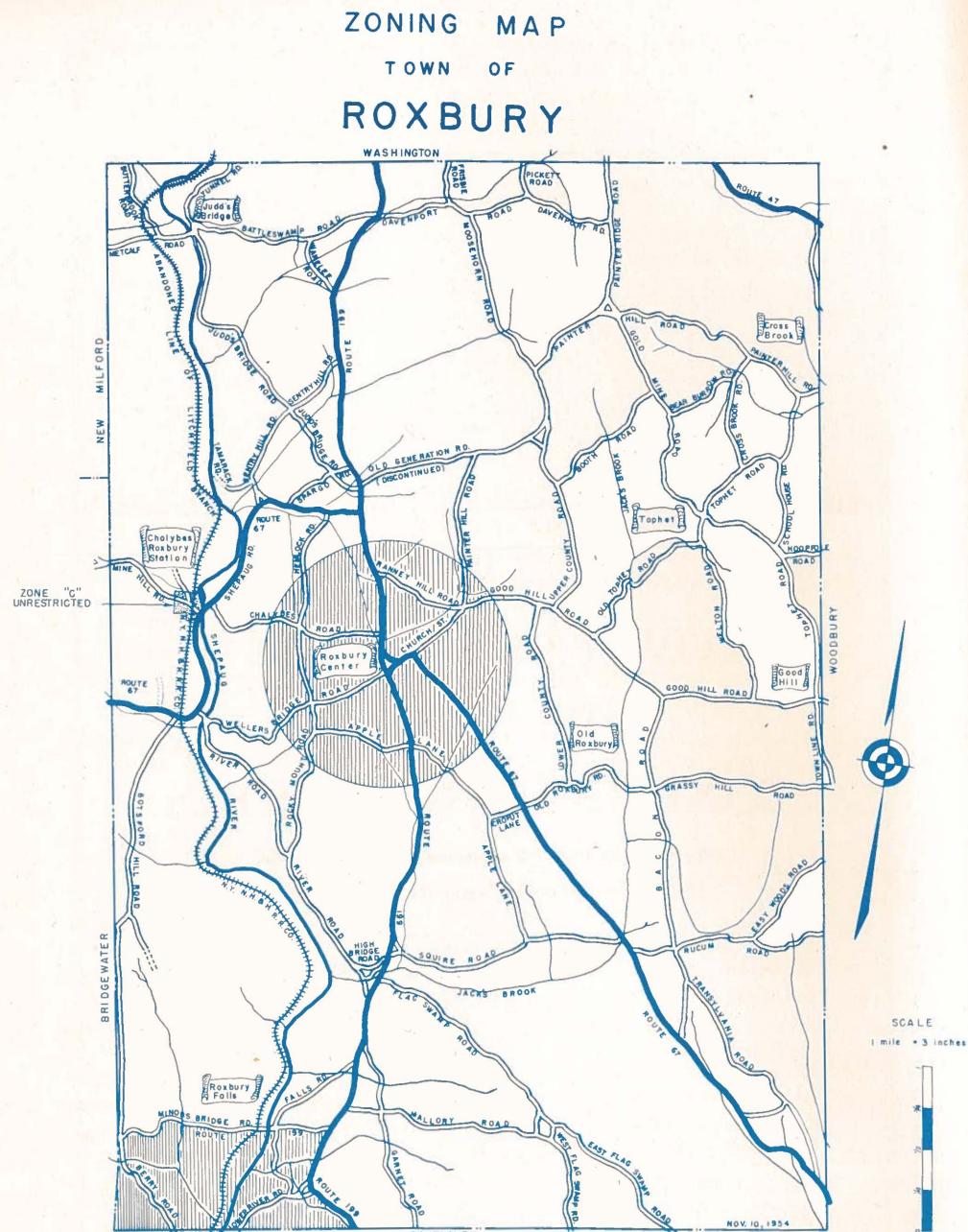


THE
TOWN OF ROXBURY
CONNECTICUT
ZONING REGULATIONS

As Amended on November 10, 1954
and Effective on November 20, 1954



SECTION 1. Kinds of Zones

In pursuance of authority conferred by the General Statutes, as amended, and for the purpose of promoting health, comfort and the general welfare in living and working conditions, the Town of Roxbury is hereby divided into three classes of zones, the boundaries of each of which are hereby established as will appear from the Building Zone Map dated Nov. 10, 1954 and signed by the Chairman and Secretary of the Zoning Commission, which map with the schedules thereon set forth, is hereby declared to be a part of these Regulations.

