

## Variance Application Process

**It is the responsibility of the applicant to complete all submission requirements as outlined below.**

**Please review this information carefully and keep it as a reference.**

1. Submit the “Preliminary Review – Variance Application” form (no fee) with the applicant’s and/or designated contact’s name and fax/phone numbers accompanied by all of the information listed on the form. ***The deadline for submission is 9 days prior to the ZBA deadline.*** Plans are reviewed in the order that they are received – anticipate approximately one week for review. **The purpose of the preliminary review is to determine the appropriate variances and to verify that all the plan sheets and information are sufficient for application.** This allows the application to move forward for hearing in a timely manner.
2. “Zoning Approval Denied” means that the plans do not comply with the Regulations. The form is returned to the applicant with a table indicating sections of the regulations that proposal does not comply with and explanatory notes. The information in the table is the information needed to complete Item 8 of the Variance Application. **ZONING APPROVAL MUST HAVE BEEN DENIED IN ORDER FOR A VARIANCE APPLICATION TO BE CONSIDERED.**
3. If it is indicated on the Preliminary Review form, the applicant should consult with the Health or Engineering Department(s) prior to submission of a Variance Application in order to verify that no additional changes will need to be made to the plan in order to comply with the CT Public Health Code or the Madison Flood Ordinance.
4. The Variance Application is completed in its entirety and submitted with construction and elevation drawings as noted above and a fee of \$235 (\$175 application fee plus \$60 State charge). **If a variance application is submitted, it is expected that the plans will be the same as those submitted for preliminary review. Please notify the office at the time of submission of any difference in the plans. A change may require that the preliminary review process be repeated in order to verify areas of noncompliance.** All items listed on page 5 must be included and hardship must be identified in item 9. (Additional information regarding variances and legal hardship is available on the ZBA page of the Town website: [www.madisonct.org](http://www.madisonct.org)) A list of property owners within 150/500 feet can be obtained from the zoning office, but all owners listed must be verified with the assessor’s office.
5. The deadline for submission of the complete application is **12:00 noon** on the Wednesday of the fourth week prior to the meeting. Applications will be scheduled for hearing in the order that they are received **complete. INCOMPLETE APPLICATIONS WILL NOT BE SCHEDULED FOR HEARING.** The Board makes every effort to schedule the hearing for the next meeting, but it is not always possible to accommodate all applicants. Submission prior to the final deadline is advised.
6. A copy of the legal notice must be mailed by the applicant to all required parties as described on page 3 of the application and certificates of mailing submitted to the zoning office **prior** to the hearing. One copy of the legal notice will be mailed to the applicant when it is prepared by the zoning office. Additionally, a sign must be posted on the property at least 20 days prior to the hearing.
7. The applicant or his/her representative must appear at the public hearing to present the application to the Board.
8. If a variance is granted, the Town publishes a legal notice and notifies the applicant by certified mail. The variance must also be filed on the Land Records for which there is a \$53 fee. The applicant pays the \$53 filing fee to the Land Use office. The office then files the variance at the close of the appeal period (15 days after publication). No permits can be issued until the variance is filed on the Land Records.
9. Variances expire two years from the date of approval unless a Certificate of Occupancy has been issued for the building.