

Zoning Regulations

FOR

Town of
Southbury

Connecticut



Adopted
Dec 15
1937

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THE CITIZENS OF THE TOWN OF SOUTHBURY IN TOWN MEETING assembled on November 23, 1937, having voted to zone the Town, and having appointed a Commission to formulate zoning regulations pursuant to the authority of Chapter 29 of the General Statutes as amended,

NOW THEREFORE, The Zoning Commission mindful that the Town of Southbury is especially adapted to farming and residential purposes and that its desirability for such purposes and the value of its real estate is chiefly dependent upon its natural beauty, colonial architecture, pleasing aspect of its highways and adjoining premises and its character as a historical New England town, hereby adopts the following regulations:

Sec. 1. CLASSES OF DISTRICTS.

The Town of Southbury is divided into four classes of use districts, viz:

- A. Farming and Residence district
- B. Business districts
- C. Industrial district
- D. Recreational districts

Sec. 2. DISTRICT BOUNDS.

A. The Farming and Residence district shall consist of all that portion of the town which is not otherwise zoned.

B. The business districts shall consist of the following:

1. Southbury Center Business District.

The land to a depth of 250 feet from the highway line lying on both sides of the following highways:

U. S. Highway No. 6 extending from the Soldier's Monument at the intersection of said highway with the old Waterbury Road, so-called, southerly to the intersection of Flood Bridge Road.

State Highway No. 67 extending from its junction with said highway No. 6 opposite St. Pierre's Garage

easterly to the underpass for cattle on land of Howard Hicock, Sr.

Both roads leading from U. S. Highway No. 6 to the Southbury Railroad Station between said station and said highway.

2. South Britain Business District.

The land to a depth of 250 feet from the highway line lying on both sides of South Britain Main Street from the Pomperaug River, except the land now or late of The Hawkins Company extending northerly to the intersection of said street with the highway leading westerly in front of the South Britain Congregational Church.

3. Southford Business District.

The land to a depth of 250 feet from the highway line on both sides of State Highway No. 67 from the Oxford-Southbury Town Line at Eight Mile Brook and extending westerly to a point opposite the western boundary of the property of Fannie Welles; and also on both sides of the road leading from the said State Road at Southford Chapel to the tracks of the New York, New Haven and Hartford Railroad Company at Oxford Railroad Station.

C. The Industrial District shall consist of the land of The Hawkins Company in South Britain, lying between the Pomperaug River and South Britain Main Street.

D. The Recreational Districts shall consist of the following:

1. All that land shown and laid out on maps heretofore filed in the Town Clerk's Office entitled as follows:

Property of Fish Rock Club, Southbury, Connecticut. E. B. Harger, Oxford, Conn. 1926. Map filed on page 8 of SOUTHBURY MAPS.

Property of C. J. Lavey, Sole Owner, Greenwich Estates and Development Company, Southbury, Conn. Feb.

27, 1926. Map filed on page 5 of SOUTHBURY MAPS.

The following maps of Lakeside, Southbury, Conn. developed by Soule-Roberts, Inc. Andrew S. Huntington, Civil Engineer, Fairfield, Conn.

BLOCK A- Sept. 1, 1926. Map filed on page 14 of SOUTHBURY MAPS.

BLOCK B- Sept. 1, 1926. Map filed on page 15 of SOUTHBURY MAPS.

BLOCK C- Dec. 1, 1926. Map filed on page 16 of SOUTHBURY MAPS.

BLOCK D- Sept. 17, 1927. Map filed on page 17 of SOUTHBURY MAPS.

BLOCK E- Apr. 1, 1928. Map filed on page 18 of SOUTHBURY MAPS.

BLOCK F- May 1, 1929. Map filed on page 19 of SOUTHBURY MAPS.

BLOCK G- May 25, 1928. Map filed on page 20 of SOUTHBURY MAPS.

BLOCK H- June 1, 1929. Map filed on page 21 of SOUTHBURY MAPS.

A plan of Lake Zoar Terrace; property of Martha J. Gehrels. 1928 - Map filed on page 9 of SOUTHBURY MAPS.

Riverside Park, Southbury, Connecticut. Developed by Soule-Roberts, Inc. - Andrew S. Huntington, Civil Engineer. May 3, 1926. Map filed on page 13 of SOUTHBURY MAPS.

Bridgeport Council Boy Scouts of America. Scout Camp at Lee Farm, Southbury, Conn. August 15, 1923. Revised May 12, 1924. Map filed on page 37 of SOUTHBURY MAPS.

