

SECTION 7 ZONING PERMITS

In the enforcement of these Regulations, a Zoning Permit may be issued in combination with a Building Permit, and Certificate of Zoning Compliance may be issued in conjunction with a Certificate of Occupancy, as required by CGS §8-3(f).

7.1 Application: Applications for Zoning Permits for uses designed "P" (Permitted) in the Schedules shall be submitted to the Zoning Enforcement Officer (hereinafter called "ZEO") on a form provided by the Commission prior to construction, reconstruction, extension, enlargement or moving of any building or other structure. Applications for Zoning Permits shall be accompanied by an application fee as specified in Section 5 of these Regulations and by the following:

7.1.1 Plot Plan: A plot plan must be submitted in duplicate, drawn to scale, showing the following, both existing and proposed:

- (a) The area of the lot and the dimensions, radii and angles or bearings of all lot lines.
- (b) The height, dimensions, use, floor area, ground coverage and location of all buildings and other structures.
- (c) The location of any existing or proposed on-site sewage disposal system, leaching field expansion area and water supply well or water supply lines.
- (d) The location, area and dimensions of off-street parking and loading spaces, signs and other facilities and improvements that are subject to these Regulations; and
- (e) Such additional information as may be necessary to determine compliance with the provisions of these Regulations.

Other Applications: For all uses listed "SP" (Site Plan) or "SE" (Special Exception) or "SxP" (Special Permit) in the Schedules the application shall be submitted to the Office of the Commission at least ten (10) days prior to the next regular meeting of the Commission in order to allow for staff review. The application shall be submitted on a form provided by the Commission and shall be accompanied by maps, plans and documents required by Section 10 and other applicable sections of these Regulations.

7.2 Additional Requirements: The following additional requirements shall apply to the issuance of all Zoning Permits whether authorized as part of the approval of the

plot plan, Planning and Zoning Commission approval of the Site Plans or the Zoning Board of Appeals granting of a variance.

7.2.1 Staking: No Zoning Permit shall be issued by the ZEO for any new construction until the applicant has accurately placed stakes or markers on the lot indicating the location of proposed construction. The ZEO may require the applicant to place stakes or markers on the lot indicating the location of lot lines. The ZEO may require the placement of stakes or markers to be made and certified by either a land surveyor or engineer, licensed to practice in the State of Connecticut.

7.2.2 Measurements: If deemed necessary to determine compliance with these Regulations, the ZEO shall require the applicant to furnish measurements of any construction features subject to the requirements of these Regulations, including setback distances, which shall be prepared and certified by a land surveyor or professional engineer licensed to practice in the State of Connecticut.

7.3 Unless otherwise specifically provided in these Regulations, nothing herein shall require any change in the designated use of any land, buildings or other structures, or part thereof, for which a Zoning Permit has been issued for, provided that the construction of which shall be lawfully in progress on the effective date of these Regulations or any amendment hereto, provided that the construction shall be promptly and diligently prosecuted. Such approved Zoning Permit authorizing plans, construction or a designated use which do not conform to these Regulations or any amendment hereto shall become null and void within a period of one (1) year from the effective date of these Regulations or any such amendment unless the construction authorized thereby shall have been accomplished. The Zoning Board of Appeals may grant one (1) extension of such period for an additional period not to exceed one (1) year after public hearing for good cause shown.

7.4 Amendments: Notwithstanding the provisions of Subsection 7.3, no application for a Zoning Permit shall be approved by the ZEO authorizing plans, construction or a designated use which do not conform to any proposed amendment of these Regulations if the first notice of a hearing on such amendment has been published in a newspaper as required by the General Statutes. If, however, the proposed amendment has not been adopted and made effective within sixty (60) days from the date of such first published notice, this restriction shall not apply.

7.5 Zoning Permit and Zoning Certificate: No building or other structure, or part thereof, shall be constructed, enlarged, extended, moved, used or occupied or structurally altered or demolished until a Zoning Permit has been approved by the ZEO.

No land, building or other structure or part thereof requiring a Site Plan as specified in Section 8 shall be used or occupied, or changed in use, until a Certificate of Zoning Compliance therefore has been issued by the ZEO certifying conformity with these Regulations and the approved Site Plan. No Zoning Permit or Certificate of Zoning Compliance, however, is required for a nursery, truck garden or farm when no building or other structure is to be established in connection therewith.

- 7.5.1 The Commission may adopt forms and procedures and collect fees relating to the issuance of a Zoning Permit.
- 7.5.2 The failure of an applicant to provide the statement or to pay any additional fees required under Section 5 shall render the application incomplete and shall provide a basis for the ZEO to deny the application.
- 7.5.3 Whenever a well or on-site septic system is to be installed in connection with or as a part of, any project requiring a Zoning Permit, a copy of the approval of the Director of Health or authorized agent must be submitted with the application.
- 7.5.4 As-Built Plans: The use or occupancy of any land, building or other structure involving site or plot plan approval shall not take place until a Certificate of Zoning Compliance shall have been issued by the ZEO. Upon completion of the project for which a Zoning Permit has been issued, the Applicant shall submit to the ZEO "as-built plans" showing that the project has been completed in conformance with the requirements of the approved site or plot plan. Upon approval of such "as-built plans" the ZEO shall issue a Certificate of Zoning Compliance.
- 7.5.5 Other Permits: It shall be the responsibility of the Applicant to obtain all permits required by other agencies, if applicable, including other local authorities such as the Town's Engineer, Director of Health, and the Inland Wetlands and Conservation Commission, and any department or agency of the State or federal government. The applicant shall provide evidence of application to such agency or agencies, and no Zoning Permit shall be issued until evidence of application for all other permits has been submitted. The Commission may require evidence of approval from other authorities as a prerequisite to zoning approval, and failure to receive approval from other agencies may be grounds for denial of a Zoning Permit.
- 7.5.6 Temporary Zoning Permit: Upon certification by an authorized person of the Department of Health that the public health and safety will not be impaired and there will be compliance with all other laws pertaining to health and safety, the ZEO may issue a Zoning Permit for a period not to exceed one hundred eighty (180) days, renewable for another period not

to one hundred eighty (180) days, for the temporary use of land, buildings, and other structures in the process of improvement and completion in accordance with an approved application for which a Zoning Permit has been issued.

- 7.6 Demolition: If a building or structure of fifty (50) years or is to be demolished, no demolition shall occur for ninety (90) days after the legal notice of demolitions. Demolition must be legally noticed by the applicant's posting of the sign, readable from the street on which the site fronts, stating, "This structure shall be demolished in 90 days after (date of post of sign). At the conclusion of the ninety (90) days posting period, the demolition permit shall be issued.

A waiver of the ninety (90) day period may be issued by the Planning and Zoning Commission if circumstances demonstrated to the Commission upon written application warrant such a waiver. Nothing herein contained shall prevent the immediate demolition of any structure upon the order of the Town Building Official whenever, in his judgment, there exists a risk to public safety.