

Bond Case Briefs

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ZONING - CONNECTICUT

Tine v. Zoning Bd. of Appeals of Town of Lebanon

Supreme Court of Connecticut - April 23, 2013 - A.3d - 308 Conn. 300

For purposes of three-year statute of limitations to bring enforcement action regarding a building that violates a zoning regulation, court holds that deck is not a "building."

Property owners appealed decision of town zoning board of appeals that upheld cease and desist order regarding deck, which violated setback requirements.

The Supreme Court of Connecticut held that:

- For purposes of three-year statute of limitations to bring enforcement action regarding a building that violates a zoning regulation, deck was not "building"; and
- Deck was not part of house and thus was not entitled to protection under three-year statute of limitations.

For purposes of three-year statute of limitations to bring enforcement action regarding a building that violates a zoning regulation, "building" refers to an edifice designed to stand permanently, with a roof and walls.