The Bridgeport Council of Boy Scouts of America. Plan showing land to be conveyed to Bridgeport Council Boy Scouts of America, October 12, 1934. Map filed on page 70 of SOUTHBURY MAPS.

And also all the land not included in the above mentioned maps lying within the following bounds:

Northeasterly by a line running parallel with the flowage line on the Southbury side of Lake Zoar and 1500 feet distant therefrom beginning on the easterly side of U. S. Highway No. 6 and running southeasterly to the Southbury-Oxford town line;

Southeasterly by the Southbury-Oxford Town Line;

Southwesterly and Southerly by said flowage line and

Westerly on U. S. Highway No. 6.

2. All that land shown and laid out on the following maps heretofore filed in the Town Clerk's office: Wapping Park, E. B. Harger, August, 1921. Map filed on page 4 of SOUTHBURY MAPS.

Addition to Wapping Park, J. S. Lewis, Watertown, Connecticut, May 28, 1924. Map filed on page 4 of SOUTHBURY MAPS.

Oakdale Manor, Southbury, Connecticut (Part of Wapping Park site) E. B. Harger, Sept. 3, 1925. Map filed on page 4 of SOUTHBURY MAPS.

Map of Berkshire Estates Summer Colony belonging to the Home Building Company, Inc. Joseph Crocco, Manager. W. C. Morehouse, Surveyor. Map filed on page 12 of SOUTHBURY MAPS. Map No 2 of Berkshire Estates filed on page 11 of SOUTHBURY MAPS.

3. Map of Pomperaug Camp Sites - E. B. Harger, Sept., 1922. Map filed on page 3 of SOUTHBURY MAPS.

4. Map of Pomperaug Estates - Property of Agnes D. Brooks. November 6, 1922 - A. S. Weeks, Surveyor. Map filed on page 5 of SOUTHBURY MAPS.

5. Map of Pomperaug Wigwam - Property of John H. Cassidy - E. B. Harger, Oxford, Conn. Dec. 9, 1922. Map filed on page 6 of SOUTHBURY MAPS.

Sec. 3. FARMING AND RESIDENCE DISTRICT USES.

In the Farming and Residence District no building structure, premises or land shall be used, and no building shall be erected or structurally altered which is arranged, intended or designed to be used for other than one or more of the following uses: Dwelling House, Farming, Nursery, Greenhouse, Church, Public School, Public Museum, Public or Private Library, Public Park, Water Supply Reservoir, Well, Water Tower or Water Filter Bed, Roadside Stand for the sale of Farm produce provided the major portion of such produce is raised on premises adjoining said stand; Roadside Stand for the sale of

home cooking or needle work, provided the same shall be cooked or the needle work done on premises adjacent to the said stands; Offices of a member of the recognized professions and of an occupation consisting chiefly of personal services when situated in the same dwelling used by such person as his private dwelling; Accessory uses customarily incident to the above uses as hereinafter limited.

Sec. 4. BUSINESS DISTRICT USES.

In a business district no building, structure, premises or land shall be used, and no building erected or structurally altered which is arranged, intended or designed to be used for:

1. A use entirely prohibited in the town.
2. Any kind of manufacture or processing other than the manufacture or processing of products clearly incidental to the conduct of a retail business conducted on the premises.
3. Carousel, roller coaster, merry-go-round or similar amusement devices, except temporarily when conducted for the benefit of charity, religion, education or of a local organization of public benefit and not for profit.
4. Storage or baling of scrap of any kind.
5. Junk yard for automobiles or other junk.

Except as prohibited above any use permitted in the Farming and Residence district and any trade, business, profession or occupation and stores, shops, yards and offices for the same shall be permitted in a Business District, provided such use is not noxious or offensive by reason of the emission of dust, odor, smoke, gas, fumes, noise or vibration.

Sec. 5. INDUSTRIAL DISTRICT USES.

In the Industrial District, the following uses shall be permitted:

Any manufacturing, industrial operation, wholesale business, warehouse and any uses permitted in the Farming and

Resident District and Business Districts, provided such use is not noxious or offensive by reason of the emission of dust, odor, smoke, gas, fumes, noise or vibration, and is not totally prohibited in the town.

Sec. 6. RECREATIONAL DISTRICT USES.

No building, structure, premises or land shall be used, and no building shall be erected or structurally altered which is arranged, intended, or designed to be used for any other than one or more of the following uses:

(1) Any use permitted in the Farming and Residence District.

