
*Knollwood Beach Association
Revised Building Zone Regulations
Effective, July 12, 1976*

ARTICLE I Zones and Boundaries

Section 1 - Zones

These regulations are adopted under authority of the amendment to the Charter: of the Knollwood Beach Association, Section 25 and of Chapter 43 of the General Statutes of 1949 Revision and any amendment thereof, for the purpose of promoting the health, comfort, safety, morals, and general welfare of the community; of lessening congestion in the streets; of providing adequate light and air; of preventing the overcrowding of land and avoiding undue concentration of population, to regulate and restrict unsightly and detrimental development, obstructions and constructions tending to depreciate the value of property and hinder progressive improvements; of facilitating adequate provision of transportation, water, sewage and other public requirements; of conserving the value of buildings and encouraging the most appropriate use of land throughout the town in accordance with a comprehensive plan and with reasonable consideration for the character of the area and its peculiar suitability for particular uses, and to this end the Zoning Regulations of the Knollwood Beach Association are hereby amended and supplemented to read, with the foregoing as follows:

The Knollwood Beach Association located in the Town of Old Saybrook, County of Middlesex and State of Connecticut, is zoned into three zones;

Residence Zone "A"
Residence Zone "B"
Residence Zone "C"

as shown on a map entitled "Building Zone Map of Knollwood Beach Association, Old Saybrook, Connecticut, Date: February 28, 1965" which accompanies these regulations and is declared to be a part thereof. The original map is filed in the office of the Town Clerk, Old Saybrook, Connecticut.

Section 2- Zone Boundaries

The Boundaries of these zones are hereby established as shown on the building zone map referred to in the previous section. Unless otherwise indicated, the zone boundaries-area are either street lines, street lines extended, or waterways. In cases of uncertainty, the Zoning Commission shall determine the location of the boundary.

ARTICLE II - Use Regulations

Section 1 Residence Zone "A"

A. Permitted Uses

1. *Single- family homes only.*

No building except a single family house shall hereafter be located on a Lot or parcel of land smaller than those required, or erect or alter any single family house on any lot unless all yard requirements are observed. Before the construction or extension or alteration of any building may be started, an application for a building permit must be obtained from the Knollwood Beach Zoning Commission or its duly authorized agent, the Zoning Enforcement Officer. This application must be accompanied by a plot plan, floor plan or other descriptions as may be required.

Also, evidence of a building permit issued by the Town of Old Saybrook and, if needed, a copy of septic system installation certificate issued by the Town of Old Saybrook must accompany the application. The Zoning Enforcement Officer shall issue a building permit when he determines that all of the requirements of these regulations have been met.

2. Customary home occupations carried on by a resident occupant with the assistance of not more than two regular employees, provided that not more than the equivalent of the floor area of one story is devoted to such use provided that there is no display of products.
3. Private or non-commercial garages for not more than three motor vehicles not more than one of which may be a commercial vehicle having a capacity of not more than 2,000 pounds. If no garage is on the lot or premises, not more than one commercial vehicle, not to exceed 2,000 pounds capacity, shall be parked on said premises. Parking space must be provided at the ratio of a least one space for each dwelling unit.
4. Necessary excavations and grading considering the character and use of the surrounding land.
5. Announcement signs not over 2 square feet in area giving only the name and the professional occupation of the occupant of the premises. OR Real Estate sign not which the sign is maintained, but limited to a period of not over six months with right to renew for the same period, same to be permitted as a special exception by the Zoning Board of Appeals.

B. Prohibited Uses

1. Commercial agricultural uses, livestock, poultry raising, dairy farming, and dog kennels.
2. Overnight cabins for the accommodation of tourists, and Quonset huts for the purposes of residences.
3. Any business or industrial uses, including billboard, signboard or advertising sign except as provided in Paragraph 5 above.
4. No excavation or removal of sand, loam, gravel or stone except as stated under permitted uses.
5. No sheds or tents shall be permitted.
6. No boarding or rooming houses shall be permitted.
7. No garage, shed, tent or any other accessory building shall be permitted to have installed toilet facilities.
8. No building shall be rented or leased or let to any more than two people who are not related by marriage or blood.
9. Under no circumstances shall accessory buildings be rented, let or leased; such as, but not limited to, converted garages, sheds, tents or tool houses.
10. No accessory buildings shall have any cooking or toilet facilities.

