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**TOWN OF ENFIELD**  
**ENFIELD ZONING BOARD OF APPEALS**  
**STAFF REPORT & DRAFT RESOLUTION**

<b>Application #</b>	ZBA# 2020-05-22	<b>Meeting Date:</b>	June 22, 2020
<b>Address:</b>	37 Tabor Road	<b>Prepared By:</b>	Jennifer Pacacha, MRP, AICP
<b>Applicant:</b>	Jennifer Bouchard		Assistant Town Planner
<b>Property Owner:</b>	Jennifer & Michael Bouchard	<b>Wetlands/Watercourses:</b>	No
<b>Zone:</b>	R-33	<b>Aquifer Protection Areas:</b>	Yes
<b>Current Use:</b>	Residential	<b>Flood Zones:</b>	No
<b>Proposed Use:</b>	Residential	<b>Variiances:</b>	No
<b>Map/Lot:</b>	59/179	<b>Applicable Zoning Regulations:</b>	Section 4.10

**PROPOSAL:**

This is an application for a variance to allow the reduction in the required front yard setbacks. The property itself is a corner lot, and the house was built in 1957 on an angle as opposed to parallel to the street. Because of the angle of the house and the fact that the property is a corner lot with two required 35-foot front yard setbacks, any garage addition to the home would require a variance to the regulations.

The proposed garage addition will be on the west side of the property along Booth Street. The property is considered a Legal Non-Conforming Structure Under 33,000 Square Feet, therefore the front and rear setback requirements are 35-feet, and the side setback requirements are 10-feet. In this case because the property is a corner lot, there are two front yard setbacks of 35-feet and two side yard setbacks of 10-feet.

**Request:** The proposed addition will require a variance to reduce the front yard setback along Booth Street from 35-feet to 22.5-feet according to the reference plans. That is a 12.5 foot reduction.

**Hardship:** Corner lot with a house on an odd angle not parallel with the street. Home was also built before zoning regulations changed to require larger lot size and frontages to build.

Per **Section 11.00 Powers and Duties B.**, the ZBA shall have the authority to vary or adjust the strict applications 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.



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# TOWN OF ENFIELD

## ADJACENT USES:

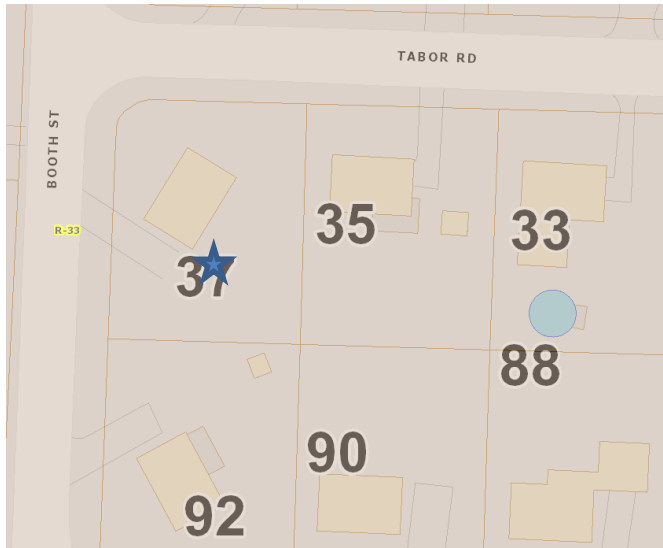
North: R-33

South: R-33

East: R-33

West: R-33

## PICTURES



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Department of Development Services  
Building/Community & Economic Development/Planning & Zoning  
820 Enfield Street  
Enfield, Connecticut 06082

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# TOWN OF ENFIELD

## PROPERTY HISTORY

The property has always been residential in nature. No land use approvals have ever been issued since the home was originally built. Only building permits are on file at this time.

## DECISION CRITERIA

### 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

Per **ZBA Bylaws Article X Order of Business Section 3-** All actions taken by the Board on application before them shall be implemented by a motion of a positive nature and voting accomplished by raising of hand(s). Reasons for approval/disapproval of such actions shall be described and identified.

## DEPARTMENT COMMENTS:

**Engineering Department –**

**Health Department –**

**Building Department –**

**Water Pollution Control Authority –** No comments or concerns

**Police Department –** No comments or concerns at this time regarding 37 Tabor Rd

**Fire Department –**



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## TOWN OF ENFIELD

**MOTION TO APPROVE** ZBA# 2020-05-22 – 37 Tabor Road - for a variance to allow a reduction in front yard setbacks from 35 feet to 22.5 feet along Booth Street according to the below reference plans; Jennifer Bouchard, owner/applicant; Map 59/179; R-33 Zone.

**REFERENCE PLANS – ZBA# 2020-05-22 – 37 TABOR ROAD**

1/1 – “Zoning Location Survey” Prepared for James Welch, 37 Tabor Road, Enfield, Connecticut; Prepared by Gary B. LeClair, LLC., 57 Acorn Drive, Windsor Locks, Connecticut 06096; Sheet 1 of 1; Scale: 1”= 10’; Prepared on May 15, 2020.