



APPLICATION FOR TEXT CHANGE OF THE STAMFORD ZONING REGULATIONS

Complete, notarize, and forward **thirteen (13) hard copies and (1) electronic copy in PDF format** to Clerk of the Zoning Board with a **\$1,000.00 Public Hearing Fee** and the required application filling fee (**see Fee Schedule below**), payable to the City of Stamford.

NOTE: Cost of required Public Hearing advertisements are payable by the Applicant and performance of mailing of required property owners is the sole responsibility of the applicant. **LAND RECORDS RECORDING FEE:** \$60.00 for First page - \$5.00 for each additional page)

Fee Schedule

| | |
|-------------------|------------|
| Minor Text Change | \$1,060.00 |
| Major Text Change | \$5,060.00 |

APPLICANT NAME (S): CITY OF STAMFORD ZONING BOARD

APPLICANT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT 06901

APPLICANT PHONE 203-977-4711

IS APPLICANT AN OWNER OF PROPERTY IN THE CITY OF STAMFORD? NO

LOCATION OF PROPERTY IN STAMFORD OWNED BY APPLICANT (S): N/A

PROPOSED TEXT CHANGE: The purpose of this text change is to move Section 17 and Section 18 concerning Zoning Permits and Certificates of Zoning Compliance to Section 19.1 which contains all approval types and require Zoning Permit for activities that are currently not or insufficiently regulated.

DOES ANY PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF THE BORDER LINE WITH GREENWICH, DARIEN OR NEW CANAAN? NO (If yes, notification must be sent to Town Clerk of neighboring community by registered mail within 7 days of receipt of application – PA 87-307).

DATED AT STAMFORD, CONNECTICUT, THIS 24th DAY OF March 20 23

SIGNED: Ralph Blessing

NOTE: Application cannot be scheduled for Public Hearing until 35 days have elapsed from the date of referral to the Stamford Planning Board. If applicant wishes to withdraw application, please notify the Zoning Board at least three (3) days prior to Public Hearing so that the Board may have sufficient time to publicize the withdrawal.

STATE OF CONNECTICUT
 COUNTY OF FAIRFIELD ss STAMFORD 24th of March 20 23

Personally appeared Ralph Blessing, signer of the foregoing application, who made oath to the truth of the contents thereof, before me

[Signature]
 Notary Public - Commission Expires 3/31/27
 Commissioner of the Superior Court

FOR OFFICE USE ONLY

APPL. #: 223-16 Received in the office of the Zoning Board: Date: MAR 27 2023

By: _____

**NARRATIVE: Proposed Text Change to move Sections 17 and 18 of the City of Stamford
Zoning Regulations to Section 19.I**

03/21/2023

1. Purpose

The purpose of this proposed text change is to move relevant regulations concerning Zoning Permits and Certificates of Zoning Compliance to Section 19 which contains all approval types and require Zoning Permit for activities that are currently not or insufficiently regulated.

2. Proposed changes

Current Section 17, Applications and Permits, and 18, Certificates of Zoning Compliance, would be combined and moved to new Section 19.I, Zoning Permits and Certificates of Zoning Compliance.

All types of permits and their administration issued under the Zoning Regulations have been moved to Section 19. It is, therefore, logical to move Sections 17 and 18 there.

Both Zoning Permits and Certificates of Zoning Compliance are issued by the Zoning Enforcement Officer (ZEO), either at the beginning of the development process (Zoning Permits are required for many types of building permits) or the end of the development process (Certificates of Zoning Compliance are required for issuance of a Certificate of Occupancy by the Building Dept.), therefore combining them in one Section is useful.

While most of the proposed changes are related to reorganization and combining the regulations for Zoning Permits and Zoning Certificates with only minor material changes, the proposed text would also expand the scope for which such permits and certificates are required.

Currently, there are no clear regulations for paving projects, such as drive or walkways, parking areas or patios, even though they may be subject to the City's stormwater management or erosion control regulations. Regulating these activities through a zoning permit would create clarity for property owners when permits are required and would eliminate potential problems with water runoff and erosion prior to construction.

