

ZONING BOARD OF APPEALS

(Adopted 1967)

The League of Women Voters of Westport supports a policy of strict interpretation of the powers granted to the Zoning Board of Appeals, so that the ZBA shall be in harmony with the general intent of Westport's zoning regulations. Variances should be granted only when valid hardship concerning the use of the specific piece of land and/or property is proven. According to State Statute, financial loss does not constitute a valid hardship.

Explanation:

We recognize that Westport's zoning is being subjected to great pressures by property owners for commercial, retail and residential development. As a result, variances of the zoning regulations are being sought in ever-increasing numbers.

LWV Westport believes that the cumulative effects of large numbers of variances in a given area can pose unexpected problems and expenditures for the Town. There is concern that applications for variances on property in upgraded zones, or at the boundary of differing zones, might, if granted, have an eroding effect on the intent of the zoning regulations. LWV Westport emphasizes the importance of the awareness of responsibility of the elected officials, and the public at large, concerning the zoning regulations and their intended use, the variance and enforcement thereof, as vital to maintaining the orderly development of the Town of Westport.

LWV Westport, therefore, recommends that a set of criteria by which applications can be judged be adopted and followed strictly. (Example: The Massachusetts State Statutes.) We recommend that the Zoning Board of Appeals consult the Planning and Zoning Director for any possible planning implications to the Town before consideration of any application. Most important, conditions attached to a variance should be worded in legally enforceable terms. Such matters as dates and methods of compliance should be explained. Any request for a change in these conditions should be subject to a new public hearing. Prosecution of violators should be ongoing and swift.

ZONING ENFORCEMENT

(Adopted 1967)

The League of Women Voters of Westport supports a forceful, thorough and adequately funded zoning enforcement policy that provides an adequate method to seek out zoning violations. The policy should also employ all legal tools necessary to correct these violations as swiftly as possible.