

Zoning Projects				29-Jul	2021	Report			
Application #	Date	Address	Name	Map/Block	Project	Fee	Appr/Denied	Status	NOTES JV
2019									
JV - 21 - 19	7/24/19	10 Nehantic Dr	Dewey	5.11 / 24	Fen/bulk hd//ac	450	A	Completed	7/15/2021
2020									
JV - 18 - 20	5/23/20	3 Palette Ave	Koeing	5.15 / 66	Dumpster	0	A	Removed	5/14/2021
JV - 22 - 20	5/23/20	32 Woodland	Lombardo	5.9 / 15	Det. Garage	150	A	Completed	5/8/2021
JV - 29 - 20	7/6/20	3 Palette Ave	Koeing	5.15 / 66	Additions / renov	750	A	Completed	8/23/2021
JV - 30 - 20	7/19/20	10 Sea Breeze	Giamalis	5.15 / 57	Addition / renov	900	A	Completed	3/11/2021
JV - 38 - 20	Sept 4	9 Ridge Trail	Manwarring	5.9 / 29	Replace shed	NC	A	Completed	3/26/2021
JV - 46 - 20	Oct 17	11 Ridge Trail	Gaska	5.9 / 28	New House	1075	A	Under Constr	Insp 7/23/2021
JV - 53 - 20	Dec 2	20 Bellaire	Fecteau	5.11 / 46	Remodel	1050	A	Under Constr	Insp 7/23/2021
JV - 56 - 20	Dec 9	47 Bellaire	Meggers	5.10 / 17	Replace deck	NC	A	Completed	5/27/2021
JV - 57 - 20	Dec 10	18 Saltaire Ave	Miller	5.19 / 47	Fence & Front P	150	A	Not started	Insp 7/23/2021
JV - 58 - 20	Dec 10	48 Nehantic Dr	Etienne	5.10 / 76	Covered walkway	45	A	Not started	Insp 7/23/2021
JV - 59 - 20	Dec 23	53 Bellaire Rd	Phelps	5.10 / 15	New House	1050	A	Completed	7/23/2021
2021									
JV - 1 - 21	Jan 16	5 East Shore	Walsh	5.11 / 52	Addition	300	A	Completed	7/15/2021
JV - 2 - 21	Jan 16	39 Nehantic	Reardan	5.10 / 91	Garage	300	A	Under Constr	Insp 7/29/2021
JV - 3 - 21	Jan 20	3 Sea Breeze	Resnisky	5.15 / 77	Addition		A	Withdrawn	6/24/2021
JV - 4 - 21	Feb 12	76 East Shore	Brewer	5.19 / 37	Dumpster	NC	A	Removed	5/14/2021
JV - 5 - 21	Feb 25	5 Billow Rd	Strouch	5.2 / 65	Dumpster	NC	A	Removed	5/14/2021
JV - 6 - 21	March 12	46 Indianola	Schepker	5.14 / 20	Bilco Door	75	A	Installed	4/9/2021
JV - 7 - 21	March 12	26 Nehantic	Szupiany	5.10 / 54	Shed	150	A	Completed	5/27/2021
JV - 8 - 21	March 12	36 Sea Crest	Smith	5.15 / 21	Dumpster	NC	A	Removed	5/14/2021
JV - 9 - 21	March 20	55 Bellaire	Delaney	5.10 / 14	AC Unit	75	A	Completed	7/15/2021

