

ZONING BOARD OF APPEALS  
APPLICATION PACKET  
EASTON, CONNECTICUT

**Effective June 20, 2011**

5/2/2011

ZONING BOARD OF APPEALS APPLICATION PACKET  
EASTON, CONNECTICUT

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5/2/2011

Dear Applicant:

This Zoning Board of Appeals Application Packet has been compiled to help you, the applicant, comply with the Zoning Regulations and obtain a timely decision on your proposal.

In Easton, this application is expedited through the Zoning Board of Appeals. A public hearing must be held within sixty-five (65) days following receipt of the application. At the close of the public hearing, the Zoning Board of Appeals has sixty-five (65) days to render a decision on the application.

The stated appellate process must be adhered to strictly. The applicant should be prepared to present data supporting the application at the public hearing. You will receive a decision on the application submitted.

If the application is deficient for any reason, e.g., incomplete application form or omitted site plan data, it may be denied by the Board. Upon written request, the applicant may obtain an extension of each period in the process equal to the original time period.

The enclosed items are designed to act as a detailed resource throughout the application process. The packet includes the required forms and checklists as required by the Zoning Board of Appeals. If you have additional questions after reading this packet, the Board staff is available to help you Monday through Friday from 10:30 am to 3:00 pm. Please make a note of these times and call the Planning and Zoning Commission staff at (203) - 268-6291, Ext. 120, in Town Hall to make an appointment.

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REQUIRED ITEMS

1. Fee: This application must be submitted with a fee as set by ordinance - \$200.00 plus \$60.00 state surcharge fee.
2. Applications must be completed in their entirety.
3. Plan Maps: The applicant must provide ten copies of plan maps as required by Planning and Zoning; these copies are in addition to the Large Size Original and 2 copies which are submitted to the Building Department upon application for Building and Zoning Permits.
4. Documents: Ten copies of all other documents as required by the Planning and Zoning Commission which includes the Zoning Permit Application, Building Permit Application and any required attachments, Certified Plot Plan and Building Plans as well as the completed Three Page Zoning Board of Appeals Application.
5. Legal Notice: Notice of Public Hearing must be given to property owners within 250 feet of the property lines. Envelopes and certified receipts (green and white) need to be completed by applicant for each of the above neighbors and brought in with the application. Postage is presently \$5.59 (cost subject to change); amount calculated at the current rate times the number of neighbors to be notified and is at the applicant(s) expense.

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## ZONING BOARD OF APPEALS APPLICATION PROCESS

### A. APPLICATION

#### 1. Submission

Applications may be submitted to the Zoning Board of Appeals Office in Town Hall from 10:30 am to 3:00 pm Monday through Friday.

#### 2. Review for Necessary Items

The application will be reviewed for completeness by the Board staff upon receipt. The applicant will be notified by the Board if the application is incomplete in accordance with the Zoning Regulations.

### B. REVIEW

1. After the completed application has been received the Board has sixty-five (65) days in which to hold the public hearing. During this time the application may be reviewed by Board members and Town staff.

#### 2. Revisions and Corrections to Application

An accepted application must be completed, including revisions and corrections of minor deficiencies; twenty days prior to the Public Hearing. This affords the Board members and the public opportunity to inspect the proposal prior to the Public Hearing.

#### 3. Comments and Extensions:

The sixty-five (65) day time period in which to hold a public hearing after application receipt may be extended by Board agreement and consent of the applicant for up to an additional one time extension of sixty-five (65) days.

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ZONING BOARD OF APPEALS APPLICATION PROCESS (Continued)

C. NOTICE OF PUBLIC HEARING

1. The Zoning Board of Appeals is responsible for publication of the legal notice in the newspaper, and for notification of any other parties required.

D. PUBLIC HEARING

1. Applicant Responsibilities

The applicant should be prepared to give a formal presentation of the proposal at the beginning of the public hearing.

2. Deadline and Extension

The public hearing must be completed within thirty (35) days. If it is reconvened, proper public notice must be published. The applicant may agree to extend the time for a public hearing for an additional thirty (35) days.

E. DECISION

1. A decision on the application will be made by the Board within sixty-five (65) days of the close of the public hearing.

2. Notice

Notice of the decision will be published in the newspaper within fifteen (15) days of the decision date. In addition, the applicant will be notified of the decision by certified letter.

3. Recording of the Decision

The variance will become effective upon the applicant's recording of the decision in the Town Land Records in the Town Clerk's Office.

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ZONING BOARD OF APPEALS APPLICATION PROCESS (Continued)

4. Deadline and Extension

A decision on the application must be made within sixty-five (65) days of the close of the public hearing. An extension of the decision period for an additional sixty-five (65) days may be granted if requested in writing by the applicant.

F. APPEAL

The applicant and other aggrieved parties may appeal the decision to the Superior Court of the State of CT within fifteen (15) days of publication of the decision.



