



## **ZONING ADMINISTRATORS INTERPRETATION CONCERNING SUBSTANDARD LOTS**

### **Pertinent Zoning Regulation Sections**

#### 1.78 Substandard lots.

Any lot in single ownership, which ownership was on record at the time of adoption of this ordinance, that does not meet the requirements of this ordinance for required lot width or lot area, may be utilized for uses permitted in the zoning district in which the lot is located, provided all the requirements for such zoning district, except the required lot width or lot area, are met on said lot.

#### 3.23 (c) [RL District]

On substandard lots only a one-family dwelling shall be allowed.

#### 9.4 EFFECTIVE DATE.

This ordinance shall become effective July 1, 1982.

### **Combination of Platted Lots**

When an owner voluntarily combines lots, the each of the original lots ceases to exist and a new lot is created. The resulting lot would be either less substandard or conforming. In either case the owner has forfeited the substandard nature of the original lots and can not recreate lots with more substandard conditions.

If the resulting lot remains "substandard" the provisions of Section 1.78 would apply to the newly created lot.

### **Method of Determination**

- (1) If the owner has continuously (since July 1, 1982) paid taxes on the substandard lot as an independent development lot it is not combined. (Separate tax parcel since 1982 and not classified as "excess land" or other assessment category indicating no development capacity.
- (2) If the substandard lot has continuously (since July 1, 1982) had a separate deed on file in the land records it is not combined.
- (3) If neither item #1 or #2 applies, the applicant must appeal the ZEO decision to the Zoning Board of Appeals. All discretionary arguments must be made to the ZBA during a public hearing.

## **ZBA APPEAL PROCEDURE**

To Appeal the ZEO Determination please submit eleven copies of a letter requesting the appeal and all supporting material.

The ZBA Public Hearing Fee is \$630.00

## **PUBLIC HEARING NOTIFICATION REQUIREMENTS**

### **NEARBY PROPERTY OWNER INFORMATION**

You must prepare a list of and mailing labels for:

- (1) All property owners who own property which is the subject of a public hearing regarding an application, and.
- (2) All property owners who own property, in whole or in part, within 500 feet of the boundary of any property subject to the application;

Property owners above refers to the owners of the land.

The names and addresses of the property owners above shall come from a list prepared by your surveyor using the assessor's records and maps.

The City Must mail postcards to the property owners at least 15 days prior to the public hearing.

### **PROPERTY SIGN REQUIREMENT**

- (1) Signs will be provided by the City Planning Department. A \$100 refundable deposit per sign is required and will be returned when the sign is returned in good condition.
- (2) A sign must be posted on every paved street frontage of the area which is the subject of a Public Hearing.
- (3) Multiple signs must be posted no further than 500 feet apart along any single frontage.
- (4) Sign(s) must be placed in close proximity to the street or highway with a clear and unobstructed visibility to the passing public.
- (5) The applicant shall place said sign(s) fifteen full days prior to the day of the Public Hearing commences and reasonably maintain such signs until the day following the close of the Public Hearing.
- (6) The applicant shall remove required signs after the close of the public hearing.
- (7) Complete the attached affidavit indicating compliance with the foregoing requirements regarding sign placement. Have your signature notarized and return the notarized document when you return the sign.
- (8) Failure to post and/or maintain said signs shall be cause for the Commission to deem an application as incomplete. Failure to file the affidavit may provide a basis for a future challenge to your zone change.

**NOTICE OF RIGHT TO ADVERTISE** (CGS 8-3 (f)) No building permit or certificate of occupancy shall be issued for a building, use or structure subject to the zoning regulations of a municipality without certification in writing by the official charged with the enforcement of such regulations that such building, use or structure is in conformity with such regulations or is a valid nonconforming use under such regulations. Such official shall inform the applicant for any such certification that such applicant may provide notice of such certification by either (1) publication in a newspaper having substantial circulation in such municipality stating that the certification has been issued, or (2) any other method provided for by local ordinance. Any such notice shall contain (A) a description of the building, use or structure, (B) the location of the building, use or structure, (C) the identity of the applicant, and (D) a statement that an aggrieved person may appeal to the zoning board of appeals in accordance within thirty days of the publication of the notice.