JV - 10 - 21	March 28	74 East Shore	Sheehan	5.19 / 26	Dumpster	NC	A	Completed	5/27/2021
JV - 11 - 21	April 11	3 Uncas Rd	Ryan	2.7 / 5	Garage	300	A	Started	Insp 7/29/2021
JV - 12 - 21	April 12	23 Sea Crest Ave	McLaughlin		Dumpster	NC	A	Removed	5/14/2020
JV - 13 - 21	April 14	5 East Shore	Walsh	5.11 / 52	Dumpster	NC	A	Removed	6/11/2021
JV - 14 - 21	April 14	50 Sea Breeze	Wiehn	5.14 / 81	Dumpster	NC	A	Installed	Insp 7/29/2021
JV - 15 - 21	April 14	19 Cottage Ln	Atcheson	5.14 / 3	Dumpster	NC	A	Removed	6/30/2021
JV - 16 - 21	April 17	50 Indianola	Connors	5.14 / 22	Heat Pump	150	A	Completed	6/11/2021
JV - 17 - 21	April 17	20 Seaview Ave	Wunder	5.15 / 39	Shed	150	A	Completed	7/15/2021
JV - 18 - 21	April 17	12 Uncas Road	Cherry	2.7 / 9	shed	45	A	Completed	5/8/2021
JV - 19 - 21	April 17	9 Bellaire Rd	Bouchard	5.11 / 50	Deck	150	A	Completed	7/15/2021
JV - 20 - 21	April 17	32 Whitecap	Denkins	5.14 / 47	Garage/Walkway	150	A	Not Started	Insp 7/29/2021
JV - 21 - 21	May 8	35 Sunset Ave	Kycia		Fence	45	A	Completed	7/15/2021
JV - 22 - 21	May 8	39 Nehantic	Reardon	5.10 / 91	Fence	150	A	Under Constr	Insp 7/29/2021
JV - 23 - 21	May 8	47 Sea Crest	Paar	5.14 / 112	Deck Replace	NC	A	Completed	6/30/2021
JV - 24 - 21	May 8	53 Sea Spray	Bruce	5.18 / 14	Fence Replace	NC	A	Completed	6/11/2021
JV - 25 - 21	May 8	1 Whitecap	Amara	5.11 / 75	Dumpster	NC	A	Removed	Insp 6/11/2021
JV - 26 - 21	May 15	16 East Shore	Goyal	5.11 / 67	Fence	150	A	Completed	5/27/2021
JV - 27 - 21	May 15	9 Ridge Trail	Manwarring	5.9 / 29	Deck	300	A	Completed	7/23/2021
JV - 28 - 21	May 27	3 Uncas Rd	Ryan	2.7 / 5	Fire Pit	45	A	Completed	5/27/2021
JV - 29 - 21	May 27	50 Sea Breeze	Wiehn	5.14 / 81	Addition	450	A	Under Constr	Insp 7/29/2021
JV - 30 - 21	June 11	12 Sunset	Rainville	5.10 / 103	Dumpster	NC	A	Removed	Insp 6/11/2021
JV - 31 - 21	June 11	31 Seaview	Szilagyi	5.14 / 93	Dumpster	NC	A	Installed	Insp 7/29/2021
JV - 32 - 21	June 11	13 Bellaire	Tine	5.11 / 48	Dumpster	NC	A	Removed	7/15/2021
JV - 33 - 21	June 21	31 East Shore	Paternostro	5.11 / 3	Fence & Steps	150	A	Not Started	Insp 7/29/2021
JV - 34 - 21	June 24	37 Cottage	Kenyon	5.18 / 3	Dumpster	NC	A	Removed	Insp 7/15/2021
JV - 35 - 21	June 24	13 Sea Breeze	Ryan	5.15 / 72	Dumpster	NC	A	Installed	Insp 7/23/2021
JV - 36 - 21	July 3	21 Bond	MacPhail	2.7 / 117	Fence	75	A	Completed	7/15/2021
JV - 37 - 21	July 8	60 Seaview	Berry		Dumpster	NC	A	Installed	Insp 7/15/2021

Proposed Revised Regulations – 2021 – “As of Right” Accessory Apartments

9. Accessory Apartments

9.1. Purpose and intent - The intent of this regulations is to allow the creation of “as of right” accessory apartment regulation in accordance with recent legislation which revised CGS 8-2 through Public Act No. 21-29 in 2021. This section allows an accessory apartment within residential zones with the purpose of providing housing for the elderly, single persons, or small families. This regulation is designed to ensure that in creating an accessory apartment, the single-family character of the existing principal dwelling and the neighborhood shall be retained.

9.2. Standards:

a. An accessory apartment may be used for dwelling purposes provided that the property contains the required area and meets the conditions noted below and is on a conforming lot that is at least 8,000 square feet and has 60 feet of frontage. All accessory apartment construction is subject to the required yard and building heights of these Regulations, the Connecticut Building Code, and the Connecticut Public Health Code.

