswold or the Borough of Jewett City Zoning Regulations, not the Connecticut General Statute section number.

In addition, please read the attached sections of the Connecticut General Statutes regarding Applications for Appeals and Variances.

**TOWN OF GRISWOLD
ZONING REGULATIONS
REGARDING
VARIANCES AND APPEALS**

2.4 Variances. Any person, whose application for a Zoning Permit is denied because the application is not consistent with the requirements of these Regulations, may apply to the Zoning Board of Appeals for a Variance.

2.7 Recording. No Variance or Special Exception shall become effective until a copy thereof, certified by the Zoning Board of Appeals or this Commission, as appropriate, containing a description of the premise to which it relates and specifying the nature of such Variance or Special Exception, including the zoning provision which is varied in its application or to which a Special Exception is granted, and stating the name of the owner of record, is recorded in the Town's Land Records. The Town Clerk shall index the same under the Grantor's Index under the name of the then record owner and the record owner shall pay for such recording.

2.15 Notice to Abutting Property Owners of Public Hearing. Whenever an application is filed with the Planning and Zoning Commission that requires a public hearing per the Griswold Zoning Regulations, or whenever the Commission deems it necessary to hold a public hearing for an application, the applicant shall, no later than ten (10) days prior to the date of the scheduled public hearing send notices to all abutting property owners and all owners directly opposite the applicant's property by certified mail, return receipt requested, and said notices shall contain the following information: (3/9/04)

NOTICE TO ABUTTING PROPERTY OWNERS IS REQUIRED

- a. A copy of the zoning application filed with the Commission. (3/9/04)
- b. A copy of the site plan. If the site plan contains multiple sheets, the sheet that best describes the proposed project shall be forwarded. The copy may be reduced as long as the document is readable. (3/9/04)
- c. A narrative describing the proposed development. (3/9/04)
- d. A copy of the legal notice giving the date, time and place of the public hearing. (3/9/04)

The applicant shall present the original certified mail return receipts to the Planning and Zoning Commission at the scheduled hearing. Failure to satisfy these requirements shall render the application null and void. If an application is declared null and void, a new application and application fee shall be required. (3/9/04)

10.1 Minimum Lot Size.

R-80	80,000 square feet	C-1	40,000 square feet
R-60	60,000 square feet	C-2	40,000 square feet
R-40	40,000 square feet	I	40,000 square feet
R-20	20,000 square feet		

10.1.1 Where public water and sewer are not available on lots in R-20 Districts, the minimum lot size shall be the same as required in an R-40 District.

10.2 Minimum Street Frontage.

R-80	200 feet	C-1	150 feet
R-60	175 feet	C-2	150 feet
R-40	150 feet	I	150 feet
R-20	100 feet		

10.2.1 Minimum frontage requirements may be reduced to no less than 50 feet by vote of the Commission for lots facing a circular turnaround at the end of a dead end street, provided that the frontage requirement is maintained at the building line.

10.2.2 The minimum frontage requirement may be reduced by vote of the Commission to no less than 50 feet for an interior lot, provided such lot has a minimum lot size which is two times the standard required lot size for that zoning district. At no point shall a lot line be closer than 50 feet apart. Not more than two such lots with a reduced frontage shall be located adjacent to each other on the same side of the street and any two adjacent interior lots shall be located not less than 100 feet from any other interior lot, as measured in a straight line from their closest points. The Commission, in its sole discretion, may require at any time that the applicant submit a survey which conforms with Class A-2 standards for accuracy of the Code of Practice for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, as amended by the Connecticut Association of Land Surveyors, Inc.

10.3 Minimum Front Yard

R-80	75 feet	C-1	40 feet
R-60	50 feet	C-2	40 feet
R-40	30 feet	I	40 feet
R-20	20 feet		

10.4 Minimum Side and Rear Yards.

R-80	50 feet	C-1	30 feet
R-60	30 feet	C-2	30 feet
R-40	30 feet	I	30 feet
R-20	20 feet		

10.4.1 Side and rear yards may be reduced by one-half for accessory buildings on residential lots.

10.4.2 Side yards may be reduced by vote of the Commission between commercial buildings on adjoining lots in C-1 and C-2 zones, provided the Commission determines that such reduction will not result in limiting access to all parts of the property by emergency vehicles and will enhance the attractiveness and economic welfare of the adjoining establishments.

10.5 Maximum Lot Coverage

R-80	10 %	C-1	35 %
R-60	15 %	C-2	40 %
R-40	15 %	I	40 %
R-20	20 %		

10.6 Maximum Building Height. No building shall exceed three full stories, nor shall the total building height above a finished grade exceed 35 feet, except that features such as steeples, cupolas, water towers, antenna structures for individual dwellings, chimneys, wind energy conversion systems, and agricultural buildings may exceed 35 feet in height, up to a maximum of 50 feet in height, and any such structure which exceeds 35 feet shall require a Special Exception in accordance with Section 12 of these Regulations. The Commission may, by Special Exception in accordance with Section 12 of these Regulations, permit a nonresidential building higher than 35 feet or three stories if it determines that such building shall not constitute a safety hazard or be visually inconsistent with the general character and appearance of the surrounding area. All items higher than 35 feet must have fall space, on the same lot, equal to the height of the item, to protect

adjacent property. For Wind Energy Conversion Systems (WECS), see Section 11.15 of these Regulations. For Wireless Telecommunication Facilities Towers and other commercial radio tower structures, see Section 11.19 of these Regulations. (1/15/99).

