

Bond Case Briefs

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ZONING - CONNECTICUT

E and F Associates, LLC v. Zoning Bd. of Appeals of Town of Fairfield

Supreme Court of Connecticut - December 22, 2015 - A.3d - 320 Conn. 9 - 2015 WL 8730002

Abutting landowner appealed decision of zoning board of appeals granting a zoning variance that allowed the vertical expansion of a nonconforming building in a business district zone. The Superior Court dismissed appeal. Abutting landowner appealed.

The Supreme Court of Connecticut held that peculiar characteristics of property that made it difficult to construct a second story on building that would comply with zoning setback requirements did not justify granting a variance, overruling *Stillman v. Zoning Board of Appeals*, 25 Conn.App. 631, 596 A.2d 1; *Jersey v. Zoning Board of Appeals*, 101 Conn.App. 350, 360, 921 A.2d 683; *Giarrantano v. Zoning Board of Appeals*, 60 Conn.App. 446, 453, 760 A.2d 132.