1. An accessory apartment may have one or two bedrooms.
2. An accessory apartment may have a maximum net floor area for an accessory apartment of not less than thirty percent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less, as long as the lot has the minimum of 8,000 square feet of area and 60 feet of frontage.
3. For accessory apartments which will be constructed within the existing single-family dwelling and accessory structures a competent floor plan drawings of the dwelling and apartment, and suitable sketches, architectural drawings and/or photographs sufficient to show the character and extent of exterior building and façade construction including any alterations.
6. For accessory apartments that will require construction of additions or accessory structures, the application will require a submission of an A-2 survey as one would for an addition or new house construction.

Proposed Revised Regulations – 2021 – “As of Right” Accessory Apartments

7. Detached Accessory Apartment: The exterior materials, roof form, and window spacing and proportions of the accessory dwelling unit shall be in harmony with those of the existing or proposed principal single family dwelling. For an accessory dwelling unit located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single-family dwelling, but any exterior modifications should be consistent with the architectural style of that structure unless the building is upgraded per the requirement for new structures.

7. The site plan shall demonstrate off street parking for a minimum of three (3) vehicles in the driveway or garage to accommodate both the principal dwelling and the accessory apartment of the premises and shall otherwise conform with Section 11 of these Regulations. Each parking space and the driveway leading thereto shall be paved or shall have an all-weather gravel surface. No parking space shall be located within the boundary of a street right-of-way.

8. Either the single-family dwelling or the apartment unit shall be permanently occupied by the owner of the premises. An affidavit of ownership signed by the owner(s) of the premises and affirming intent of an owner(s) to occupy either the single-family dwelling or accessory apartment is required at the time of application and will be filed in the Town Land Record.

9. In complying with the intent of Public Act 21-29 to provide housing, accessory apartments are prohibited from being used for short term rentals such as Air B&B, weekly or monthly rentals, and alike.

Definitions

Accessory apartment: a dwelling unit that is located on the lot of or within a single-family home.

Short Term Rentals Short-term rental means a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee. Commonly referred to as vacation rentals.

