

Bond Case Briefs

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ZONING - CONNECTICUT

Caruso v. Zoning Bd. of Appeals of City of Meriden

Supreme Court of Connecticut - February 2, 2016 - A.3d - 320 Conn. 315 - 2016 WL 338904

Objectors sought review of city zoning board of appeals' decision granting developer's application for a use variance to build a used car dealership on property located in regional development district. The Superior Court sustained the appeal in part. Developer appealed and objectors filed a cross-appeal. The Appellate Court reversed. Developer appealed.

The Supreme Court of Connecticut held that substantial evidence did not support a determination that application of zoning regulations caused a practical confiscation of property so as to warrant a grant of use variance.

Substantial evidence did not support a determination that application of zoning regulations caused a practical confiscation of property in regional development district so as to warrant a grant of a use variance sought by developer to build a used car dealership. There was no specific evidence of any decrease in value of property by virtue of its classification, nor evidence that developer was unable to sell the property or develop it for any of the permitted uses, nor evidence that the zoning restriction greatly decreased or practically destroyed property's value for any of the uses to which it could reasonably be put.