



Town of Washington – Zoning Board of Appeals

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Land Use Office: 860-868-0423 • Pam Osborne, ZBA Secretary

Guidelines for Special Exception Petitions for expansion of a nonconforming dwelling

When a Special Exception is Appropriate

The Town of Washington is a century and a half older than its Zoning Regulations, and contains many dwellings that predate the adoption of the Regulations, or the adoption of subsequent revisions, additions, or amendments to the Regulations, and would not be permitted if proposed today. These nonconforming dwellings include some of the oldest and most historic structures in town. To ensure that such dwellings may continue to be used, the Regulations permit the Zoning Board of Appeals (ZBA), after holding a public hearing, to grant a Special Exception to particular regulations, if certain conditions are met. Please see Section 17.5 [Special Exceptions for Nonconforming Structures] of the Zoning Regulations, the information below in these guidelines, and the Petition for Special Exception for Expansion of Nonconforming Dwelling. The ZBA has prepared these guidelines in an effort to clarify the application process. These guidelines are intended to give only a general overview of the special exception process. They should not be viewed as comprehensive. The ZBA cannot give legal advice.

Dates of ZBA Meetings

Regular meetings of the ZBA are usually held on the third Thursday of each month at 7:30 p.m. in the Land Use room on the lower floor of Town Hall. Please check the Town Calendar or Web site [www.washingtonct.org] for possible schedule changes.

Every effort will be made to schedule any application for hearing at the next regular meeting of the ZBA provided that the completed application form is filed with the Secretary not less than twenty-one (21) days prior to the date of the meeting.

Required Copies

Applications must be filed with the Zoning Board of Appeals with an original plus 8 copies, and the original copy must be signed. All information called for on the form must be given and shall be concisely stated. Additional statements, if essential, may be attached on separate sheets.

Maps, Plans, Photographs and Density Calculations

Applications involving questions of lineal dimensions or area of land, structures or both, should be accompanied by a Class A-2 plot plan and building plans giving clear and complete details of the case. A copy of each plan must be attached to each copy of the application.

Plot plans must be drawn to scale, accurately showing lot dimensions, area, location, and size of all existing and proposed buildings and hardened surfaces on the property, existing and intended sizes of each building or part of building, the location of the well, septic tank and field, and any other information needed to clarify and define the questions involved. If lot coverage could be an issue, then a

Density Calculation form should be included. Please refer to Section 21 of the Zoning Regulations for the definitions of Setback and Lot Coverage; measurements must be made in accordance with these definitions. Please also see Section 11.6 for Minimum Setback and Yard Dimensions.

If topographical conditions are claimed as the basis of the “special circumstances” in requesting a Special Exception, the application shall be accompanied by photographs or by a topographical survey showing the conditions.

Informing the Neighbors

Before the public hearing on the application can proceed, the petitioner must supply evidence of certified mail notification of the owners of record (in the Assessor’s office) of all properties within 200 feet of the subject property’s boundaries, including those directly across any road, street or highways bounding it. The notification sent must include the nature of the request and the date of the hearing.

Fees to be Paid

Fees of \$150 and \$30 (in separate checks) must accompany each application filed with the Secretary of the ZBA. Check or money order must be payable to the Town of Washington.

Presence Required

The applicant or his/her designated agent or attorney **MUST** attend the hearing. The ZBA, in its discretion, may dismiss any application without prejudice for failure to comply with any of the foregoing guidelines and procedures.

Approval, Filing, and Duration

An approval of a Special Exception becomes effective only after proper notice has been published and the applicant has filed a copy of the approval letter with the Town Clerk on the Land Records (Sect. 8-3c of the Connecticut General Statutes).

All documents presented at the hearing will be taken as evidence in the application file, and will not be returned.

An approved Special Exception not put into effect within one year becomes null and void.