Proposed Revised Regulations – 2021 – “As of Right” Accessory Apartments

15 side &
rear setback

10 ft

Lot depth 50 ft to 59 ft

Front yard - 15 ft

Rear yard - 10 ft

30 ft

55 ft

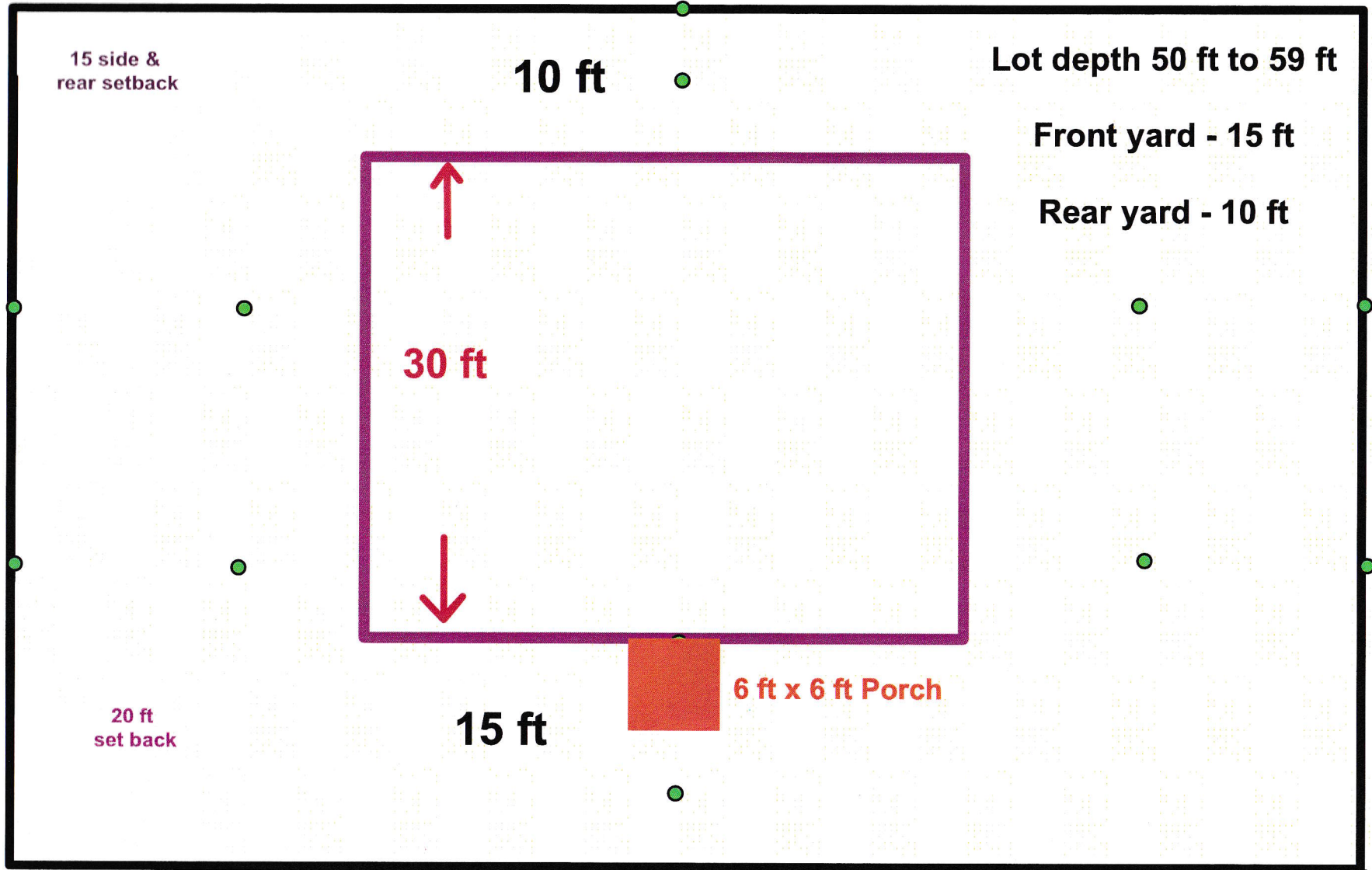
20 ft
set back

15 ft

6 ft x 6 ft Porch

90 ft

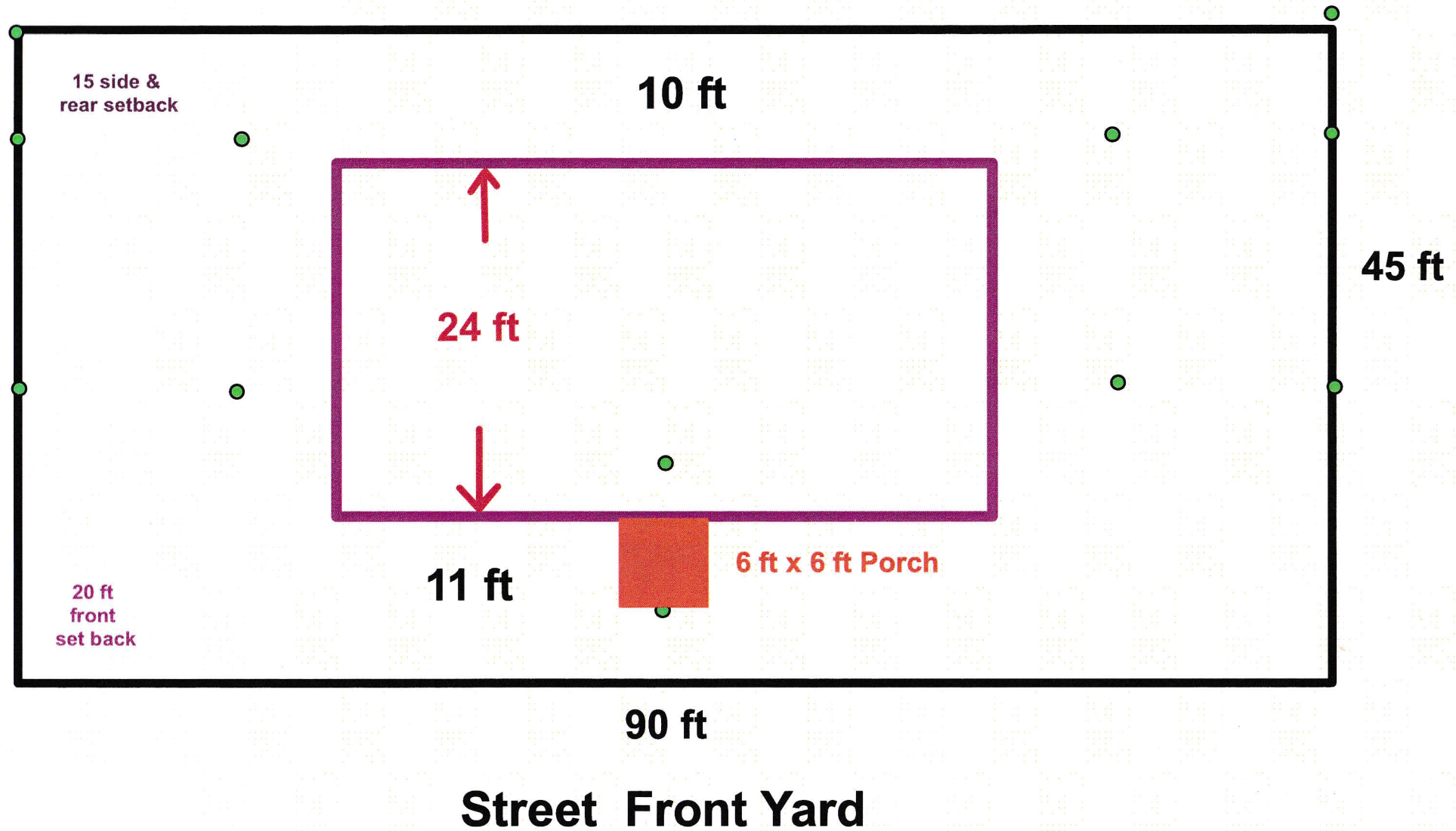
Street Front Yard



Lot depth 40 ft to 49 feet

Front yard setback - 11 ft

Rear yard setback - 10 ft



Lot depth less than 40 feet

Front yard setback - 11 feet

Rear yard setback five feet

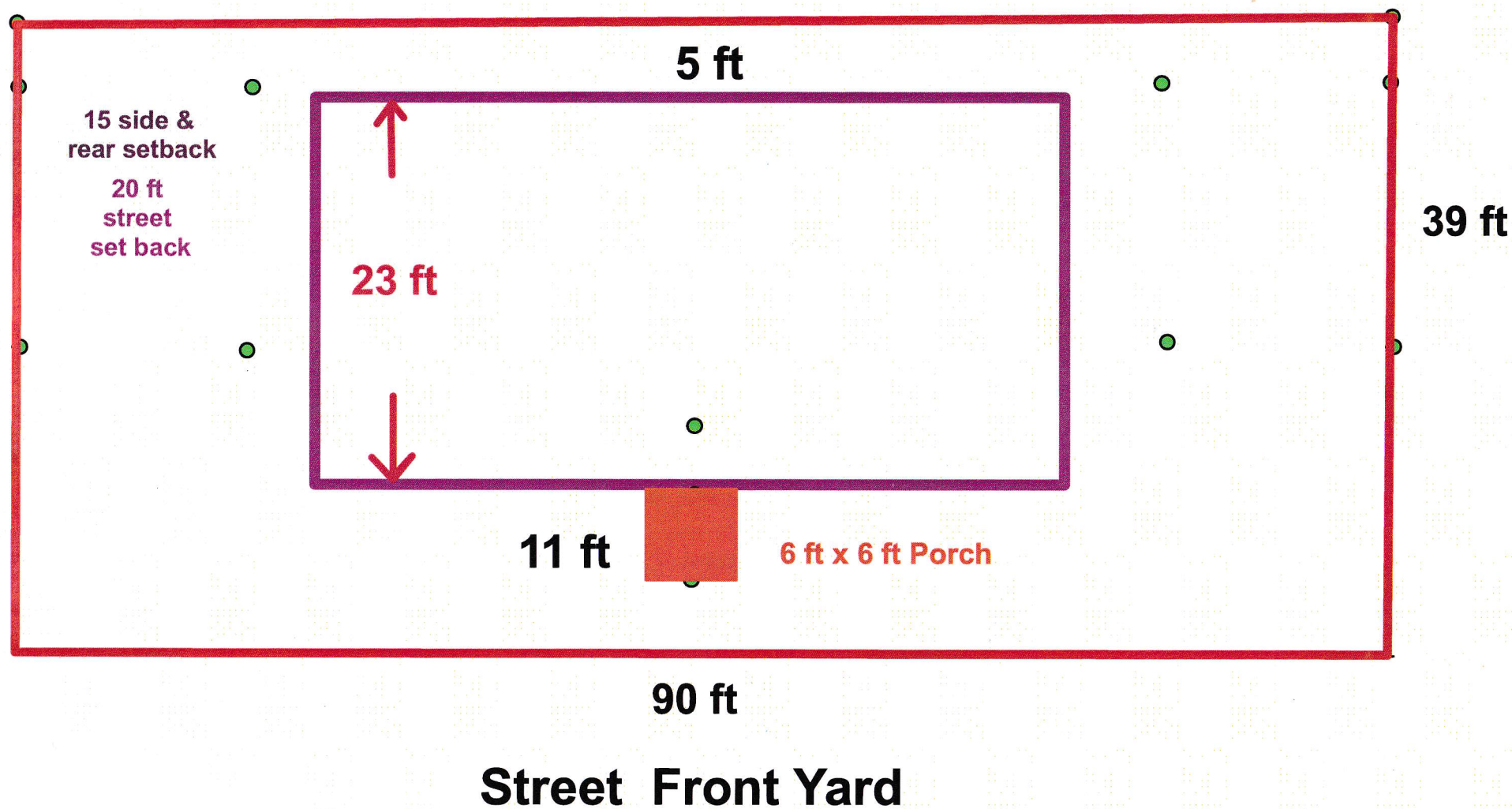


Diagram illustrating a lot layout with setbacks and a porch:

- Lot dimensions:** 60 ft depth, 15 ft width.
- Setbacks:**
 - Front yard - 15 ft setback
 - Rear yard - 15 ft setback
 - 15 ft side & rear setback
 - 20 ft street set back
- Porch:** 6 ft x 6 ft Porch (indicated by a red square).
- Dimensions within the lot:**
 - 35 ft (indicated by a red arrow pointing up from the porch area).
 - 15 ft (indicated by a red arrow pointing down from the porch area).