The three classes of zones are hereby defined to be:

1. "A" Residence Zone
2. "B" Residence Zone
3. "C" Unrestricted Zone

SECTION 2. Residence Zone Uses

In no residence zone shall any building or premises be used or arranged or designed to be used in any part for other than one or more of the following purposes:

1. A single detached dwelling for not more than one (1) family.
2. The office of a member of a recognized profession residing on the premises, providing there is no display or advertising except for a small professional name plate.
3. Schools, public libraries, public museums and churches, parish houses, and Sunday School Buildings, provided, however, that in "B" Residence Zone public utility buildings shall be allowed.
4. Clubs and recreational buildings except those in which the chief activity is a service carried on as a business.
5. Farming (exclusive of commercial hog raising), dairying, cattle or sheep raising, truck gardens, roadside stands for the sale of farm products, provided the major portion of such product is raised on premises adjoining the stand, nurseries and greenhouses, provided that chicken yards, pigstys and allowable accessory buildings such as chicken houses shall not be built within one hundred (100) feet of any street line nor within twenty (20) feet of the side boundary line of any adjoining lot in any residence district. The chicken house is to be construed as a structure to house not over one hundred (100) chickens and to have a floor area of not over three hundred (300) square feet; provided, however, that in "B" Residence Zone the permitted use shall include commercial hog raising and chicken raising in addition to the above mentioned uses in this No. 5.
6. Accessory buildings such as garage or storage buildings shall be permitted according to section 3A.
7. Signs not over four (4) square feet in size referring only to the premises or tract on which they are located and excluding entirely any

other signs, billboards, advertising devices of any character on either buildings, structures, trees, poles or other methods of suspension or erection.

SECTION 3. Accessory Buildings Including Garages

A. No garage or accessory building referred to in Section 2 subparagraph 6 shall be built within fifty (50) feet of any street line nor within twelve (12) feet of the side lot boundary line of any adjoining lot in a residence zone, provided, however, that in "B" Residence Zone no garage or accessory building referred to in Section 2 sub-paragraph 6 shall be built within thirty (30) feet of any street line nor within twelve (12) feet of the side lot boundary line of any adjoining lot in any residence zone.

B. The limitations imposed by this section upon the location of an accessory building shall be waived when the accessory building is incorporated as an integral part of the residence and both are of the same general construction.

C. In a residential Zone the size and number of accessory buildings, except chicken houses, shall not be limited but only one chicken house shall be permitted to each residence to which it is accessory, provided, however, that in "B" Residence Zone and in "C" Zone the size and number of accessory buildings shall not be limited.

SECTION 4. Building Requirements

A. (1) No building to be used as a residence is to be erected which has a total ground floor area of less than six hundred (600) square feet exclusive of porches, garage or other accessories.

(2) No wall, fence or other structure shall be erected and no hedge, shrub, tree or other growth shall be permitted in such location on a corner lot as to cause danger to traffic by obscuring the view.

B. No accessory building shall be occupied for residence purposes, provided however, that such part of a garage or stable which may be occupied by an employee or employees of the owner or tenant of the premises to the extent of a part of the ground floor or part of the upper floor of such garage or stable, may be used for such residential purposes.

C. A boundary wall, or fence will not be over four (4) feet high.

D. The lot or yard areas required by these Regulations for a particular building shall not be included as a part of the required lot or yard areas of any other building; no lot or yard areas of buildings existing at the time of the adoption of these Regulations shall be diminished below the requirements herein provided for buildings hereafter to be erected. No lot or yard area shall hereafter be subdivided and improved with one or more buildings, including accessory buildings, unless each and every lot in such sub-division shall conform to the requirements herein provided for buildings hereafter to be erected.

SECTION 5. Building Zone Schedule

No building or accessories hereafter erected or altered shall exceed the height or accommodate or house a greater number of families, or have the septic tank fields nearer a river, stream or body of water, nor have a narrower or smaller front yard, rear yard, or side yard, other than called for in the Schedule showing the size of lot and buildings for the zone in which such buildings may be located, which Schedule is incorporated in the building zone map and is hereby made and declared to be a part of these Regulations.

