



**Town of Wethersfield**  
**505 Silas Deane Highway**  
**Wethersfield, CT 06109**  
**Phone (860)721-2848**  
**www.townofwethersfieldct.com**

## **ZBA APPLICATION PACKET**

### **INSTRUCTIONS:**

Please note the list of materials must be submitted to the Building Department. It is the applicant's responsibility to provide all the information. The Wethersfield Zoning Regulations are available on line ([www.wethersfieldct.com](http://www.wethersfieldct.com)). If you have any questions/concerns please contact Zoning Enforcement Officer (ZEO) at 860-721-2848.

### **DEADLINE FOR APPLICATIONS:**

Due to legal notice requirements, applications must include all supporting materials, and be submitted by the deadlines listed in this packet, in the Building Department, 2<sup>nd</sup> Floor, 505 Silas Deane Highway, Wethersfield, CT 06109, in order to be put on the agenda for the same month. The meetings are held the **4<sup>th</sup> Monday** of each month at 7 p.m. The schedule and deadline for the meeting dates are attached.

### **APPLICATION FEES:**

Variance application fee is \$185.00 along with a sign deposit fee of \$50.00 which is required at the time of submission. The sign deposit will be refunded once the sign is returned. (We accept cash/checks)

### **SUBMISSION REQUIREMENTS:**

**One (1) original** and nine (9) copies of all documents. You are required to submit scaled plot plan/site plans (scale 1"=20'), floor plans, and elevation drawings. Show existing buildings, existing fences or retaining walls. All maps must be folded. (See Appendix B – Plot Plan requirement is attached). Please discuss the need for a licensed surveyor to prepare the plan with the Zoning Enforcement Officer.

### **NEIGHBORHOOD NOTIFICATION:**

You are required to notify abutting properties owners by mail within 300 feet of the subject property. The Town provides the applicant with a list of mailing labels and the legal notice to send to the abutting properties. Also the Town provides a sign to post on your property on **all street frontages**. Signs must be visible from the roadway. When sending the abutters notice and posting the sign, it must be mailed/posted **no later than 10 days prior to the meeting date**. Once the abutters' notices are mailed by certificate of mailing, you are required to bring proof mailing to the Building Department at least 5 days prior to the meeting. The post office will stamp your list of abutters. **Failure to post your sign or mail your abutters will result in your application being incomplete and your application will not be heard.**

### **APPLICANT/AGENT MUST BE PRESENT AT THE MEETING.**



**TOWN OF WETHERSFIELD  
ZONING BOARD OF APPEALS  
VARIANCE APPLICATION**

1. Applicant_____	Phone_____
2. Address_____	Zone_____
3. Email_____	Cell phone_____
4. Property Owner_____	
5. Address/Phone _____	

**6. Property Address (include tax map ID)**

\_\_\_\_\_

**7. Variance/Special Exception Requested ( include section of the regulations)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Do you have a Hardship as defined by Connecticut General Statute, Volume 2, Title 8, Zoning, Chapter 124 Section 8-6? (Hardship: where application of the zoning regulation(s), due to an unusual characteristic/condition of "your" property, but not generally affecting the district in which it is situated, would result in "exceptional difficulty", or "unusual hardship".)**

**YES                      NO                      (Circle one)**

**If yes, please state your hardship, which cannot have been caused by the applicant. (Example: substantial rock ledge or steep slopes within the required lot setbacks, reducing the effective buildable area below what would be without those conditions.)**

**8. Describe in detail the difficulty or unusual hardship**

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\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

**9. Please list any variances and the date with the decisions for this property:**

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10. Are there Wetlands on the property? Yes No (circle one)
11. Do you have a septic/well? Yes No (circle one)
12. Are you in the Historic District? Yes No (circle one)
13. Is this property within 500 feet from another town? Yes No (circle one)

**I understand that by applying, I grant permission for members of the Zoning Board of Appeals and staff to enter upon the subject premises for the purpose of making visual examination of same.**

All the above statements contained in any papers submitted herewith are true to the best of my knowledge and belief.

Applicant's Signature\_\_\_\_\_ Date\_\_\_\_\_

Property Owner Signature\_\_\_\_\_ Date\_\_\_\_\_

Authorized Agent Signature\_\_\_\_\_ Date\_\_\_\_\_

**ZBA #**\_\_\_\_\_

**Date of receipt**\_\_\_\_\_

**Fee paid/receipt #**\_\_\_\_\_

**Sign deposit receipt#**\_\_\_\_\_

## APPENDIX B - PLOT PLAN REQUIREMENT

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1. Scale 1" = 20' ( with bar scale)
2. Date
3. Title block with:
  - a. Title of map or plan
  - b. Purpose of plan or proposed use (i.e. Site plan, subdivision, etc.)
  - c. Owner's name
  - d. Developer
  - e. Company name
  - f. Revision block
4. Surveyor's or Engineer's seal, signature, A-2 statement, etc.
5. All perimeter dimensions, bearings or angles
6. Lot corner pins or monuments set, found, to be set, etc.
7. North arrow
8. Adjoining property owners
9. Key map
10. Variances with volume and page indicated
11. Outline of building showing complete zoning compliance
12. Zone occupied
13. Lot area
14. Building area and usage of existing or proposed structures
15. Building line
16. Side yard set backs
17. Rear yard set back
18. Any existing or proposed easements on the property , include dimensions and bearings
19. 100 year flood zone, or flood zone it occupies
20. Wetlands limits, if any
21. Map references, if any
22. Basement floor elevation
23. First floor elevation
24. Garage floor elevation
25. Contours, include existing and proposed
26. Street name, address or lot number
27. Distances from house to property lines
28. Silt fence
29. Anti tracking pad
30. Check for tax or Town liens
31. Lot splits require two new separate plot plans, include deed references