Diagram illustrating a lot layout with setbacks and dimensions:

- Lot dimensions:** 60 ft (depth) x 15 ft (width).
- Setbacks:**
 - Front yard - 15 ft setback
 - Rear yard - 15 ft setback
 - 15 ft side & rear setback
 - 20 ft street set back
- Dimensions shown:**
 - 15 ft (width of the lot)
 - 35 ft (depth of the lot, indicated by a red arrow pointing up)
 - 15 ft (width of the lot, indicated by a red arrow pointing down)
- Porch:** 6 ft x 6 ft Porch (indicated by a red square).

Diagram illustrating a lot layout with setbacks and dimensions:

- Lot depth: 60 ft to 65 ft
- Front yard - 15 ft setback
- Rear yard - 15 ft setback
- 15 ft (width of the lot)
- 35 ft (depth of the main building footprint)
- 15 ft (width of the porch area)
- 6 ft x 6 ft Porch
- 20 ft street set back

15 side & rear setback

15 ft

Lot depth 60 ft to 65 ft
Front yard - 15 ft setback
Rear yard - 15 ft setback

35 ft

15 ft

20 ft street set back

6 ft x 6 ft Porch

The diagram shows a rectangular lot with a purple border. A red arrow points up from the bottom edge, and another red arrow points down from the top edge. A red rectangle is attached to the bottom edge. Green dots are placed along the boundaries. Text labels indicate setbacks and dimensions.

Diagram illustrating a lot layout with setbacks and a porch:

- Lot dimensions:** 60 ft depth, 15 ft width.
- Setbacks:** 15 ft side & rear setback, 20 ft street setback.
- Front yard:** 15 ft setback.
- Rear yard:** 15 ft setback.
- Structure:** 6 ft x 6 ft Porch.
- Dimensions:** 35 ft (main structure), 15 ft (porch area).

Diagram illustrating a lot layout with setbacks and a porch:

- Lot dimensions:** 60 ft depth, 15 ft width.
- Setbacks:**
 - Front yard - 15 ft setback
 - Rear yard - 15 ft setback
 - 15 ft side & rear setback (overall)
 - 20 ft street set back (overall)
- Dimensions shown:**
 - 15 ft (width)
 - 35 ft (interior depth)
 - 15 ft (front setback)
- Porch:** 6 ft x 6 ft Porch (indicated by a red square).