SECTION 6. Permits

A. Prior to the commencement of new construction or material alteration of any existing structure within any zone except the unrestricted zone, application shall be made in writing to the Secretary of the Zoning Commission by the owner or lessee, directly or through an agent, for authorization to proceed with the work proposed, and no such new construction or material alteration shall be commenced without proper written permit; no such application will be considered unless the plans provide for external vertical surfacing of brick, stone, wood, concrete, stucco, asbestos shingles or a combination of any two or all of such building materials and, in case of residences, if wood be used it shall be employed either as clapboards or shingles, except that in the case of accessory buildings metal may also be used. Such application shall state briefly the location and nature of the proposed work and approximate cost. Upon approval of such application the Zoning Commission will issue a written permit, which permit shall be valid if acted upon within six (6) months.

B. Certificate of Occupancy

1. No premises or buildings hereafter erected or materially altered shall be used or occupied in whole or in part for any purpose whatsoever, until a certificate of occupancy shall have been issued therefor.

2. No change or extension of use and no material alteration shall be made in a non-conforming use of premises, without a certificate of occupancy.

3. Certificate of occupancy shall be issued by the Zoning Commission showing that the proposed use and construction are in accordance with these Regulations.

4. Application and payment for a certificate of occupancy at a cost of two dollars, payable to the secretary of the Zoning Commission, shall be made at the same time that the application for a building permit is submitted, said certificate of occupancy to be issued within 10 days after the erection or alteration of the building shall have been completed.

SECTION 7. Non-conforming Buildings and Uses

Any non-conforming use existing at the time of the adoption of these Regulations may be continued in any existing building, structure or premises, and may be reconstructed and structurally altered and the non-conforming use therein changed, subject to the approval of the Zoning Commission.

No non-conforming use, if once changed to a conforming use, shall be changed back so as to be non-conforming.

No non-conforming use which shall have been discontinued for a period of one year shall be resumed or replaced by any other non-conforming use except with the approval of the Zoning Commission.

In a Residence Zone, no building or premises devoted to a non-conforming use shall be changed without the approval of the Zoning Commission.

SECTION 8. Completion and Restoration of Existing Buildings

Nothing herein contained shall require any change in the plans, construction, or designated use of a building, the construction of which shall have been begun at the time of the adoption of these Regulations.

Nothing herein contained shall prevent the restoration of a building destroyed by fire, explosions, or acts of God, to the extent of not more than fifty (50) per cent of its assessed value, nor prevent the continuance of the use of such building or part thereof, or prevent a change of such existing use under the limitations provided in Section 5. But any building destroyed in the manner aforesaid to an extent exceeding fifty (50) per cent of its assessed value at the time of such destruction may be reconstructed and thereafter used only in such manner as to conform to all the provisions of these Regulations, unless otherwise approved by the Board of Appeals.

SECTION 9.

The provisions of these Regulations shall have no application to municipal or governmental activities or building program.

SECTION 10. Interpretation.

These Regulations do not repeal or annul or in any way impair any existing provisions of law, and in the event of any conflict between any of the provisions of the general laws, the provisions of the general laws shall be construed to be controlling.

SECTION 11. Board of Appeals

An appeal may be taken to the Zoning Board of Appeals by any person aggrieved or by any officer, department, board or bureau aggrieved and shall be taken within fifteen (15) days thereof by filing with the Zoning Commission or the officer from whom the appeal has been taken and with said board a notice of appeal specifying the grounds thereof.

Said board shall fix a reasonable time for the hearing of any appeal and give due notice thereof to the parties and to the public and decide the same within a reasonable time.

Said board may reverse or affirm wholly or partly or may modify any order, requirement or decision appealed from and shall make such order, requirement or decision as in its opinion should be made in the premises.

The concurring vote of four members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement or decision of the official charged with the enforcement of the zoning regulations or to decide in favor of the appellant any matter upon which it shall be required to pass under any by-law, ordinance, rule or regulation or to vary the application of the zoning by-law, ordinance rule or regulation.

When in its judgment the public convenience and welfare will be substantially served and the appropriate use of neighboring property will not be substantially or permanently injured, the board may in a specific case, authorize special exceptions to the regulations herein established.