(2) Club, Lodge, or Community House, except one the chief activity of which is a service carried on as a business.

(3) Art, Educational, Religious or Philanthropic use, including dormitory of an educational institution, except correctional institutions.

(4) A camp or drill ground except for purposes totally prohibited in the Town.

Sec. 7. PROHIBITED USES.

Within the Town of Southbury no building shall be erected or structurally altered which is arranged or designed to be used for, and no land or premises shall be used for any of the following uses:

1. Petroleum or Kerosene Refining or Distillation.
2. Manufacture of Heavy Chemicals.
3. Manufacture of Explosives.
4. Storage of Explosives in Bulk.
5. Abattoir or Slaughter House.
6. Distillation of Bones or Fat.
7. Manufacture of Fertilizer.
8. Penal Institution.
9. Military training or drilling with or without arms except by the legally constituted armed forces of the United States, any of the several States, the territories or possessions of the United States or the legally constituted police forces thereof, or of any municipality thereof.

Sec. 8. ACCESSORY USES.

1. Uses accessory to a residence or a farm shall include a private garage or garages providing accommodation for not more than five motor vehicles; provided that this provision

shall not be deemed to limit the number of motor trucks or tractors used upon a farm and provided further that no business, occupation or service for hire connected in any way with motor vehicles shall be permitted.

2. Uses accessory to a farm shall include preparing any product of the farm for sale or market.

3. Signs. As accessory to uses in the Farming and Residence District the following signs shall be permitted:

(a) On farms and roadside stands which are permitted not more than two signs relating to the business conducted on the premises each of which shall not exceed ten square feet in area.

(b) On premises containing an office which is permitted in the Farming and Residence District a customary professional sign of not more than two square feet in area.

(c) Not more than two "For Sale" or "For Rent" signs each not to exceed ten square feet in area.

4. The foregoing regulation of accessory uses shall not prohibit other customary accessory uses provided the same are not specifically prohibited or contrary to the intent and purpose of these regulations.

Sec. 9. PRESENT NON-CONFORMING USES.

A use existing at the time of the adoption of these regulations which does not conform to the regulations herein may be continued, but shall not be extended; provided, however, that such use may be extended to any portion of any building that was, at the time of the adoption of these regulations, arranged or designed for such use, or in process of construction.

No building or structure arranged, designed or devoted to any such non-conforming use shall be reconstructed or structurally altered unless the use is changed to a permitted use, and no such building or structure which has been

damaged by fire, explosion, Act of God or from any other cause whatsoever shall be repaired or rebuilt except within one year or in conformity with these regulations.

Sec. 10. 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 error in any order, requirement, or decision made by the Zoning Commission or any officer charged with the enforcement of these regulations.

2. Permit the extension of a non-conforming use or building upon the lot occupied by such use or building at the time of the adoption of these regulations.

3. Permit the erection of an additional building upon a lot occupied at the time of the adoption of these regulations by a business or industrial establishment, where carrying out the strict letter of the provisions would result in practical difficulties or unnecessary hardship.

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

5. Permit in the Farming and Residence District a tea room, accommodation for tourists, boarding or 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.

6. Vary any requirement of these regulations in harmony with their general purpose and intent, so that substantial justice may be done. This authority shall be exercised in a manner to secure the public health, safety, and welfare solely in instances where there are practical difficulties or

unnecessary hardships in the way of carrying out the strict letter of these regulations.

7. Permit any public utility in a restricted district

Sec. 11 PENALTY.

Any violation of these regulations shall be subject to penalty as provided in Sec. 430 of Chapter 29 of the General Statutes.

Sec. 12. ENFORCEMENT.

These regulations shall be enforced by the Zoning Commission or its duly authorized agent in accordance with Sec. 430 of Chapter 29 of the General Statutes. The Zoning Commission or its duly authorized agent may inspect and examine any building, structure, place or premises and order in writing the remedying of any condition found to exist therein or thereon in violation of any provision of these regulations.

Sec. 13. The invalidity of any section or provision of these regulations shall not invalidate any other section or provision hereof.

Sec. 14. These regulations may from time to time be amended, changed or repealed, as provided in Section 425 of Chapter 29 of the General Statutes.

Sec. 15. These regulations shall take effect immediately.

ZONING COMMISSION

Albert Aston, Chairman
Herbert E. Welles, Secretary
Henry J. McCarthy
Leslie D. Wheeler
Robert C. Mitchell

Adopted - December , 1937.



