

TOWN OF CROMWELL ZONING BOARD OF APPEALS

Application Instructions

1. Eligibility:

The Zoning Board of Appeals has the authority to give a waiver ("variance") from the zoning regulations to owners of property who are prevented from doing something on their property due to the zoning regulations.

To be eligible for a variance, your situation has to be both unusual (in other words, something that no one else in your neighborhood has to deal with) and related to the land itself (such as a steep slope, or an unusual shape). It cannot be due to your personal or family situation. "We've outgrown our little house and we need to add another bedroom" is NOT a valid reason for a variance. Your desire to profit from the sale of your property is also NOT a hardship. You must identify the specific zoning regulation that pertains to you and explain to the Zoning Board of Appeals why you feel this zoning regulation is causing a "hardship" for you.

2. Application:

a. Application Form: Explain in your own words why you feel a hardship exists. Remember, the hardship cannot be financial nor personal.

b. Plot Plan: The application should be accompanied by a plot plan showing the location of the proposed building and the distance to the property boundaries. This plot plan does not have to be done by a professional, but in some cases a plot plan prepared by a surveyor is required. If you are submitting a plot plan larger than 8.5" x 11", submit ten copies.

3. Meeting Date:

The ZBA meets on the second Tuesday of the month at 6:30 pm in Room 224 of Cromwell Town Hall.

4. Public Hearing:

By state law, all applications for variances must have a public hearing.

At the public hearing you will describe your situation and explain why you feel the variance should be granted. The public will have the opportunity to ask questions.

In most cases a decision is made that night, but the ZBA reserves the right to continue the hearing to receive additional information.

5. Notice to Neighbors:

At least fourteen days before the public hearing you must notify the owners of all properties within 100' of your property. You may use the attached form letter and send it with a copy of your application.

You must mail these letters from the Post Office, and you must get a "Certificate of Mailing" from the postal worker which you will submit to the ZBA. You can get the names and addresses of property owners from the Town Planner or from the Cromwell Tax Assessor.

6. Sign:

You must post a sign or signs announcing the scheduled public hearing. The sign or signs shall be at least sixteen square feet in size, and shall contain your name, the application file number, and the date, time, and location of the public hearing in letters at least four inches high. One sign must be posted on every side of the property on a town road, not more than five feet from the edge of the property. The sign shall be two-sided and perpendicular to the street. The sign shall be in place continuously for fourteen days prior to the public hearing and shall remain in place throughout the public hearing.

At the hearing you must submit an affidavit certifying that the sign has been in place for the required amount of time.

7. Approval:

If the ZBA grants your request, your variance will be sent to you by certified mail about three weeks after the meeting. You must take your variance to the Town Clerk to be recorded in the Land Records. The variance is not valid until it is recorded. The filing fee is approximately \$55.

CHECKLIST

THIS IS YOUR CHECKLIST! KEEP IT! It is for YOUR benefit, to make sure you have complied with all of the application requirements.

Did you:

- _____ 1. Fill out the Application Form completely?
- _____ 2. Submit a map or a plan showing the location of the proposed construction, its dimensions, and the property boundaries?
- _____ 3. Submit a "zoning location survey" (if required)?
- _____ 4. Pay the Application fee of \$160?
- _____ 5. Post the 4'x4' sign, and prepare an Affidavit to give to the ZBA?
- _____ 6. Get the addresses of all property owners within 100' from the Town Planner or the Tax Collector?
- _____ 7. Notify the neighbors by mail, and get a "Certificate of Mailing" from the Post Office?
- _____ 8. Submit the "Certificate of Mailing" to the Town Planner?