

FEE: _____

ZONING BOARD OF APPEALS
TOWN OF WESTON, CONNECTICUT
APPLICATION FOR VARIANCE TO ZONING REGULATIONS
(Please refer to Section 441 .3 of Zoning Regulations of the Town of Weston)

ZBA AGENDA _____

Date _____

OWN ER _____ Telephone _____

Address _____

APPLICANT (if different) _____ Telephone _____

Address _____

TAX ASSESSOR MAP NO. _____ BLOCK NO. _____ LOT NO. _____

DISTRICT: Residential Business

Property is Is not within 500 feet of a
Town line.

Give accurate location of property site so it can be identified when inspection may be required;
(Street address - nearest cross street).

State precisely the full nature of Variance applied for with respect to subject property:

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

Zoning Section # _____ Setback(s) _____ Feet-Front
Section #374 (if applicable) Proposed _____ Feet-Side
and any other Section(s) of Zon- _____ Feet-Rear
ing Regulations which ZBA deems _____ Feet-Watercourse
required to be varied in order to _____ Feet-Corner Lot
permit construction, maintenance,
use and/or activity described in
this application.

APPLICATION FOR VARIANCE TO ZONING REGULATIONS (Continued)

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

State fully the reasons why:

- a. Strict application of the regulations would create exceptional difficulty or unusual hardship.
- b. Such hardship is unique to the property and not shared by other properties in the neighborhood.

(Bear in mind that financial hardship alone is not sufficient basis for the granting of a variance.)

Does variance applied for constitute an alteration, conversion, extension or expansion of existing nonconforming condition or feature?

NO _____ YES _____ If YES, explain in detail

Has any previous application been made to this board for a zoning variance or special permit relative to all or part of said property?

NO _____ YES _____ If YES, specify when and for what.

I hereby depose and affirm that I have read the "Application Procedure and Requirements for Variances to Zoning Regulations," and that all statements in the Application, and the information contained in the accompanying submissions are true, to the best of my knowledge.

Applicant _____	Date _____
Owner _____	Date _____
Agent _____	Date _____

Date received by Code Enforcement Officer _____

A GUIDE TO ZBA PROCEDURES **FOR THE TOWN OF WESTON**

This is a general guide to the Zoning Board of Appeals requirements and procedures to help you understand the forms involved, the sequence of events, and the time frame involved.

Please note, however, that to confirm exact requirements applicable to a specific case, you should be sure to refer to the ZBA By-laws, Weston Zoning Regulations, and applicable Connecticut General Statutes. You are also encouraged to read Chapter 10 (Variances) of Connecticut Zoning Board of Appeal by Thomas P. Byrne, available in Weston Public Library.

There are three basic situations upon which ZBA is called to act:

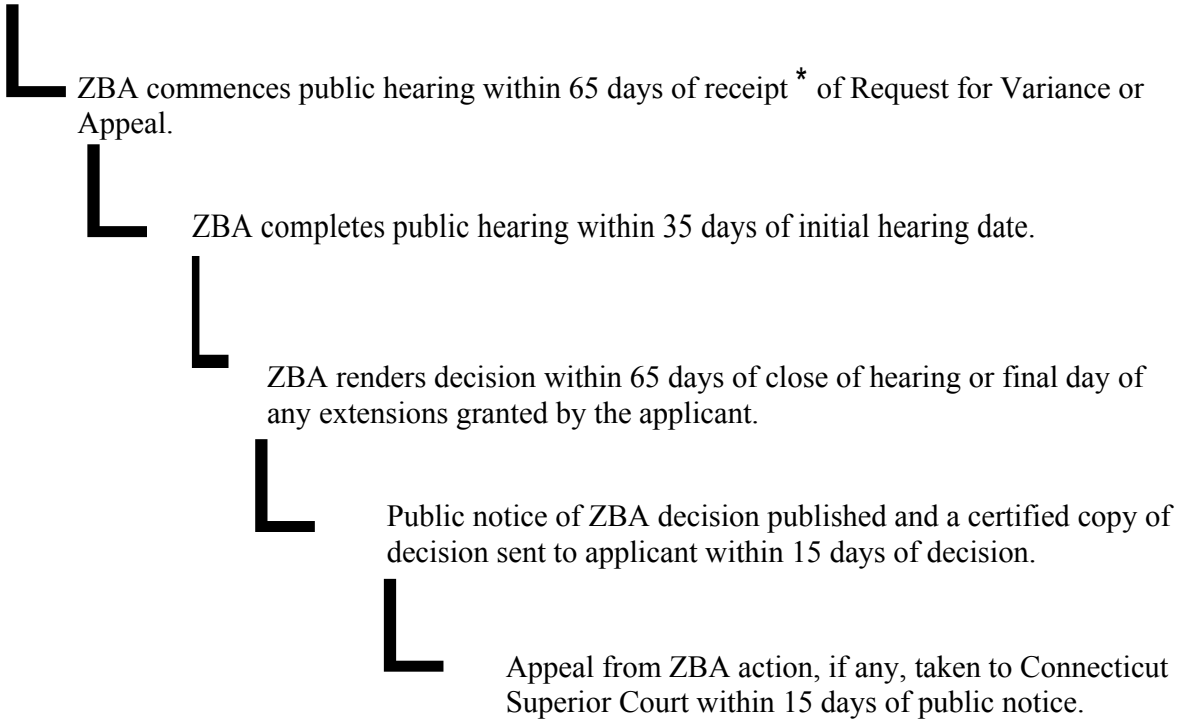
- A request for variance from one or more provisions of the Weston Zoning Regulations;
- A request for variance from the provisions of a Special Permit issued under the Weston Zoning Regulations;***
- An appeal taken from a decision of the Weston Code Enforcement Officer (CEO).