Proposed Text Change to move Sections 17 and 18 of the City of Stamford Zoning Regulations to Section 19.I

03/21/2023

AMEND and MOVE Section 17. Applications and Permits, as follows:

SECTION 17

Moved to Sections 19.I.

SECTION 17 19.I. - APPLICATIONS AND ZONING PERMITS AND CERTIFICATES OF ZONING COMPLIANCE

19.I.1.17A. Permits Required Applicability

- a. Except as otherwise provided in these Regulations or other applicable laws, a *Zoning Permit* and *Certificate of Zoning Compliance*, to be issued by the *Zoning Enforcement Officer* or their designee, shall be required for:
- (1) the construction, reconstruction, erection, enlargement, extension, partial or full structural alteration or any other modification of any Building or Structure including Signs;
~~no Building or Structure shall be constructed, reconstructed, erected, enlarged, extended or structurally altered, wholly or partly;~~
 - (2) any use or change of use of and no Use or change of Use of land, Buildings or other Structures including Signs, or part thereof; shall be undertaken or changed, and no
 - (3) excavation for any Building, Structure, Sign or Use shall be made;
 - (4) construction, enlargement, extension, partial or full alteration or any other modification of any driveway or Parking Area, or walkways, patios or other Lot Coverage in excess of 200 square feet;
 - (5) any grading or regrading of a surface area in excess of 200 square feet or within 10 feet of a property line; and
 - (6) the installation of any drainage structures.
~~, until a Zoning Permit has been issued by the Zoning Enforcement Officer.~~
- b. No *Zoning Permit* or *Certificate of Zoning Compliance* shall be issued for any *Building, Structure, Sign, driveway, Parking Area, Use*, or other activity listed in subsection 19.I.1.a. above, that requires issuance of a *Special Permit*, approval of site and architectural plans and requested uses, Coastal Site Plan Approval, general development plan approval, or administrative approval under these Regulations until such approvals have been issued and are

legally in effect.

- c. A *Zoning Permit* or *Certificate of Zoning Compliance* shall be rendered null and void if any substantial changes or alterations are made to the *Plot Plan*, *Building plans* and/or other supporting application documents after the issuance of the *Zoning Permit* or *Certificate of Zoning Compliance*.

19.I.2. 17.B. Application Standards for Zoning Permits Procedure

All applications for a Zoning Permit shall contain the following:

- a. ~~A completed application form be on forms prescribed by the Zoning Enforcement Officer. and shall contain all the information necessary to enable the Officer to ascertain whether the proposed Building, Structure or use complies with the provisions of these Regulations. Applications for a Zoning Permit for a Sign shall contain the information specified in Section 13.C. of these Regulations. Applications for a Zoning Permit for all other purposes shall include~~
- b. A certified *Plot Plan*, drawn to scale, showing:
 - (1) the actual shape and dimensions of the *Lot* to be built upon;
 - (2) the exact size and location on the *Lot* of all existing *Buildings, Structures and Accessory Buildings, driveways, Parking Areas, patios, pathways and other Lot Coverage, drainage structures and areas to be graded*;
 - (3) the lines within which the proposed *Building* or *Structure* shall be erected or altered;
 - (4) the existing and intended Use of each *Building*, or part thereof, the number of families or housekeeping units that a *Building* shall be designed to accommodate; and
 - (5) such other information with regard to the *Lot* and its improvements and neighboring *Lots* ~~that may be~~ necessary to determine and provide for the enforcement of these Regulations, as determined by the Zoning Enforcement Officer or their designee.
- c. The applicable application fee. ~~All applications for a Zoning Permit shall be accompanied by a fee to cover the cost of processing the application, pursuant to the separately adopted Fee Schedule.~~

19.I.3. 17.C. Review Procedure by Zoning Enforcement Officer

a. Zoning Permits.

