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ZONING - CONNECTICUT

Reardon v. Zoning Bd. of Appeals of Town of Darien

Supreme Court of Connecticut - April 8, 2014 - A.3d - 311 Conn. 356

Landowner sent letter to town zoning enforcement officer, challenging the legality of zoning and building permits previously issued to neighboring landowner, and, when officer failed to respond, landowner filed an application for appeal to the town zoning board of appeals. The board dismissed landowner's application to appeal on grounds of untimeliness and for lack of a "decision" from which an appeal could lie. Landowner sought judicial review. The Superior Court dismissed appeal. Landowner appealed.

The Supreme Court of Connecticut held that:

- Landowner's letter to town zoning enforcement officer challenging the legality of zoning and building permits previously issued to neighboring landowner, and zoning enforcement officer's lack of response to such letter, did not give rise to a "decision" from which landowner had a right of appeal to the town zoning board of appeals, and
- Town zoning regulation prohibiting zoning agencies or officials from approving permits for construction or land use that would violate any law, and deeming any permits so issued to be null and void, did not impose a duty upon town zoning enforcement official to respond to landowner's letter.

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