The sequence of actions shown in the following chart applies to all three of the above situations, with exceptions and comment noted.

*** Contrary to Zoning Regulations Section 332.7, the Zoning Board of Appeals does have authority to accept, hear and, if warranted, grant a variance pertinent to Special Permits ...

REQUEST FOR VARIANCE Applicant submits completed Request for Variance form to ZBA	APPEAL FROM CODE ENFORCEMENT OFFICER DECISION Applicant submits completed Appeal form to ZBA within 15 days of CEO decision
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ZBA schedules Request for Variance or Appeal as an agenda item and publishes notice of public hearing. Advises applicant by mail.



For an approved variance, applicant shall:

- within 30 days of ZBA decision file with the Weston Town Clerk for entry in the Land Records a copy of ZBA Resolution plus required referenced documentation by means of a Notice of Filing form. **
- within one year substantially complete all construction/alteration covered by the ZBA Resolution.

* Receipt is defined as the date of the next regular ZBA meeting following receipt of the Request for Variance or Appeal at the Planning & Zoning Office, or 35 days after such receipt, whichever is sooner.

** Variance becomes valid only upon the timely receipt of Notice of Filing by the Weston Town Clerk.

INSTRUCTIONS FOR ZBA APPLICATION FORM

All applications for variances shall be on the official form available at the Planning and Zoning Office and shall be submitted to the Planning & Zoning Office at Town Hall during normal business hours (9:00 a.m. to 4:30 p.m.)

APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING:

1. APPLICATION FEE of \$100.00 (Checks payable to Town of Weston).

Note: All documents, plans, maps, etc., must be folded (not rolled) to a maximum of legal size. All documents submitted become part of the ZBA permanent record.

2. PLOT PLAN (5 copies). Drawn to scale and certified “Substantially Correct” by a licensed Civil Engineer or Surveyor showing the following as of the date of application.

- Dimensions of present lot, lot area, and any proposed changes.
- Size and location of all existing buildings.
- Size and location of all proposed buildings or additions.
- All information necessary or useful in defining the problem involved, including, but not limited to, the location of watercourses, wetlands, areas subject to flooding, stone walls, significant plantings, fences, driveways, and easements.
- SEPTICS & WELLS: Plot Plan must include location of all wells, and septic areas (both primary and reserve). Locations must be obtained from and certified by the Westport/Weston Health District. If the Health District does not have the records, applicant must have locations certified by licensed well and/or septic installer (showing license numbers.) Setbacks for proposed construction must conform to the current Health District Sanitary Code. NOTE: In the case of minor construction, i.e. decks, porches, etc., or variance requests that do not involve construction, i.e., property line adjustments, etc., the septic and well certifications may be waived by the Code Enforcement Officer.

3. FLOOR PLAN (5 copies)...if a new building or alteration/addition to an existing building or structure.

4. TAX ASSESSORS MAP (2 copies)

- Indicate lots involved in application
- Print names of property owners on lots, within 250 feet of every boundary of lot(s) involved, including those property owners across any road or street adjacent to the involved lot(s).
- Note if property owner is Town of Weston or neighboring municipality.

5. TAX ASSESSOR'S CARD - Both sides (5 sets).

6. PLAIN STAMPED (not metered) No. 10 ENVELOPES - addressed to each property owner within 250 feet of every boundary of lot(s) involved, including those property owners across any road or street adjacent to the involved lot(s).
7. TOPOGRAPHIC MAP (1 copy). Map available from Code Enforcement Officer for copying (1"=200').
8. PHOTOGRAPHS of subject property is an option when hardship is based on topographical conditions.

NO APPLICATION WILL BE ACCEPTED UNTIL IT IS COMPLETE AND PROPERLY SUPPORTED BY THE DOCUMENTATION SPECIFIED ABOVE.

Application must be signed by OWNER/APPLICANT of property or by the Agent who is authorized to present the application as evidenced by letter of authorization which MUST accompany the application.

It is RECOMMENDED that:

- Applicants review the application with the Code Enforcement Officer at the time of filing.
- In the case of construction in a Regulated Area, i.e., in or adjacent to wetlands, flood plains, watercourses, etc., applicant shall obtain Conservation Commission approval before coming to ZBA for any Variance.

ZBA Public Hearings are normally held each month at the Town Hall, and applicants will be informed by mail of the date of the hearing of their application. NOTE: Failure to fully complete Application form and/or related documents by the hearing date may render your application unacceptable for that month's hearing.

**Zoning Board of Appeals
2009 Schedule of Public Hearings
Weston Town Hall
56 Norfield Road
Weston, CT 06883
7:30 P.M.**

<u>Public Hearing Date</u>	<u>Application Date</u>	
January 27	January 9	By 12:00 Noon
February 24	February 6	By 12:00 Noon
March 24	March 6	By 12:00 Noon
April 28	April 9	By 12:00 Noon
May 26	May 8	By 12:00 Noon
June 23	June 5	By 12:00 Noon
July 28	July 10	By 12:00 Noon
August 25	August 7	By 12:00 Noon
September 29	September 11	By 12:00 Noon
October 27	October 9	By 12:00 Noon
November 24	November 6	By 12:00 Noon
<u>DECEMBER NO MEETING</u>		
January 26, 2010	January 8	By 12:00 Noon