

**TOWN OF WOLCOTT
ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

Please note: This application is for a variance only. If approved, all appropriate permits must still be filed with the Planning & Zoning Department.

FOR OFFICE USE ONLY

DATE RECEIVED: _____ DATE PAID: _____

APPEAL #: _____ APPLICATION FEE: \$ _____ DEEP FEE: \$ _____

THIS APPLICATION MUST BE FILLED OUT IN ITS ENTIRETY, AND SUBMITTED WITH ALL SUPPORTING DOCUMENTATION REQUIRED, OUTLINED IN 'Instructions & Procedures'. THERE ARE NO EXCEPTIONS.

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

PHONE NUMBER: _____

NAME OF PROPERTY OWNER: _____

ADDRESS OF PROPERTY OWNER: _____

BRIEFLY DESCRIBE THE ACTIVITY YOU PROPOSE: _____

TAX ASSESSOR'S MAP: _____ LOT # _____ ZONE _____

LOCATED _____ FEET FROM THE NEAREST INTERSECTION OF _____

THIS APPEAL RELATES TO: (check)

- | | | |
|-------------------|--------------------|-------------------------|
| ____ USE | ____ BUILDING LINE | ____ HOME OCCUPATION |
| ____ FLOOR AREA | ____ OTHER | ____ YARDS |
| ____ LOT COVERAGE | ____ SIGNS | ____ ACCESSORY BUILDING |
| ____ HEIGHT | | |

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HAVE ANY PREVIOUS APPEALS BEEN FILED IN CONNECTION WITH THESE PREMISES? _____

IF SO, DATE & NATURE OF APPEAL FILED: _____

EXPLAIN SPECIFIC HARDSHIP (PROOF of a TRUE Hardship is a legal requirement for a Zoning Board of Appeals to issue a variance) {SEE ATTACHED}

LIST ALL PROPERTY OWNERS ADJACENT TO ANY PORTION OF THE PROPERTY, INCLUDING PROPERTIES THAT ARE ACROSS THE STREET:

NAME _____ ADDRESS _____

I/WE HEREBY STATE THAT ALL INFORMATION CONTAINED WITHIN THIS APPLICATION, AND/OR ANY OTHER PAPERWORK SUBMITTED WITH THIS APPLICATION IS TRUE TO THE BEST OF MY/OUR KNOWLEDGE.

SIGNATURE OF OWNER/AGENT

DATE

SIGNATURE OF APPLICANT/AGENT

DATE

VARIANCE:

A Variance is authority extended to the owner to use his property in a manner forbidden by the zoning regulations. A Variance does not create a change of zone, for a particular parcel, but authorizes the landowner to use his property in a manner prohibited by regulations.

PLEASE NOTE: ALL APPLICATIONS TO THE ZONING BOARD OF APPEALS MUST STATE A HARDSHIP IN ORDER TO BE CONSIDERED FOR A VARIANCE.

HARDSHIP:

A peculiar or unique feature of a particular piece of property that **PREVENTS** the landowner from making a **reasonable use** of the property in conformance with the existing zoning regulations. A hardship has nothing to do with the personal circumstances of the landowner. The fact that the owner might be able to make a more profitable use of the land, if it were not for the zoning regulations, does **NOT** equate to hardship. **Proof of a true hardship is a legal requirement for a zoning board of appeals to issue a variance.**

STATE OF CONNECTICUT – DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION (DEEP)

Connecticut General Statutes Section 8-6

- Financial considerations are rarely a valid reason for issuing a variance; the possible economic advantage to the landowner is not sufficient. **The fact that the proposed use will not be detrimental, and may even be beneficial, to the neighborhood is not sufficient.**
- **Self created hardship is not sufficient grounds for granting a variance;** i.e., the landowner must not have taken any action that caused the hardship to occur. In some cases, the simple fact that a landowner purchased his or her property with knowledge of the zoning restrictions may prevent a valid claim of hardship. When a condition which results in the hardship is due to one's own voluntary act, **the zoning board is without the power to grant a variance.**
- The hardship must arise from the operation of the regulations on the **land, not on the landowner,** and the land must be 'peculiarly disadvantaged' by the regulation for which the variance is sought.
- **Disappointment in the use of property** does not constitute exceptional difficulty or unusual hardship and a variance should not be granted unless it is in harmony with the general purpose and intent of the zoning ordinance.
- A hardship resulting from the peculiar topography or condition of the land, or a peculiar location **which makes the property unsuitable for the use permitted in the zone in which it lies,** may well be such a hardship as is contemplated by the ordinance.