## Explanation of a Variance

### What is a variance?

A variance is a request to vary the Zoning Regulations. In other words, a variance lets you do something with your property that the Zoning Regulations do not allow. Approval of a variance depends upon the unique characteristics of the land and runs with the land in the future.

### And what is ZBA?

"ZBA" is the Zoning Board of Appeals. ZBA members are volunteers appointed by the Town Council. There are five regular members and three alternate members. They hear your request for a variance and decide if a variance should be granted.

Variances are granted on the basis of *"exceptional difficulty or unusual hardship"*.

### What does that mean?

Exceptional difficulty or unusual hardship are terms used in the Connecticut General Statutes to describe the conditions that must be met before the ZBA can grant a variance. You must show the ZBA that there are special conditions or circumstances *affecting your property* but not affecting other properties in the zoning district. These conditions or circumstances must be related either to the property's unusual shape or topography or to the condition or location of an existing structure.

The exceptional difficulty or unusual hardship cannot be because of something you did, such as putting up a building without a permit.

You must show the ZBA that **without the variance you would have no "reasonable" use for the property**. "Reasonable use" is not simply the alternative that is most convenient or least expensive for you to take.

You must also show the ZBA that **what you want to do will not hurt or lessen the value of the surrounding properties**. As a condition of granting the variance, the ZBA can require you to modify your plans so that your neighbors will not be affected.

### An example of a hardship:

A situation where wetlands or steep slopes limit the placement of a home on an existing lot in strict conformity with the regulations is typically a valid hardship.

Some other examples:

**I want to build an addition to my house that does not meet setback requirements. I have a growing family - does that count as a hardship?**

No. Hardship relates to the land - not the person. If you already have a house on the property - even if it is smaller than you like - then you have a "Reasonable use" of the property.

**I need to expand my business but I can't afford to expand the parking lot to have adequate parking. Does my financial situation count as a hardship?**

No. The exceptional difficulty or unusual hardship cannot be just financial

**How to apply for a variance.**

You must fill out an application form explaining what variances you are applying for and what hardship you are claiming.

State statutes require the ZBA to hold a public hearing on all variances. When you submit the application, you will be told the date of the public hearing.

At least ten days prior to the public hearing, you must notify, by certificate of mailing, all abutting property owners of the time, date and location of the public hearing.

At least ten days prior to the public hearing you must post on your property a sign visible to the public giving the time, date and location of the public hearing.

**Procedure at the hearing**

You will be given an opportunity to present your case as to why you should be granted the variance.

Then ZBA Chairperson will ask if anyone wishes to speak in favor or in opposition of this application.

Reports from Town Staff members are read.

Any ZBA member may ask you questions about the property and your reasons as to why you should be granted the variance. **Remember it is your responsibility to show them that you have a legal hardship.**

After all sides are heard from, the Chairperson "closes" the public hearing. At that time, the ZBA can hear no more testimony about the application; however, they can question staff.

**When does the ZBA make their decision?**

The ZBA will usually vote right after the public hearing is closed, but they have 65 days after the closed public hearing to make their decision.

By State Statute, four of the five members must vote in favor of a variance if it is to be granted.



## ZONING BOARD OF APPEALS

### 2025 MEETING DATES

Application Deadline	Meeting Dates	Meeting Location
January 6	January 27	Town Hall Council Chambers
February 3	February 24	Town Hall Council Chambers
March 3	March 24	Town Hall Council Chambers
April 7	April 28	Town Hall Council Chambers
May 6	May 27, Tuesday	Town Hall <b>Conf. Rm. #3, Basement</b>
June 2	June 23	Town Hall Council Chambers
July 7	July 28	Town Hall Council Chambers
August 4	August 25	Town Hall Council Chambers
September 1	September 22	Town Hall Council Chambers
October 6	October 27	Town Hall Council Chambers
November 3	November 24	Town Hall Council Chambers
November 24	December 15	Town Hall <b>Conf. Rm. #3, Basement</b>

*PLEASE NOTE THAT ALTHOUGH A PHYSICAL LOCATION OF MEETINGS IS DESIGNATED, IT MAY BECOME NECESSARY TO CHANGE THE VENUE OR TO HOLD THESE MEETINGS VIRTUALLY AND APPLICANT WILL BE DULY NOTIFIED.*

*Meeting start time 7:00 p.m.*