Diagram illustrating a lot layout with setbacks and a porch:

- Lot dimensions:** 60 ft depth, 15 ft width.
- Setbacks:**
 - Front yard - 15 ft setback
 - Rear yard - 15 ft setback
 - 15 ft side & rear setback
 - 20 ft street set back
- Dimensions shown:**
 - 35 ft (Main building footprint)
 - 15 ft (Front setback)
- Porch:** 6 ft x 6 ft Porch (indicated by a red square).

Diagram illustrating a lot layout with setbacks and a porch:

- Lot dimensions:** 60 ft depth, 15 ft width.
- Setbacks:**
 - Front yard - 15 ft setback
 - Rear yard - 15 ft setback
 - 15 ft side & rear setback
 - 20 ft street set back
- Dimensions shown:**
 - 35 ft (Main building footprint)
 - 15 ft (Front setback)
- Porch:** 6 ft x 6 ft Porch (indicated by a red square).

Diagram illustrating a lot layout with setbacks and dimensions:

- Lot depth: 60 ft to 65 ft
- Front yard - 15 ft setback
- Rear yard - 15 ft setback
- 15 ft (width)
- 35 ft (depth)
- 15 ft (width)
- 6 ft x 6 ft Porch
- 20 ft street set back

Diagram illustrating a lot layout with setbacks and a porch:

- Lot dimensions:** 60 ft depth, 15 ft width.
- Setbacks:**
 - Front yard - 15 ft setback
 - Rear yard - 15 ft setback
 - 15 ft side & rear setback (overall)
 - 20 ft street set back (overall)
- Dimensions shown:**
 - 15 ft (width)
 - 35 ft (interior depth)
 - 15 ft (front setback)
- Porch:** 6 ft x 6 ft Porch (indicated by a red square).

APPROVED NEW REGULATIONS

Public Hearing October 17, 2020, Special Meeting October 30, 2020

NONCONFORMING STRUCTURES AND LOTS

DELETIONS IN [BRACKETS AND UNDERLINED] / ADDITIONS IN *ITALICS AND BOLD*

EXISTING SECTION VII – NONCONFORMING USES, BUILDINGS AND LOTS

Any lawful use of a building lot existing as of September 1, 2010 may be continued subject to the following conditions:

1. Except as hereinafter provided in this Section, a nonconforming use shall not be enlarged or extended.
2. A nonconforming use may not be changed to another nonconforming use.
3. If any nonconforming building or structure is destroyed by fire, flood or other casualty, or is intentionally razed or demolished, it may be restored or replaced by a building or structure having the same nonconforming features as the building or structure destroyed or razed.
4. Any permitted use may be made of, and any permitted building may be constructed on, a nonconforming lot provided that as of August 2, 1980 and continuously thereafter the legal owners of record of the nonconforming lot did not, at any time during the ownership of the nonconforming lot, own any adjoining or contiguous lot. When lots are joined, for the purposes of complying with the Zoning Regulations, the lots shall be combined into one lot on the land records
5. The owner of two (2) or more adjoining or contiguous lots may, upon approval by the Board of Governors of the Association, re-subdivide those nonconforming lots to create one (1) or more conforming lots.
6. Except as set forth in paragraph 8, a nonconforming building shall not be enlarged or extended, vertically or horizontally, unless:
7. Such extension or enlargement complies with the setback requirements of these regulations regardless of the existing setback lines of the nonconforming building except as noted below; and
8. Such extension or enlargement complies with all other provisions of these regulations pertaining to the type of building being extended or enlarged as relates to height, dimensions and number of floors.