Section 2 - Residence Zone "B"

A. Permitted Uses

1. All uses permitted in Residence Zone "A".
2. All accessory uses permitted in Residence Zone "A".

B. Prohibited Uses

1. All accessory uses prohibited in Residence Zone "A".
2. All uses prohibited in Residence Zone "A".

Section 3 - Residence Zone C

A. Permitted Uses

1. All uses permitted in Residence Zone "A"
2. All accessory uses permitted in Residence Zone "A".

B. Prohibited Uses

1. All uses prohibited in Residence Zone "A".
2. All accessory uses prohibited in Residence Zone "A ".

ARTICLE III - Height and Area Regulations

Section 1

No building hereafter erected or altered shall exceed the height, house a greater number of families, be located on a lot of less frontage and area, occupy a greater percentage of the lot or have smaller yards than is laid down in the accompanying schedule for the zone in which the building is located. Smaller lots than those required which are of record in the office of the Town Clerk of the Town of Old Saybrook at the time of the adoption of the amendment to these Regulations may, however, be used for the erection or alteration or construction of a single family house provided that the yard dimension requirements are observed and complied with.

Section 2 Floor Area Requirements for Residence

Single family houses or cottages hereafter erected shall comply with the following requirements for minimum floor area for living quarters:

	<u>1 st. dwell</u>	<u>1 ½ st. dwell</u>	<u>2 story dwelling</u>
Res. Zone "A"	1100 sq. ft	1200 sq. ft	1400 sq. ft.
Res. Zone "B"	816 sq. ft	900 sq. ft.	1100 sq. ft.
Res. Zone "C"	816 sq. it.	850 sq. ft.	960 sq. ft.

At least half of the second floor area qualifying for living quarters shall have a ceiling height of not less than seven feet and access to the second floor shall be only a permanent built-in stairway within the building.

In computing the minimum net floor area for living quarters, rooms for heating equipment, garages, outside vestibules and open or enclosed porches or verandas or basement rooms below the foundation level shall not be included. The terms "living quarters" as used herein are all other portions except those mentioned above.

Section 3- Yard Requirements

For front, side and rear requirements refer to the Height and Area Schedule attached hereto. On corner lots a building shall be required. to comply with the setback line on only one street front, but the width of any side yard on a street side shall be not less than 15 feet in Residence Zone "A" and 10 feet in all other zones.

The designation of the front lot line shall be determined from a map on file in the office of the Town Clerk, Old Saybrook, Conn. known as "Knollwood Beach Club. Simpson & Cosulich Developers, dated Jan. 1925."

In cases of uncertainty, the Zoning Commission shall determine the front lot line with respect to all lots including those that extend from street to street.

Section 4 - Exceptions to Yard Requirements

Except as governed by Article IV, Section 3, steps and terraces and wooden fences and walls not over 4 feet high may be erected in any side or rear yard, and an open porch may extend into a required yard provided it is a distance of 20 feet from the street line in Zone "A" shall have a set-back of at least 15 feet from the side street line.

Other usual projections such as window sills and cornices may extend into any required yard not more than 12 inches and a bay window may extend not more than 2 feet.

Section 5- Rear Buildings

No building in the rear of a principal structure and on the same lot shall be used in whole or in part as a dwelling.

Section 6- Courts

in buildings used partly or wholly for residence, no inner courts shall be permitted. Outer courts shall have a width at least equal to the height of the surrounding walls and their depth shall not exceed their width. For the purpose of this section, an inner court means an open space enclosed on all sides by the walls of a building or by lot lines on which building walls are permitted by these regulations.

ARTICLE IV. Special Regulations

Section 1- Non-Conforming Buildings and Uses

Any building and any use of building legally existing at the time of the adoption of these regulations may be continued although such use or such building does not conform to these regulations, but such use may not be extended or expanded or structurally altered and may not be changed to another non-conforming use.

When a building in which there is a non-conforming use is damaged or destroyed by fire, explosion, Act of God or the public enemy, it may be restored and the non-conforming use continued, provided that the restored building covers no greater area or greater cubical content or is relocated on the lot and further provided, restoration, replacement or repair is performed on the same location on the premises as it previously existed within one (1) year from the date of such destruction or damage.

