

Zoning Board of Appeals (ZBA)

Legislative Reference:

State: CGS 8-5 et seq.

Town: previously in 1987 Charter Sec. 5.7.; Ordinance March 19, 1962 provided for alternate members.

Other Bylaws and/or Rules of Procedure: 1987 Zoning Regulations as amended.

Type: Statutory and permanent.

Geographic Responsibility:

Town but not City, Groton Long Point, or Noank (independent zoning districts).

History: Established through passage of Ordinance on June 14, 1956 entitled "An Ordinance adopting Zoning and Planning and Creating a Zoning and Planning Commission and a Zoning Board of Appeals." Amended by Ordinance #38 to include the Mystic Fire District.

Powers and Duties:

General: To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the zoning enforcement official. To determine and vary the application of the zoning regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values in which a literal enforcement would result in exceptional difficulty or unusual hardship. (CGS 8-6)

Specific: The concurring vote of four (4) members shall be necessary to reverse any order, requirement or decision of the zoning enforcement official, or to decide in favor of the applicant any matter which it is required to pass, or to grant a variance. (CGS 8-7)

The statutes provide for time limits for scheduling hearings and rendering decisions. (CGS 8-7d)

Appointing Authority: Town Council. (1987 Charter 5.7)

Term of Office: Five (5) years, staggered. (1987 Charter 5.7)

Membership:

Number: Five (5) members, three (3) alternates. (1987 Charter 5.7)

Requirements: Resident electors of the town. (1987 Charter 5.7)

A member cannot also be a Zoning Commission member. (CGS 8-5)

Town employees may not serve on inland wetlands, land use, planning, zoning commissions. (CGS 7-421(e)).

Meeting Schedule and Location: Twice a month at the Town Hall Annex.

Staff: Office of Planning and Development Services (OPDS).

Records: Located in the Office of Planning and Development Services.

Agendas and minutes also on file in the Town Clerk's office.

Variations granted are recorded in the Town Clerk's Office - Land Records.

Further information:

Regular members only shall elect a Chairman from among its members. Such Chairman may administer oaths and compel the attendance of witnesses. (CGS 8-5) If a regular member is absent, he may designate an alternate to act in his place; if he fails to make such designation or if he is disqualified, the Chairman shall designate an alternate, choosing alternates in rotation. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes. (CGS 8-5a)

Any variance granted by the board shall run with the land and shall not be personal in nature to the person who received the variance. (CGS 8-6)

OPDS /Planning: 446-5970.