SECTION 12. Amendments

The Regulations may, from time to time, be amended, changed, or repealed by the Zoning Commission, as provided in the General Statutes, amended.

SECTION 13. Enforcements

The Zoning Regulations shall be enforced by the Zoning Commission, which is authorized to cause any building, structure, place, premises, or use to be inspected or examined and to order in writing the remedying of any condition found to exist therein or thereon in violation of any of these Regulations.

SECTION 14. Administration.

All maps of property in the Town of Roxbury which are subdivided into plots or lots may be laid out as to size and area to fulfill the intent of the Zoning Regulations of the Town of Roxbury, and must be approved by the Zoning Commission as to layout in accordance with the Zoning Regulations. Such maps shall be lettered and approved by the Chairman of the Zoning Commission and signed by him before being received and filed by the Town Clerk.

B. The original building zone map of the Town of Roxbury shall be kept in the office of the Town Clerk, and an accurate copy of such map will be kept in the care of the Secretary of the Zoning Commission; all changes and alterations made by the Zoning Commission or the Board of Appeals shall be clearly indicated on the map copy held by the Secretary of the Zoning Commission.

SECTION 15. Penalties

A. Whoever shall violate any provision of these Regulations shall be subject to the penalties provided by Chapter 43 of the General Statutes, Revision 1949 as amended.

B. The Chairman of the Zoning Commission is hereby designated as the officer to enforce these Regulations in accordance with the authority of Chapter 43 of the General Statutes, Revision 1949 as amended.

SECTION 16. Validity

The invalidity of any section or provision of these Regulations shall not invalidate any other section or provision thereof.

SECTION 17. In Effect

The Regulations shall take effect Nov. 20, 1954.

SECTION 18. Definitions

Certain words in these Regulations are defined for the purposes hereof, as follows:

Accessories: includes porches, sun parlors, steps, hatchways, and other horizontal projections, which are a part of a building.

Building: shall be regarded for the purpose of these Regulations as each of the independent units or those units divided by a party wall.

Building Area: is the maximum horizontal projected area of a building and its accessories.

Curb Level: is the permanently established grade of the street in the front of the lot. When the lot level is higher than the curb level, the average level of the former along the wall in question may be taken as the base for measuring the heights of a side yard inner or outer court. Where a lot faces on two or more streets, the curb level of the higher street may be taken as the base for measuring the height.

Family: is any number of individuals, related by blood or legal adoption or by marriage, living and cooking together on the premises of a single housekeeping unit and may be understood to include, in addition, not more than four (4) lodgers, or roomers, taken for hire; or a group of individuals, of not more than six (6) persons, not related by blood or marriage, but living together as a single housekeeping unit. In each instance the family shall be understood to include the necessary servants.

Height: Building height is the vertical distance measured from the curb level or finished grade to the average level of the highest point of the roof.

Hotel: is a building provided with ten (10) or more rooms for paying guests with suitable arrangements for baths and toilets.

Lot: is a parcel of land occupied or designed to be occupied, by one building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by these Regulations and such open spaces as are arranged and designed to be used in connection with such buildings.

Non-conforming Use of Lot or Buildings: is one that does not conform with the Regulations of the zone in which it is situated.

Residence: is a building in which living, cooking and sleeping accommodations are provided.

Story: is that part of a building between any floor and the floor above, or in its absence of a second floor, the ceiling or roof above. A story which extends less than three (3) feet above a curb or finished grade shall not be counted in determining the number of stories.

Story (Half) Any floor, two (2) feet or less below the plate, and under a pitch roof at the top of a building, shall be counted a half story.

Street: is a highway sixteen feet or more in width.

Street line: is the dividing line between the street and the lot.