- (1) All applications for Zoning Permits shall be reviewed by the Zoning Enforcement Officer or their designee.
- (2) The *Zoning Enforcement Officer* or designee shall grant or deny an application for a *Zoning Permit* within thirty (30) days from the date the completed application, ~~with filing fee, was filed with the Zoning Office,~~ was filed with the Land Use Bureau, unless an extension of time is authorized by the applicant. No application shall be deemed complete without the full

application fee received.

~~Upon the receipt of a completed application for a *Zoning Permit* and payment of the applicable fee, the *Zoning Enforcement Officer* shall promptly conduct investigations of the application and the premises as required.~~

(3) An application for a *Zoning Permit* shall be denied if:

- (a) the application does not comply with the requirements of these Regulations,
- (b) ~~if~~ the application is incomplete, or
- (c) ~~if~~ the application contains any false material statements or omissions.

Applicant shall be provided, in writing, with the reasons for the denial.

~~In the case of an Applications for a *Zoning Permit* for a *Signs*: The *Zoning Enforcement Officer* or their designee shall grant or deny such application within ten (10) business days from the date the completed application, with filing fee, was filed with the Land Use Bureau Zoning Office. No application shall be deemed complete without the full application fee received. In the case of applications for *Zoning Permits* for *Signs*, if the *Zoning Enforcement Officer* fails to act within such 10-day period, the *Sign* shall be deemed to not require a *Zoning Permit*, but must comply with all standards of this Section and all other provisions of these Regulations.~~

b. **As-Built Survey for Foundations.** Upon completion of the foundation of any *Building*, the foundation of any addition to a *Building*, or a foundation of any *Structure* for which a *Zoning Permit* has been issued, and before proceeding any further with the construction of said *Building* or *Structure*, the holder of the *Zoning Permit* shall file with the *Zoning Enforcement Officer* an “as-built” survey prepared and certified by a licensed engineer or land surveyor. Such survey shall show said foundation and indicate the distances therefrom to the front, rear and *Side Yard* lines on the *Lot* on which the same is situated. This subsection ~~17.F.~~ 19.I.3.b. shall not apply to *Zoning Permits* for *Signs* without a concrete foundation.

c. **Certificate of Zoning Compliance¹.**

(1) No land shall be occupied or used and no *Building* or *Structure* hereafter erected or altered shall be occupied or used in whole or in part for any purposes, until a *Certificate of Zoning Compliance* has been issued by the *Zoning Enforcement Officer*, or their designee. Such *Certificate* shall state that the premises, *Building*, *Structure* or other activities set forth in Subsection 19.I.1. complies with all terms and conditions of the *Zoning Permit*, with all terms and conditions of any applicable approval issued by the Zoning Board, Zoning Board of Appeals or Planning Board, and with all applicable provisions of these Regulations.

(2) In order to obtain for a *Certificate of Zoning Compliance* there shall be filed with the *Zoning Enforcement Officer*, or their designee, an “as-built” survey prepared and certified by a licensed engineer or land surveyor. Such survey shall show the location of activities

¹ Formerly Section 18. Certificates of Zoning Compliance.

covered by the Zoning Permit and indicate the distances therefrom (a) to all Buildings and Structures on the Lot and (b) to the Front, Rear and Side Yard lines on such Lot.

- (3) Where the issuance of a Certificate of Occupancy is also required, request for a Certificate of Zoning Compliance shall be made at the same time or prior to a request for issuance of a Certificate of Occupancy.
- (4) The request for a Certificate of Zoning Compliance shall be acted upon within thirty (30) days of receipt of the request stating that the premises are ready for occupancy and receipt of all required documentation.
- (5) A request for a Certificate of Zoning Compliance shall be denied if:
 - (a) the request does not comply with the requirements of these Regulations,
 - (b) the request is incomplete, or
 - (c) the request contains any false material statements or omissions.

Applicant shall be provided, in writing, with the reasons for the denial.