10.7 Area and Frontage Exception. Any lot of record in separate ownership and not contiguous with other lots in the same ownership at the time of adoption of these Regulations and which does not meet the area and frontage requirements for the district in which it is located, may be used for the purposes permitted in that district, provided that the yard and other requirements, excepting those for lot area and frontage, can be met. In addition, all water and sewerage systems shall comply with the appropriate regulations of the Town of Griswold and the State of Connecticut.

Documentary proof of pre-existing lots or lots of record in separate ownership and not contiguous with other lots in the same ownership at the time of adoption of these Regulations shall be provided to the Zoning Enforcement Office at, or prior to, the time that an application for a zoning and/or building permit is made. Such proof shall include but not be limited to deeds, maps and certified title searches. (6/01/90)

APPEALS

17.1 Appeals. Any person may appeal to the Zoning Board of Appeals when it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer related to the enforcement of these Regulations. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement or decision appealed from, and shall make such order, requirement or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement or decision the appeal was taken. The concurring votes of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, or decision of the Zoning Enforcement Officer. (5/2/94)

VARIANCES

17.2 Variances. Any person seeking a Variance from the literal enforcement of these Regulations may apply to the Zoning Board of Appeals for a Variance. Said Board may, after consideration of a Variance application in accordance with Section 8-6 and 8-7 of the General Statutes, approve or deny a Variance, except that no Variance may be approved for uses in districts in which such uses are not otherwise permitted by these Regulations.

17.3 Variance Notification. The applicant shall, no later than ten (10) days prior to the hearing for the Variance, send notices to all abutting property owners and all owners directly opposite the applicant's property by certified mail, return receipt requested, and said notices shall include the following information:

1. The zoning regulation(s) that is(are) the subject of the Variance application. Detailed written narrative explanation of the proposed Variance application.
2. Copy of any plan or sketch that shows the location of the variance(s) as described in the Variance application
3. The date, time and place of the Zoning Board of Appeals hearing.

The applicant shall present the original certified mail return receipts to the Zoning Board of Appeals at the scheduled hearing. Failure to satisfy these requirements shall render the Variance application null and void. If an application is declared null and void, a new application and application fee shall be required.

**BROUGH OF JEWETT CITY
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2.2 Zoning Permit. No building shall be erected, moved, structurally enlarged or changed to another use or shall any use be established or changed in any area of the Borough of Jewett City without a Zoning Permit therefore from the Zoning Enforcement Officer, issued in conformance with the provisions of these Regulations, except that a written order from the Zoning Board of Appeals in the form of an administrative review or variance shall constitute a Zoning Permit. Uses of land or buildings not clearly permitted in the various zoning districts are prohibited.

2.6 Administrative Procedures. Whenever an application is filed with the Planning & Zoning Commission that requires a public hearing per the Borough of Jewett City Zoning Regulations, or whenever the Commission deems it necessary to hold a public hearing for an application, the applicant shall, no later than ten (10) days prior to the date of the scheduled public hearing send notices to all abutting property owners and all owners directly opposite the applicant's property by certified mail, return receipt requested, and said notices shall contain the following information:

1. A copy of the zoning application filed with the Commission.
2. A copy of the site plan. If the site plan contains multiple sheets, the sheet that best describes the proposed project shall be forwarded. The copy may be reduced as long as the document is readable.
3. A narrative describing the proposed development.
4. A copy of the legal notice giving the date, time and place of the public hearing.

The applicant shall present the original certified mail return receipts to the Planning & Zoning Commission at the scheduled hearing. Failure to satisfy these requirements shall render the application null and void. If an application is declared null and void, a new application and application fee shall be required. (3/9/04)

9.1 Minimum Lot Size and Street Frontage. Although the amount of developable land in the Borough is minimal and public sewer and water is available throughout the Borough, density is already high and open space limited. Therefore there is a need to address minimum lots size and minimum frontage requirements to protect the remaining available land from being developed at excessive levels of density or intensity. (9/26/02)

9.1.1 Existing lots upon which a single family dwelling is located or to be established shall comply with the requirements of Sections 9.2, 9.3, 9.4, 9.5, 9.6 and 9.7 of these Regulations. For all other uses of land, including cases where a commercial use abuts a residential use, the yard setback requirements of Sections 9.4 and 9.5 shall be increased by 50 percent of that required for a single-family dwelling. (9/26/02)