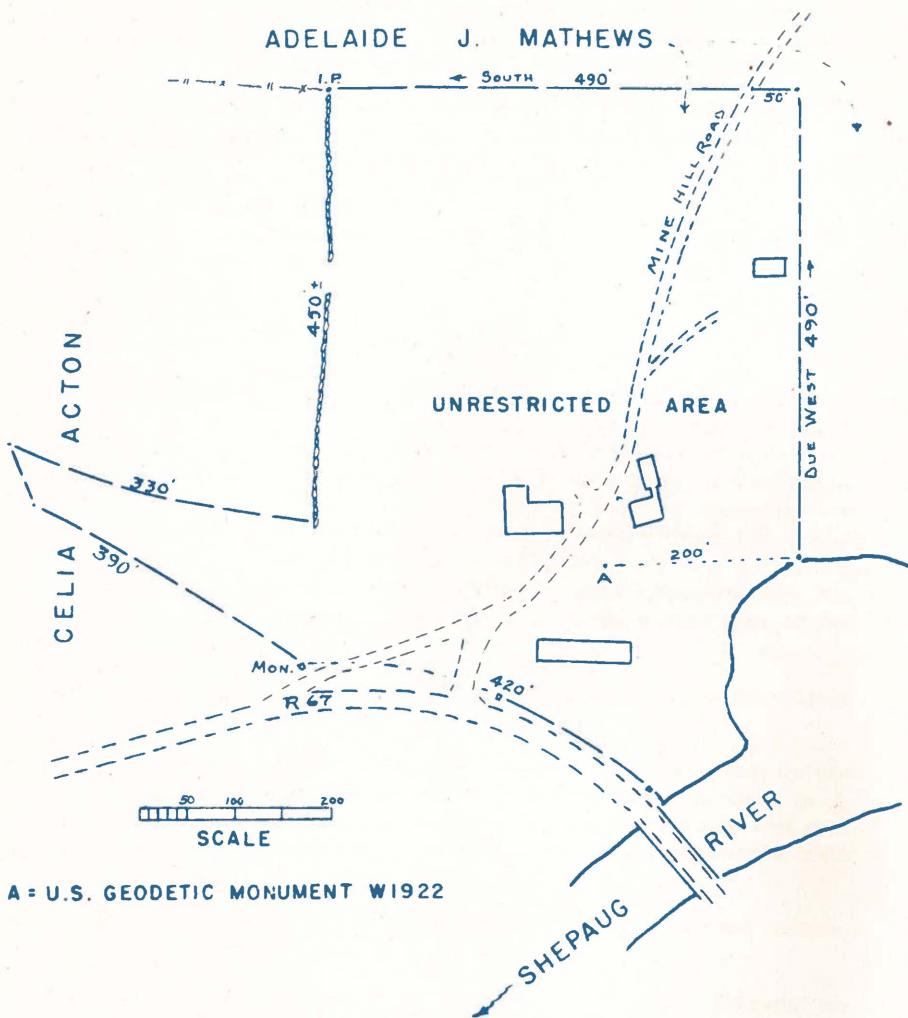
Yards: Front Yard is an open, unoccupied space on the same lot with a building or its accessories, between the street wall of the building and street line of the lot.

Side Yard is an open, unoccupied space on the same lot with a building or its accessories, situated between the building and the side line of the lot.

Rear Yard is an open, unoccupied space on the same lot, between the rear wall of the building or its accessories and the rear line of the lot.

Words: used in the present tense include the future: the singular includes the plural and the plural, the singular; the word lot includes the word plot, the word building includes the word structure.

Unrestricted Zone C:
MAGNETIC NORTH



Description of Unrestricted Zone C: Beginning at a point on the west edge of the Shepaug River 200 feet Northerly of the U. S. Geological Survey Monument marked W 1922, Elevation 318, and running thence due West 490 feet to a point 50 feet Northerly of the centerline of Mine Hill Road; thence due South 490 feet, more or less, to an iron pipe driven in the ground to mark the Northwest corner of land of Cecelia Acton adjoining the land of Adelaide J. Mathews, thence Easterly along the South boundary line of land of said Adelaide J. Mathews 450 feet, more or less, to the West side of the land conveyed to Adelaide J. Mathews by the N.Y., N.H. & H.R.R. Co. by deed dated December 1, 1949 and recorded in the Roxbury Land Records in Vol. 26 at page 272; thence Southerly along the West side of said land 330 feet; thence Northeasterly along the Southeast side of said land 390 feet, more or less, to the West side of the State Highway, Route 67; thence Northeasterly along said highway 420 feet, more or less, to the West side of said River; thence Northerly, Westerly and Northerly along said River to the place of beginning, as shown on the map.

ATTENTION

Before you alter your house
Before you dig a cellar
Before you build any building

} Get a permit
from the Zoning
Commission's Secretary

This will save you trouble, expense, and help insure the success of zoning in Roxbury.

THE ROXBURY ZONING COMMISSION