~~17.D. GRANT OR DENIAL OF PERMIT APPLICATION~~

~~If, after review and investigation as required herein, the Zoning Enforcement Officer determines that the application meets the requirements contained within these Regulations and other applicable laws, the Zoning Enforcement Officer shall approve the application and issue the Zoning Permit. If, after review and investigation as required herein, the Zoning Enforcement Officer determines that the application does not comply with the requirements of these Regulations or other applicable laws, the application shall be denied and the Zoning Enforcement Officer shall notify the applicant of the reasons therefor. In the case of the denial of an application for a sign permit, a written report of the denial shall be sent by certified mail to the designated return address of the applicant on the application within ten (10) business days after filing of the completed application.~~

19.I.4.17.E. Duration-Validity of Zoning Permit

A Zoning Permit shall be valid for a period of one year only, unless the Zoning Board or Zoning Board of Appeals has approved a phasing plan with a longer time period. A Zoning Permit may be renewed for one additional year, provided the renewal is obtained before the expiration of the initial permit and a substantial amount of work on the project has been performed. ~~This subsection 19.I.4.17.E. shall not apply to Zoning Permits for Signs.~~

17.F. “AS BUILT” SURVEY

~~Upon completion of the foundation of any *Building*, addition to a *Building*, or a *Structure* for which a *Zoning Permit* has been issued, and before proceeding any further with the construction of said *Building* or *Structure*, the holder of the *Zoning Permit* shall file with the *Zoning Enforcement Officer* a certified "as-built" survey prepared by a licensed engineer or land surveyor. Such survey shall show said foundation and indicate the distances therefrom to the front, rear and *Side Yard* lines on the *Lot* on which the same is situated. This section 17.F. shall not apply to *Zoning Permits* for *Signs* without a concrete foundation.~~

19.I.5. 17. G. Variances and Appeals

Any person denied a *Zoning Permit* or a *Certificate of Zoning Compliance* or otherwise aggrieved by a decision of the *Zoning Enforcement Officer* or their designee may apply for a *Variance* from the Zoning Board of Appeals, and/or file a written appeal to the Zoning Board of Appeals within thirty (30) calendar days of the effective date of action by the *Zoning Enforcement Officer* or their designee. The procedures and standards for a *Variance* and an appeal, including the time limits for decisions of the Zoning Board of Appeals, are contained in Section 19.A.2. and 19.B. of these Regulations and Conn. Gen. Stat. § 8-7. Any adverse ruling of the Zoning Board of Appeals may be appealed to the Superior Court of Connecticut under Conn. Gen. Stat. § 8-8, *et seq.*, and other applicable laws. (200-32)

DELETE Section 18 CERTIFICATE OF ZONING COMPLIANCE and ADD the following:

SECTION 18 - CERTIFICATE OF ZONING COMPLIANCE

Moved to Section 19.I.3.c.

ADD Definition for “Zoning Permit” to Section 3.B., Defined Terms

Zoning Permit

A *Zoning Permit* is a permit issued by the *Zoning Enforcement Officer* or their designee required for all *Buildings*, *Structures*, *Signs*, *Uses*, excavations, driveways, parking areas and other activities, pursuant to Section 19.I. of these Regulations.

ADD Definition for “Plot Plan” to Section 3.B., Defined Terms

Plot Plan

A *Plot Plan* is a plan required for the application for a *Zoning Permit* containing the information specified in Section 19.B.2. of these Regulations.

ADD Definition for “Certificate of Zoning Compliance” to Section 3.B., Defined Terms

Certificate of Zoning Compliance

A Certificate of Zoning Compliance is required for the occupancy or use of all land, Buildings, Structures and activities listed in Section 19.I.1. and further specified in Section 19.I.3.c.

ADD Definition for “Variance” to Section 3.B., Defined Terms

Variance

A Variance is relief from certain zoning regulations granted by the Zoning Board of Appeals based on an unusual hardship of the land, pursuant to the standards and procedures of Section 19.B.