APPROVED NEW REGULATIONS

Public Hearing October 17, 2020, Special Meeting October 30, 2020

NONCONFORMING STRUCTURES AND LOTS

DELETIONS IN [BRACKETS AND UNDERLINED] / ADDITIONS IN *ITALICS AND BOLD*

9. Any open portion of a nonconforming dwelling having a roof and existing as of February 5, 1991 may be enclosed so to form a portion of the interior of the dwelling.
10. The roofline immediately over actual occupied area above grade, not including accessory unoccupied areas, in a nonconforming dwelling may be changed, providing the overall height of the structure is not increased except as noted below.
12. Nonconforming structures exceptions.
 - a. No nonconforming dwelling shall be enlarged or extended unless the enlargement or extension conforms to the requirements of the district in which it is situated.
 - b. EXCLUDED FROM THIS PROHIBITION ARE:
 1. Additions of a second story to one-story single family dwellings.
 2. Conversions of single-family one-and-one-half story dwellings to two-story dwellings, either by means of dormers or upward extensions of existing sidewalls.
 3. Conversions to two stories of one-story appendages to two-story single-family dwellings.
 4. Construction of an addition that fills in a section of the house when two adjacent exterior walls are already non-conforming.
 5. Construction of an addition that extends the existing nonconformity as long as the extension does not exceed twenty percent of the existing length of the structure and does not extend into the front or rear yard setbacks.
 - c. NONE OF THE FOREGOING ADDITIONS, EXTENSIONS, OR CONVERSIONS SHALL:
 1. Extend beyond the perimeters of the existing buildings except as noted in #4 or #5 above.
 2. Exceed the vertical projection limits specified elsewhere in these regulations.

APPROVED NEW REGULATIONS

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NONCONFORMING STRUCTURES AND LOTS

DELETIONS IN [BRACKETS AND UNDERLINED] / ADDITIONS IN *ITALICS AND BOLD*

3. Alter the single-family status of the dwellings.
4. Result in a separation of less than 15 feet from the sidewalls of any other dwelling.
5. Result in the nonconformity being constructed no closer than five feet from the property line.
6. Result in construction that exceeds the coverage limit thirty-five (35) percent of all structures on the property.

d. Nothing shall prevent the construction of additions to single family detached residential dwellings provided that the following conditions are met:

1. No lot within the scope of these provisions may contain more than one dwelling.
2. The dwellings are used solely as private residences, except for approved "Home Occupations" and the proposed additions shall likewise be designed for such use. (For purposes of this regulation, single-story, accessory attached and detached garages shall be considered residential additions.)

e. All application for construction under this section will require an A-2 survey to demonstrate the exact location of the existing structure, the proposed addition(s), and the location of the closest neighboring structure(s).

APPROVED NEW REGULATIONS

Public Hearing October 17, 2020, Special Meeting October 30, 2020

NONCONFORMING STRUCTURES AND LOTS

DELETIONS IN [BRACKETS AND UNDERLINED] / ADDITIONS IN *ITALICS AND BOLD*

13. NONCONFORMING LOTS - LOT WIDTH

Lots 79 feet or less in width: In the case of any lot 79 feet or less in width, the minimum combined width of both side yards and the minimum width of the narrowest side yard shall be respectively as follows;

LOT WIDTH	COMBINED WIDTH OF SIDE YARDS	MINIMUM WIDTH OF NARROWEST SIDE YARD
UNDER 40 feet	16 feet	8 feet
40 feet to 49 feet	18 feet	9 feet
50 feet to 59 feet	20 feet	10 feet
60 feet to 69 feet	24 feet	12 feet
70 feet to 79 feet	28 feet	14 feet

Note – The side yard is measured at the proposed construction area and not the front property line.

14. NONCONFORMING LOTS – LOT DEPTH

Lots 65 feet or less in depth: In the case of any lot 65 feet or less in depth, the minimum front yard and the minimum rear yard shall be respectively as follows;

	MINIMUM	MINIMUM
LOT DEPTH	FRONT YARDS	REAR YARD
UNDER 40 feet	11 feet	5 feet
40 feet to 49 feet	11 feet	10 feet
50 feet to 59 feet	15 feet	10 feet
60 feet to 65 feet	15 feet	15 feet

Note – The front and rear yard is measured at the proposed construction area.

APPROVED NEW REGULATIONS

Public Hearing October 17, 2020, Special Meeting October 30, 2020

NONCONFORMING STRUCTURES AND LOTS

DELETIONS IN [BRACKETS AND UNDERLINED] / ADDITIONS IN *ITALICS AND BOLD*

15. Landings and Stairs Within the Setback Areas

Exterior landings and stairways to exterior doors which are constructed within the setback areas as defined in this section shall be consistent with the following requirements, and no further deviation from such setback areas shall be permitted unless expressly authorized by a variance granted by the Zoning Board of Appeals:

- a. Landings in the setback area shall not exceed the dimensions of four six (6) feet by six (6) feet.
- b. Stairways and landings shall not extend into a side or rear setback area less than five (5) feet from the property line, nor into a front setback area less than five (5) feet from the property line.