

**RESOLUTION NO. LU31.004**

Requesting Referral to the Board of Representatives of the Petition to Appeal Amendment to the Zoning Regulations under Zoning Board Approval No. 221-20

**WHEREAS**, the City of Stamford Zoning Board (the “Zoning Board”) as Applicant by application of Ralph Blessing, Land Use Bureau Chief, proposed, among other things, to amend Section 9.G. (C-D Designed Commercial Districts) of the City’s zoning regulations (the “Application”);

**WHEREAS**, the Zoning Board Approved its own application, Application No. 221-20 on December 6, 2021 amending Section 9.G. (C-D Designed Commercial Districts) of the City’s zoning regulations (the “Zoning Board’s Decision”);

**WHEREAS**, legal notice of the Zoning Board’s Decision was published in the Stamford Advocate and online on the City of Stamford Website on December 8, 2021;

**WHEREAS**, on December 17, 2021, a Petition of certain landowners of the City of Stamford was timely filed with the Town Clerk’s office to refer the Zoning Board’s Decision to the Board of Representatives (the “Petition”) pursuant to Section C6-40-9 of the City of Stamford’s Charter (the “Charter”);

**WHEREAS**, Section C6-40-9 of the Charter requires the Zoning Board to refer the Petition “to the Board of Representatives within twenty days after the official publication, together with written findings, recommendations, and reasons”;

**WHEREAS**, more than twenty days after the official publication of the Zoning Board’s Decision has elapsed and the Zoning Board has failed as required by the Charter to refer the Petition together with written findings, recommendations, and reasons to the Board of Representatives;

**WHEREAS**, without authority from the Charter, the City of Stamford Land Use Bureau by the actions of Ralph Blessing, the Land Use Bureau Chief and the signatory on the Application, and the City of Stamford Law Department took it upon themselves to adjudicate the validity of the Petition, in contradiction to the Charter, and determined without authority that the Petition would not be referred to the Board of Representatives.

**NOW THEREFORE BE IT RESOLVED BY THE 31<sup>ST</sup> BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD**, that the City of Stamford Zoning Board has failed to comply with the Charter of the City of Stamford Section C6-40-9 and is therefore in violation thereof, and

**BE IT FURTHER RESOLVED BY THE 31<sup>ST</sup> BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD**, that the City of Stamford Zoning Board shall refer the Petition filed in the Town’s Clerk’s office on December 17, 2021, appealing Amendment to the Zoning Regulations under Zoning Board Approval No. 221-20 as required by the Charter of the City of Stamford Section C6-40-9 immediately upon receipt of this resolution, and

**BE IT FURTHER RESOLVED BY THE 31<sup>ST</sup> BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD**, in the event the Zoning Board continues to fail to meet its obligations under the Charter by not referring the Petition to the Board of Representatives, then within [10] days of the date hereof, in order to insure that the people of Stamford are heard and not disenfranchised from their right to have their elected officials review the Petition, the 31<sup>st</sup> Board of Representatives of the City of Stamford shall request a copy of the Petition from the Town Clerk and proceed in the same manner as if the Petition had been referred to it by the Zoning Board in accordance with the Charter,

**BE IT FURTHER RESOLVED BY THE 31<sup>ST</sup> BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD**, that the Board of Representatives requests the Town Clerk’s office to analyze the signatories to the Petition and submit a report of its findings to the Board of Representatives no later than 72 hours before the regular February Board of Representatives Land Use Committee meeting.