



PUBLIC HEARING NOTICE

Zoning Board of Appeals (ZBA)

Abutting property owners are hereby notified of a public hearing scheduled for:

Date: _____ **Time:** _____

Location: Virtual Meeting-Instructions on how to participate can be found on the meeting agenda which will be posted at least 24 hours in advance of the meeting at <http://www.mansfieldct.gov/Admin/AgendaCenter>.

Type of Application

Please see the reverse side of this notice for descriptions of each application type

Variance	Special Exception	Appeal of Zoning Agent Decision
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Applicant: _____

Owner: _____

Subject Property: _____

Description of Application: _____

Attachments

- ZBA Application Form
- A description of the request
- A scale drawing of the project on the applicant's property showing pertinent details with dimensions specified relative to the existing structure.

Public Hearing Process

- The ZBA welcomes the comments and opinions of neighboring property owners through written comment and/or during the public hearing, at which time questions can be answered and relevant issues clarified.
- Neighbors are encouraged to carefully examine the proposed project and to evaluate the possible impact of the proposal on their own property.
- The applicant's full application is available for review at the Department of Planning and Development.
- Any questions pertaining to the proposed project may be directed to the Department of Planning and Development at 860.429.3330.
- All comments, written or verbal, must be received by the ZBA before the closing of the public hearing. Written comments may be submitted via email to planzonedept@mansfieldct.org or in hard copy to the Department of Planning and Development (address below). No comments will be accepted after the close of the public hearing.

Applicant Instructions

- This notice must be sent at least **ten (10) days prior to the Public Hearing** via certified mail or the alternative notice procedures established in Executive Order 71 for the duration of the COVID-19 pandemic. To verify that notice requirements have been met, applicants are required to submit receipts of Certified Mailing (green and white) and one copy of information mailed to property owners. Failure to meet notice requirements may necessitate delays in application processing and/or the scheduled public hearing.
- Where the University of Connecticut is listed as an abutting property owner, please send the required notice to: University of Connecticut, Associate Director of Real Estate, University Planning, Design and Construction, 31 LeDoyt Road-Unit 3038, Storrs, CT 06269-3038

Application Types

Variance. A variance is a variation of a provision of the zoning regulations granting authority to a property owner to use his or her property in a manner not permitted by the regulations. It can be granted at the discretion of the Zoning Board of Appeals only on the grounds of hardship for the particular property involved. This means that if the zoning regulations are strictly enforced, exceptional difficulty or unusual hardship will result. Unusual shape or topography or other characteristics of the property, which would interfere with its reasonable use, are examples of hardships, which can be valid grounds for a variance. Personal or financial hardship for the owner, or hardship which is the result of the owner's actions (both past and present), cannot be considered sufficient grounds for a variance. A variance becomes a part of the Land Records and does not cease when the applicant no longer owns the property.

Special Exception. Structures and uses that complied with the Zoning Regulations in effect at the time they were permitted but do not comply with current regulations are considered to be non-conforming. These structures and uses may lawfully continue to exist as long as they are not "abandoned" in the future. When one wishes to alter such a non-conforming structure, a special exception from the ZBA may be required by Article 9 of the Zoning Regulations. In order for the ZBA to grant approval, it must be demonstrated that the proposed alteration will not significantly or adversely affect the character of the neighborhood or the property values of the neighbors. Changes from one non-conforming use to another non-conforming use and expansions of existing nonconforming uses require special permit approval from the Planning and Zoning Commission (PZC).

Appeal of Zoning Agent Decision. The Zoning Agent is the legal enforcement officer of the Zoning Regulations. If the Zoning Agent refuses to issue a permit to initiate a project because, in his/her opinion, some feature of the project conflicts with the regulations, the affected party may appeal the decision to the ZBA. The Zoning Agent may also issue a Cease & Desist order to a property holder and if the property owner feels the Agent erred. they have a right to appeal to the ZBA. After hearing the facts in the case, the ZBA may find that an error was made. In this case, the Zoning Agent would be directed to issue the necessary permit or remove the Cease & Desist order. If the ZBA find that no error was made, the Zoning Agent's action stands. However, the applicant may continue their appeal to the Court.

For additional information on the Zoning Board of Appeals process, please contact the Department of Planning and Development.