Where a non-conforming use of a building or of land has been discontinued for a period of one year or more or has been changed to a conforming use, the non-conforming use shall not again be permitted. A non-conforming use of land not involving buildings, or involving buildings, structures or improvements which have a value of less than \$1,000,00 shall be discontinued within (3) years of the adoption of these regulations, and any such use which becomes non-conforming by reason of a subsequent change in these regulations or in the zone boundaries shall be discontinued within three (3) years from the date of the change.

Section 2 - Accessory Building in Residence Zone

Except as governed by Article II, Section 1 in residential zones, accessory buildings shall be located only in rear yards or in the rear half of the lot and at least 20 feet from any street line. On corner lots they shall be located only in that fourth of the lot furthest from any street line. The limitations imposed by this section shall not apply to an accessory building which is attached to its principal building or which has one wall or part of one wall in common with it. Such attached building shall be considered a part of the principal building and shall be subject to all of the yard requirements applicable to the principal building.

Accessory buildings, except garages, shall not exceed a height of 10 feet above the ground level and shall not be located within 8 feet of the rear and side lot lines on lots 45

to 50 feet inclusive in width and 10 feet on lots 51 to 60 feet inclusive in width, and 14 feet on lots 60 feet or over in width.

Detached garages shall not exceed a height of 16 feet from ground to ridge.

Section 3 - Visibility at Intersections

In any front yard, no planting, structure, fence or wall over three (3) feet in height shall be maintained in such a manner as to constitute a hazard and on any corner lot in any residential zone, no planting, structure, fence, wall or obstruction to vision more than three (3) feet in height shall be placed or maintained within the triangular area formed by the intersection of the street lines and a straight line connecting points on said street lines each of which points is 25 feet distant from the point of intersection.

Section 4. - Trailer Camp and Trailer Coaches

No trailer camp shall be established, maintained or conducted in the Community of the Knollwood Beach Association.

No person or persons shall occupy a trailer coach for domestic or business purposes or for storage at any time.

Trailers may be parked for 30 days in any calendar year by special exception of the Zoning Board of Appeals. but in no case shall they be used for domestic or business purposes or for storage.

Section 5 - Real Estate Signs

Not more than one sign shall be erected or maintained on any parcel of land within territorial limits of the Association for the purpose of advertising that parcel or any buildings thereon for sale or lease.

Section 6 - Full Foundations

No building shall be erected within the territorial limits of the Association except on a continuous, enclosed, masonry foundation.

ARTICLE V - Administration and Enforcement

Section 1 - Interpretation- of Regulations

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals, comfort, convenience and general welfare. It is not intended by these regulations to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinance, or any rules, regulations or permits previously adopted, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises; nor is it intended by these regulations to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where these regulations impose a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards, courts or other open spaces that are imposed or required by such existing provisions of law or ordinance, or by such rules, regulations or permits or by such easements, covenants or agreements, the provisions of these regulations shall control.

Section 2 - Completion and Restoration of Existing Buildings

Nothing contained herein shall require any change in the place, construction or designed building for which a building permit has heretofore been issued by the Enforcement Officer at the time of the passage of these regulations and amendments and the construction of which, in either case shall have been diligently prosecuted within one

year from the date of issuance of such permit and the ground story framework of which including the second tier of beams, shall have been completed within such year, and which entire building shall have been completed according to such plans as filed within one year from the date of the passage of these regulations.

Section 3 - Enforcement and Penalties

These regulations shall be enforced by the Zoning Enforcement Officer who is empowered to cause any building, structure, place or premises to be inspected, examined and to order, in writing, the remedying of any condition found to exist therein or thereat in violation of any provision of these regulations. The owner or agent of a building or premises where a violation of any provision of said regulations shall have been committed or shall exist, or the person in charge whether the lessee or tenant or some other person of said building or premises, architect or any person who shall commit, take part or assist in the commission of any violation or who shall maintain any building or premises in which such violations shall exist shall be subject to penalties in accordance with the Connecticut General Statutes of the State of Connecticut pertaining to zoning. Fees: \$10.00 minimum; new construction, alterations, repairs, etc. \$.00 to \$1,000. \$1.00 for each additional \$1,000 or fraction thereof.

Section 4 - Certificate of Occupancy

No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatever, except for the addition to or alteration of a dwelling, until a Building Permit and a Certificate of Occupancy shall have been issued by the Zoning Enforcement Officer who is empowered, stating that the premises or building complies with all the provisions of these regulations.

Where the alteration does not require vacating the premises or where a part of the premises is finished and ready for occupancy before the completion of the alterations, or in the case of a new structure before its completion, a conditional Certificate of Occupancy may be issued.

No change or extension of use and no alteration shall be made in a non-conforming use of premises without a Certificate of Occupancy having first been issued by the Zoning Enforcement Officer or Zoning Commission or Zoning Board of Appeals who are empowered that such change, extension or alteration is in conformity with these regulations in accordance with the Connecticut General Statutes pertaining to zoning.

Certificates of Occupancy shall be applied for at the same time that the Building Permit is applied for, and shall be issued within ten (10) days after the erection or alteration of the building shall have been completed. A record of all certificates shall be kept on file in the office of the Zoning Enforcement Officer who is empowered, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected. A fee of fifty cents (\$.50) shall be charged for each original certificate and twenty-five cents (\$.25) for each copy thereof. No permit for excavation for, or the erection of any building shall be issued before the application for the Certificate of Occupancy. No building or premises for which a Certificate of Occupancy is required may be occupied until such certificate shall have been issued.

Section 5 - Board of Appeals

The Board of Appeals as constituted by Chapter 43 of the 1949 Revision of the General Statutes, and in accordance with said chapter shall have the following powers:

1. Hear and decide appeals where it is alleged there is an error in any order, requirement or decision made by the Zoning Enforcement Officer who is empowered in the enforcement of these regulations.

2. Decide special questions as authorized in these regulations and hear and decide requests for special exceptions to the provisions herein as follows:
 - a. Where a zone boundary line divides a lot in single ownership at the time of the passage of these regulations, permit a use authorized on either portion of such lot, but not more than 25 feet beyond the boundary line of the zone in which such use is authorized.
 - b. Permit the storage of more than one commercial vehicle in an accessory garage located in residential zones.
 - c. Permit any public utility in a restricted zone.

3. Vary any requirement of these regulations in instances where, by reason of peculiar shape, size or a topograph of the lot or other peculiar or exceptional situations or conditions of the building or the land, practically difficulty or unnecessary hardship would result to the owners of the property from a strict enforcement of these regulations. Before any variance is granted, the Board of Appeals must make a written finding in its minutes as part of the record in the case showing the peculiar situation and the nature of the hardship.

The decision of the Board of Appeals on all special questions in all appeals and in applications for variances or special exceptions shall be made after public notice and hearing and subject to appropriate conditions and safeguards in accordance with the public interest, the most appropriate development of the neighborhood and in harmony with the purpose and intent of these regulations as expressed in Article I, Section 1.

ARTICLE VI - Validity of Regulations

Section 1

If any section, paragraph, subdivision, clause or provision of these regulations shall be adjudged invalid, such decision shall apply only to the section, paragraph, subdivision, clause or provision in question and the remainder of these regulations shall be deemed valid and effective.

Section 2 - Amendments

These regulations may be amended as provided for in the Connecticut General Statutes pertaining to zoning.

Section 3 - Effective Date

These regulations shall take effect upon adoption and upon publication in accordance with the Connecticut General Statutes pertaining to zoning.

LOT REGULATIONS								
ZONE	Max Stories	Max Height	Required Open Spaces	Front Min Depth	Side Min Width	Rear Min Depth	Min Front	Lot Size Sq. Ft.
A	2 ½	35'	Front Rear 2- side yards	30'	*	15'	90'	9000
B	2 ½	35'	-0-	15'	*	15'	90'	9000
C	2 ½	35'	-0-	15'	*	15'	90'	9000

*minimum width of side yards shall be as follows:

Lots 45' to 50' both inclusive in width	8 ft per side
-0- 51' to 60' -----0-----	10 ft per side
-0- Over 60' in width	14 ft per side

Regulations not in conflict with Old Saybrook.

Lots with a frontage or 45 feet and owned by single owner, without any adjacent property, may have single family dwellings constructed upon them provided they otherwise comply with these regulations and specifications. Such lot must have been owned on the effective date of this regulation by a single owner without abutting property. Such building rights shall be assignable and transferrable by any such owner.