5/2/2011

**ZONING BOARD OF APPEALS**  
**TOWN OF EASTON, CONNECTICUT**  
**APPLICATION FOR VARIANCE TO ZONING REGULATIONS**  
(Please refer to Section 9.4 of Zoning Regulations of the Town of Easton)  
FEE: \$200.00

Date: \_\_\_\_\_ 19\_\_\_\_

OWNER \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

APPLICANT (if different) \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

TAX ASSESSOR MAP NO. \_\_\_\_\_ BLOCK NO. \_\_\_\_\_ LOT NO. \_\_\_\_\_

DISTRICT:      A \_\_\_\_      B \_\_\_\_

Property is       is not within 500 feet of a Town line

Give accurate location of property site so it can be identified when inspection is required.  
(Street address-nearest cross street, other prominent features).

\_\_\_\_\_  
\_\_\_\_\_

Indicate each specific provision of the Zoning Regulations from which a variance is required.

Sect./para. \_\_\_\_\_; Sect./para. \_\_\_\_\_; Sect./para. \_\_\_\_\_; Sect./para. \_\_\_\_\_

Describe fully the nature and extent of each variance applied for above.

\_\_\_\_\_  
\_\_\_\_\_

Indicate the specific provisions of the Zoning Regulations from which a variance is requested.

Zoning Section # _____	Setback(s) proposed _____	_____ feet-Front
_____ feet - Watercourse _____	_____ feet-Left _____	_____ feet-Right
_____ feet - Corner lot _____	_____	_____ feet-Rear

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**APPLICATION FOR VARIANCE TO ZONING REGULATIONS(CONTINUED)**

State fully the reasons why:

- a. Strict application of the regulations would create exceptional difficulty or unusual hardship; and
- b. Such hardship is unique to the property.

(Financial hardship is not sufficient basis for granting of a variance).

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Does the variance applied for constitute an alteration, conversion, extension, or expansion of an existing non-conforming condition?

NO \_\_\_ YES \_\_\_ if Yes, explain in detail

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Has any previous application been made to ZBA for a variance relative to all or any part of said property?

NO \_\_\_ YES \_\_\_ if Yes, specify when and for what.

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Is there a home occupation at the location or has a Special Permit been granted for the property?

NO \_\_\_ YES \_\_\_ if, Yes, explain

Applicant hereby grants to ZBA Members the right to make physical on-site inspection of the property as may be necessary to acquaint themselves with actual conditions.

Applicant	_____	Date	_____
Owner	_____	Date	_____
Received at Planning and Zoning Office	_____	Date	_____
Reviewed by Zoning Enforcement Officer	_____	Date	_____

5/2/2011

**WHAT TO EXPECT AT THE MEETING**

You will be asked to state your name and present the reasons why you are coming before the Board. After you have fully stated your case and answered any questions that may be asked of you, the chairman will ask if there is anyone else present to speak for or against your application; if not, the public portion of the meeting will be closed. You will not be allowed after that point to add any new information, so please be thorough. You are allowed to stay for the Board's deliberation if you so choose but once again you may not enter into any conversations.

5/2/2011

EASTON ZONING BOARD OF APPEALS  
(Memorandum of hearing and Decision)

Hearing Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Other People Appearing:

<u>In Support of Applicant</u>	<u>Against Applicant</u>	<u>Neither</u>
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_____	_____	_____
_____	_____	_____
_____	_____	_____

Motion to Approve \_\_\_\_ or Deny \_\_\_\_ made by: \_\_\_\_\_

Seconded by \_\_\_\_\_

<u>Voting Members:</u>	<u>In Favor</u>	<u>Opposed</u>	<u>Abstained</u>
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John Harris	___	___	___
Mitchell Greenberg	___	___	___
Victor George	___	___	___
Charles Lynch	___	___	___
Patricia Berlin	___	___	___

Alternates:

Raymond Ganim is voting for _____	___	___	___
Thomas Dollard is voting for _____	___	___	___
Gregory Alves is voting for _____	___	___	___

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**MINUTES OF BOARD**

A. If application for variance is to be granted the following must be satisfied by checking "Yes":

Yes No

A peculiar or unique characteristic of the property is such that the literal enforcement of the zoning regulations would result in exceptional or unusual hardship other than a financial hardship or loss of financial advantage;

Yes No

The nature of the hardship is not a self-inflicted hardship which is the result of an action by the applicant.

Yes No

The applicant has demonstrated that he or she has pursued all other alternatives available under these regulations; and

Yes No

The applicant has demonstrated that the granting of the requested variance will have no adverse effect on the surrounding properties with regard to health, safety, welfare or property values; and that the variance is consistent with the general purpose of these regulations.

A. If application for variance is granted, statement of finding:

C. Special Conditions, if any:

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**MINUTES OF BOARD (Continued)**

D. Reason for Denial:

E. Additional Notes: