
THE
TOWN OF ROXBURY
CONNECTICUT
ZONING REGULATIONS

Revised June 17, 1948

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 four classes of zones, the boundaries of each of which are hereby established as will appear from the Building Zone Map dated June 16, 1948 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 four classes of zones are hereby defined to be:

1. "A" Residence Zones
2. "B" Residence Zones
3. "C" Residence Zones
4. Unrestricted Zones

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 and in "C" 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 and in "C" 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 sub-paragraph 6 shall be built within fifty (50) feet of any street line nor within eight (8) feet of the side lot boundary line of any adjoining lot in a residence district, provided, however, that in "B" Residence Zone and in "C" Residence Zone no garage or accessory building referred to in Section 2 sub-paragraph 6 shall be built within twenty (20) feet of any street line nor within eight (8) feet of the side lot boundary line of any adjoining lot in any residence district.

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 section 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" Residence 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) In "B" Residence Zone no building to be used as a residence is to be erected which has a total ground floor area of less than five hundred (500) square feet, exclusive of porches, garage and other accessories.
- (3) In "C" Residence Zone no building to be used as a residence is to be erected which has a total ground floor area of less than four hundred (400) square feet, exclusive of porches, garage or other accessories.

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

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.

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.

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

Certificate of occupancy shall be applied for at the same time that the building permit is applied for and shall be issued within ten (10) days after the erection or alteration of the building shall have been completed.

No building or premises shall be occupied until such certificate of occupancy shall have been issued.

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

The Board of Appeals may, in specific cases, after public notice and hearing, determine and vary the application of these regulations in harmony with their general purpose and intent as follows:

1. Hear and decide appeals where it is alleged there is an error in any order, requirement, or decision made by the Zoning Commission or any officer charged with the enforcement of these regulations.

2. Adopt from time to time such rules and procedure as may be deemed necessary to carry into effect the provisions of these regulations.

3. Permit a tea-room, accommodations for tourists, boarding and rooming house, under such conditions as to size, location, area of lot, character of buildings, signs displayed, sanitary facilities, and otherwise as said board may determine.

4. Allow a temporary non-conforming use of any building or premises for a period not to exceed five years. The board may, at its discretion, require the filing of a satisfactory bond before granting such permit,

such bond to be conditioned for the relinquishment of such non-conforming use within the period specified in the permit authorizing such use.

5. Allow a non-conforming use of any building or premises approved by the Zoning Commission after due notice and hearing.

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 29 of the General Statutes, Revision 1930.

B. The Chairman of the Zoning Commission is hereby designated as the officer to enforce these Regulations in accordance with the authority of Chapter 29 of the General Statutes, Revision of 1930.

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 July 1, 1948.

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 living and cooking together on the premises as a single housekeeping unit.

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.

Tea Room: is a residence building wherein foods and liquid refreshments are sold and consumed.

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.