

TOWN of ENFIELD
ZONING BOARD OF APPEALS - VARIANCE APPLICATION FORM
Planning Department - Town Hall - 820 Enfield Street - Enfield, CT 06082
(860) 253-6355

A-2
File # (office use only)
ZBA 2020-05-02

FEES: Residential \$120.00 Non-residential \$185.00 (All fees include current \$60 state fee)

Application type (check one or more of the following) Date of Filing _____
 Residential Non-Residential

Variance Type:
 Use Area Yards Height Building line Other

In connection with a:
 Proposed Building Existing Building

Applicant Name: Jennifer M Welch-Bouchard Phone: 860-331-7837

Home Address: 37 Tabor Rd E-Mail: jmbouchard61@gmail.com

Property Address: 37 Tabor Relation to Property: owner

Map: 59 Block: WYNN Lot: 179 Property ID: 041300010090

Zone: R-33 Wetlands on Site? Yes No

Does applicant own the property? Yes (attach copy of deed) No (Submit Authorization Letter from Owner)

Property Owner's Name: Jennifer Michael Address: 37 Tabor Rd
Enfield CT 06082

When was the property acquired? 2002

Provide property history:
Mike Corney, Mark Maron

Describe your application: (Please Print)
variance for required frontyard setback

Applicable Section(s) of the Zoning Ordinance 4.10

Who will be representing the application and what is the way to contact that person

NAME: Jennifer Bouchard ADDRESS: 37 Tabor Rd

Mike Bouchard (phone) Enfield CT 06082

James Welch (fax) Jen 860 331 7837 jmbouchard61@gmail.com

(e-mail) Mike 860 331 7837 heartu7@aol.com

APPLICATION SUBMITTAL REQUIREMENTS: Applicant must locate the proposed structure corners on the ground with stakes, or spray paint (if the location is on an impervious surface). If requesting a variance for a side yard, applicant must show the property line, required side yard, and the requested side yard variance. Failure to stake or spray paint the location will cause the postponement of your meeting date.

The undersigned hereby permits town staff and board members to enter onto and inspect this site during reasonable hours for the purpose of reviewing this application and accompanying plans. I hereby depose and say that all of the above statements as well as the statements contained in all papers filed herewith are true.

Applicant signature: *[Signature]*
Subscribed and sworn to before me this 22nd day of May 20 20

[Signature] *[Signature]*
 Notary Public Justice of the Peace Commissioner of Superior Court

(Please check one)

Commission expiration date stamp: Exp June 30 2020

DEPARTMENT DATE STAMP
10:01 PM 10:01
2020 MAY 22 PM 10:01

James Welch
860 559 5613

\$ 140.00 Cash

VARIANCE

INTRODUCTION

Section 11.00B, Enfield Zoning Ordinances, Powers and Duties of the ZBA

Variations: The ZBA shall have the authority to vary or adjust the strict application of these Regulations in those cases where the unusual size, shape or topography of a lot or other unusual physical conditions pertaining to it or to any building situated thereon make it impossible to strictly apply a specific provision of these Regulations to such lot without resulting in exceptional difficulty or unusual hardship, so that substantial justice shall be done and the public health, safety and welfare secured.

Section 11.20 Decision

- A. No variance shall be granted by the ZBA unless it finds:
 - i. That there are special circumstances or conditions, fully described in the findings of the ZBA, applying to the lot or structure for which the variance is sought, which are peculiar to such lot or structure and do not apply generally to lots or structures in the neighborhood and which have not resulted from any willful act of the applicant subsequent to the date of adoption of the regulation from which the variance is sought, whether in violation of the provisions herein or not;
 - ii. That, for reasons fully set forth in the findings of the ZBA, the aforesaid circumstances or conditions are such that the particular application of the provisions of these Regulations would deprive the applicant of the reasonable use of the lot or structure, that the granting of the variance is necessary for the reasonable use of the lot or structure, and that the variance as granted by the ZBA is the minimum adjustment necessary to accomplish this purpose;
 - iii. That the granting of the variance shall be in harmony with the general purposes, and intent of these Regulations and the Town's Plan of Conservation and Development, and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety and welfare.

Subsections 11.20Ai - iii are three sections of criteria, based in statutory enabling legislation, all of which must be met to grant a variance. These ordinance subsections deal substantially with the criteria for hardship and applicability covered under statute and case law; any single subsection cannot be used alone to justify granting a variance.

The Zoning Board of Appeals must find that a legal hardship exists. A hardship exists when the Zoning Ordinance uniquely affects a parcel of land differently from other properties, and where use of the property or reasonable use of the land would be impossible without the variance. Self inflicted or financial hardships cannot, by law, be considered as a reason for granting a variance.

APPLICATION

What are the abutting land uses, zoning districts, and owner names (including those across the street?)

	North	East	South	West
Land Use	<u>Res</u>	<u>Multi Fam</u>	<u>Single Fam</u>	<u>Single Fam</u>
Zoning Dist.	<u>R-33</u>	<u>R-33</u>	<u>R-33</u>	<u>R-33</u>

Owner(s):
 North: Patrick + Marc Jean Dumont
 East: James + Lisa Desheues
 South: Robert + Adam Gillian
 West: Rosa Bucchiere

Describe any structural alterations or construction and attach a scaled site plan and/or scaled elevation (14 copies)
App Blue print

If the property has been the subject of previous applications, attach a list.
 Previous application file #(s) None
 Date(s) of decision(s): _____

VARIANCE (cont.)

The following five questions must be answered, in support and justification for your appeal.
If needed, extra pages and supplemental illustrations or photographs may be used and included in the application.

Question #1

What difficulty or unnecessary hardship would result if the variance were not granted (Inconvenience alone or financial loss are not undue hardships)?

Constructing New building of Set back

Question #2

Why is the application, as written causing undue hardship? Describe.

Because Size of lot Angle of Home

Question #3

Why is the hardship different for this property and not shared by other properties in the neighborhood?

Constructed as Diagonal Daignal

Question #4

Is the variance requested the minimum necessary to meet the needs of the applicant or owner?

Does not Meet the location From Front yard Set back

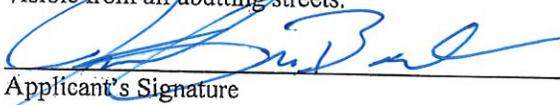
VARIANCE (cont.)

Question #5

What effect, if any, would the variance have on your neighbors or occupants of surrounding property? For example: traffic, parking, public safety, air, water, etc.

Does Not effect Anyone

When the application is submitted to the Enfield Planning Department, the applicant will be given a Public Notices sign, which is to be displayed on the property at least 10 days prior to the public hearing, clearly visible from all abutting streets.



Applicant's Signature

5/22/2020

Date

Owner's Signature (If different from Applicant)

Date

List the names and addresses of owners of any land abutting or within 100 feet of any part of the land involved in the hearing. Attach extra pages as necessary.

Name: Taber Adam
Address: Gillian
92 Hill Street Enfield
CT 06082

Name: James Desheres
Address: 35 Taber Rd
Enfield Ct 06082

Name: Patrick Demont
Address: 38 Taber Rd
Enfield CT 06082

Name: Rosa Buachiere
Address: 5 Booth St
Enfield Ct 06082

Name: _____
Address: _____

It is the applicant's responsibility to notify abutting landowners by certified mail. A copy of the legal notice may be used for this mailing.

Applicant is to review and acknowledge the Land Use Application Guide. Please contact Planning staff at (860) 253-6355 for guidance.