9.1.2 Except as provided in the following subsection, existing lots that are divided or subdivided into additional lots shall have a minimum of 50 feet of frontage on a street, as defined in these Regulations, for each lot so created. (9/26/02)

9.1.3 The Commission may approve a Special Exception in accordance with the criteria of Section 12.4 of these Regulations to allow a reduction of frontage to no less than 25 feet for lots (often called "flag", "rear", or "interior" lots) that are divided or subdivided into additional lots, provided that: (a) not more than two such lots shall be located adjacent to each other on the same side of the street; and (b) any two such adjacent lots shall be located not less than 50 feet from any other flag lot as measured in a straight line from their closest points. (9/26/02)

9.1.4 The division or subdivision of any lot within the Borough for [residential] development that requires the extension of any street to satisfy the street frontage requirement of Section 9.1.1 shall require the subdivider to extend such street in accordance with the construction standards required by the Town of Griswold Road Ordinance adopted June 11, 2002.

9.2 Minimum Setback from Street Centerline.

R	Zones	–	50 feet
RC	Zones	–	50 feet
RM	Zones	–	50 feet
C	Zones	–	40 feet
I	Zones	–	75 feet

9.2.1 Setback requirements shall be 75 feet on circular turn-arounds at the end of a dead-end or cul-de-sac streets.

9.2.2 Additions may be made to existing buildings that do not conform to the setback requirements of these Regulations provided the additions extend no closer than the existing building to the street.

9.2.3 Any new building in any Residential or Commercial district need not be set back further than the average setback for all other existing buildings in the block wherein it is to be constructed.

9.2.4 On the corner lot, setback requirements shall be met for both street frontages.

9.3 Maximum Lot Coverage by Buildings.

R	Zones	–	30%
RC	Zones	–	40%
RM	Zones	–	40%
C	Zones	–	50%
I	Zones	–	60%

9.4 Minimum Side Yards.

R	Zones	–	10 feet
RC	Zones	–	15 feet
RM	Zones	–	15 feet
C	Zones	–	10 feet
I	Zones	–	20 feet

9.4.1 Side yards not required in RC and C Zones between adjoining commercial buildings within such zones.

9.5 Minimum Rear Yard.

R	Zones	–	20 feet
RC	Zones	–	15 feet
RM	Zones	–	15 feet
C	Zones	–	10 feet
I	Zones	–	20 feet

9.6 Maximum Building Height.

R	Zones	–	35 feet
RC	Zones	–	35 feet
RM	Zones	–	35 feet
C	Zones	–	50 feet
I	Zones	–	50 feet

9.7 Minimum Floor Area for Residences.

9.7.1 One-story, single-family dwelling – 500 square feet

9.7.2 Two-story, single-family dwelling – 600 square feet on the first floor and a total of 1,000 square feet on both floors.

9.7.3 Two-family dwelling – 500 square feet per dwelling unit.

9.7.4 Multi-family dwelling – 500 square feet per dwelling unit with one bedroom, plus 150 square feet for each additional bedroom.

9.8 **Maximum Density Allowance.** The development of two-family and multi-family residences shall be limited to a maximum allowable density of four (4) units per acre, as follows: (12/1/04)

9.8.1 For two-family dwellings: Minimum lot area of ½ acre for each two-family dwelling, plus an additional ½ acre for one additional two-family dwelling. See section 10.8 (no more than two (2) principal structures on a lot) (12/1/04)

9.8.2 For multi-family dwellings: Minimum lot area of 1 ½ acres for up to six (6) dwelling units in one or two buildings. See Section 10.8 (no more than two (2) principal structures on a lot). (12/1/04)

16.1 **Appeals.** Any person may appeal to the Zoning Board of Appeals when it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer related to the enforcement of these Regulations. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, or decision appealed from and shall make such order, requirement, or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement, or decision the appeal was taken. The concurring vote of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, or decision of the Zoning Enforcement Officer. (12/28/00)

16.2 **Variances.** Any person seeking a Variance from the literal enforcement of these Regulations may apply to the Zoning Board of Appeals for a Variance. Said Board may, after consideration of a variance application in accordance with Section 8-6 and 8-7 of the General Statutes, approve or deny a Variance, except that no Variance may be approved for uses in districts in which such uses are not otherwise permitted by these Regulations. (12/28/00)

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NOTICE TO ABUTTING PROPERTY OWNERS IS REQUIRED

SECTION 20. DEFINITIONS

20.1 General. Certain words and terms used in these Regulations shall have the meanings presented in this section. All words in the present tense include the future tense. The word “shall” is always mandatory; a “building” includes a “structure”; a “building” or “structure” includes any part thereof; “used” or “occupied” shall be deemed to include “designed, intended, or arranged to be used or occupied”.

20.1.1 Abutting: Separated by no intervening private property; properties separated by a public or private street shall be deemed to be abutting. (3/9/04)

20.1.16 Lot Frontage: The continuous linear measurement of the lot boundary that abuts the street. (9/26/02)