

ZONING BOARD OF APPEALS

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TOWN OF SALISBURY CONNECTICUT

Town Hall
P.O. Box 548
27 Main Street
Salisbury, Connecticut 06068

APPLICATION TO THE ZONING BOARD OF APPEALS

Date: _____

Property Address: _____

Zoning District: _____ Assessor's Map#: _____ Lot#: _____

Name of Applicant: _____ Telephone#: _____

Mailing Address: _____

Email Address: _____

If the applicant is not the owner, please provide the following information:

Name of Owner: _____ Telephone#: _____

Mailing Address: _____

Owner Email Address: _____

NATURE OF RELIEF SOUGHT:

_____(I/We) hereby apply for a variance relating to section(s) _____ of the Salisbury Zoning Regulations.

_____(I/We) are appealing a decision of the Zoning Enforcement Officer relating to (Please refer to State Statute § 8-7, regarding the deadline to file an appeal):

_____(I/We) hereby apply for a certificate of approval of the location for a motor vehicle sales or repair business.

INSTRUCTIONS – Read the following instructions so that you are aware of the requirements of the Zoning Board of Appeals (ZBA) and the process for an appeal. Incomplete applications or inaccurate information may result in an application being denied.

1. Procedure

- a. Applications may be obtained from the Land Use Office in the Town Hall or are available online at www.salisburyct.us/zoning-board-of-appeals. An application must be completed and submitted, with supporting materials to the ZBA or to the officer from whom the appeal has been taken, in the Land Use Office at the Salisbury Town Hall. All applications must comply with the provisions of the [Connecticut General Statute Section 8-7](#).
- b. If the space provided on this form is not sufficient for your needs, please use attachments.
- c. Completed applications must be submitted by noon the Thursday prior to a meeting of the ZBA in order to be placed on the agenda. The schedule of meetings and hearings for the ZBA is posted with the Town Clerk and are available at www.salisburyct.us/calendar/
- d. All meetings of the ZBA are open to the public. ZBA hearings are advertised public hearings at which the Board hears testimony from the applicants or their representatives and all other interested parties who may wish to be heard. Once the hearing has been closed, no additional comments from the public or an applicant will be accepted.
- e. The ZBA will render a decision as soon as practicable after the close of a public hearing.
- f. If a variance is granted, the Land Use Office will generate a Land Record Filing Form. It is the responsibility of the applicant/grantee/property owner to file this form in the Office of the Town Clerk including any associated fees. The variance is not effective until this has been completed.
- g. All construction projects dependent upon a setback variance will be granted a building permit for foundation only. An A-2 as-built survey must be submitted to the Land Use Office demonstrating compliance with the approved variance before a building permit will be issued for the remaining work.

2. Variance Criteria – The ZBA will consider the following factors in determining whether to grant a variance:

- a. The variance power should be exercised sparingly and only under exceptional circumstances.
- b. The variance must be shown not to affect substantially the comprehensive zoning plan; and adherence to the strict letter of the zoning ordinances must be shown to cause unusual hardship, unnecessary to the carrying out of the general purposes of the zoning plan.
- c. Proof of hardship must be due to unique circumstances to the land, not created by the applicant or predecessors-in-title. Special conditions and circumstances must exist which are peculiar to the land or structure involved and which are not applicable to other land or structures in the same district. It must also be demonstrated that the property cannot reasonably be developed for another permitted use or that compliance with the regulation will be confiscatory or arbitrary.
- d. Economic hardship such as financial loss or disappointment in the use of property does not constitute a basis for granting a variance. Variances cannot be based on what makes better practical sense or what is more convenient for the property owner.
- e. The fact that a requested variance might be very, very minor in scope does not make it a legal hardship sufficient to support the grant of a variance.

3. Required Supportive Materials – Five (5) copies of plans and maps are required.

- \$360 Fee (Includes \$60 State Fee) is required for all requests - check made payable to the 'Town of Salisbury'
- One copy of the deed and/or a legal description of the property - obtained from the Land Records with the Town Clerk (not required for appealing a decision of the Zoning Enforcement Officer).
- Letter of authorization - in the event that the applicant does not represent himself/herself at the public hearing, the applicant must provide a letter, which authorizes an agent to represent him/her at such meeting.
- Current A-2 Survey (not required for appealing a decision of the Zoning Enforcement Officer)- required unless waived by the Board for good cause shown.
- Two (2) copies of large maps or site plans are required. They must show all data pertinent to the application which shall include at least the following:
 - Date of drawing

- Scale
- North arrow
- Name of person/firm who drew the plan
- Locations and dimensions of property lines, rights-of-way, easements, setbacks, off-street parking, proposed landscaping, existing and proposed structures, and location of any wetlands or watercourses

A list of all abutting property owners and their mailing addresses. This information may be obtained from the Town Assessor’s Office in person or by using their online resources. www.salisburyct.us/assessor

Variance Requests - statement of exceptional difficulty or unusual hardship because of peculiar characteristic of the parcel of land. (Not financial, self-created, or created by predecessor in title. Economic hardship, financial loss, or disappointment in the use of a property are not a proper basis for granting a variance)

Appeals of a decision of the Zoning Enforcement Officer - summary of facts, and copies of all relevant documents and plans relating to the decision being appealed.

If the applicant requesting a variance or location approval is not the owner, the owner should co-sign the application. Alternatively, the applicant should provide a letter from the owner stating that the owner has reviewed the application and consents to the filing of this application. The owner’s signature on the letter must be notarized.

I, the undersigned applicant, understand that decisions of the Board are based on information, submitted by me and that falsification by misrepresentation, omission, or failure to comply with the conditions of approval shall render this permit null and void. I further understand that it is my responsibility as the applicant to obtain other required approvals prior to the commencement of work or use.

Applicant’s Signature: _____ **Date:** _____

Owner’s Signature: _____ **Date:** _____

I further authorize Town agents to enter the property while the appeal is pending for the purpose of inspection with regard to this application.

Applicant’s Signature: _____ **Date:** _____

Owner’s Signature: _____ **Date:** _____

Please indicate below who should be contacted to coordinate inspections and the best method of contact:

Name and Title of Contact: _____

Preferred Method of Contact: _____

Note: Decision of Notice will be filed with the Town Clerk after approval/denial and APPLICANT is responsible for cost of filing fees. Fees are \$10 for first page and \$5 each additional page.

FOR OFFICE USE ONLY

\$360 Fee Payment Method: _____ Date: _____

Decision Date: _____ Approved Denied

Conditions or Comments: _____

