

THE ZONING BOARD OF APPEALS OF THE TOWN OF AVON HELD A REGULAR MEETING FOR A PUBLIC HEARING ON THURSDAY, OCTOBER 17, 2019, AT THE AVON TOWN HALL, BUILDING #1 (LOWER LEVEL).

Present were Chair Ames Shea, Vice-chair Andrew Bloom, and members Chester Bukowski, and Eileen Carroll, and alternate member Francesco Lupis; absent were member Mackenzie Johnson, and alternate members Thomas McNeill and Vi Smalley. Also present was John McCahill, Planning and Community Development Specialist.

Ms. Shea called the meeting to order at 7:03 p.m.

Chair Shea stated that the Avon Zoning Board of Appeals was created as required by Section 8-6 of the Connecticut General Statutes, and functions in accordance with the powers and duties of Section X – Administration and Enforcement, C., of the Town of Avon Zoning Regulations.

PUBLIC HEARING

John McCahill stated that the Town published legal notices in accordance with the Connecticut General Statutes and also notified the abutters to the subject property as part of the Zoning Board of Appeals application process.

Present was owner/applicant Laura E. Veneziano, of 9 Columbus Circle.

Chair Shea read aloud the following: Application of Laura E. Veneziano, owner/applicant; requesting from Avon Zoning Regulations, Section IV. A. 6., a 12-foot variance from the 15-foot required side yard setback and a 27-foot variance from the required 30-foot rear yard setback to permit an 8-foot by 10-foot shed, located at 9 Columbus Circle in an R15 Zone.

Chair Shea summarized the following application materials submitted to the Board: The application and a site map with a drawing indicating the proposed location for the shed; and a photo of the commercial shed that the applicant wishes to purchase. Photographs taken by Town staff show the property from various angles. A Town map shows the subject lot and abutting lots. The specific description of the variance request is an 8' x 10' garden shed within three feet of the west lot line and the south lot line, which requires a 12-foot variance at the side yard and a 27-foot variance to the rear yard. The property owner has stated the following: Strict application of the regulations will produce undue hardship because the shed is needed to facilitate property maintenance. The existing lot size and Town sewer lines which run under the ground in the backyard limit the location where the shed can be placed; this hardship is unique to the premises and not shared by others in the neighborhood. The lot size is uniquely small and limits the possible shed location to the edge of the property. Current setbacks allow for the locations of only currently existing structures. The variance will not change the character of the neighborhood. The proposed shed is small and neat. It will be virtually unseen from the street and nearly all neighbors.

Ms. Veneziano stated that she utilized the old plot plan of the property to specify the location for the shed. The shed would be located in the back right corner of the lot and its purpose would be for the storage of her lawn mower.

Board member Bukowski inquired if there were any objections from neighbors or residents.

John McCahill stated that communications from residents were not received by Town staff.

Vice-chair Bloom commented that on the plan it appears the neighbors have sheds in similar location patterns, close to abutting property lines, and similar to the one Ms. Veneziano proposes for her property. Since the sewer line runs through the middle rear of the property at 9 Columbus Circle, there appears to be no choice but to place the shed within the rear and side setback areas.

Ms. Veneziano responded in the affirmative. She first learned of the sewer lines running through her property when inquiring about the regulations for a shed location on her lot.

Board member Carroll inquired if the structures on the neighboring properties are all sheds.

Ms. Veneziano responded in the affirmative, believing that most of the structures were small garden sheds.

John McCahill stated that the old plan is not accurate in the sense that neighbors' sheds do not actually straddle property lines.

Chair Shea inquired if Ms. Veneziano had spoken with any of her neighbors.

Ms. Veneziano responded that she had spoken to all of her neighbors with the exception of the property owners directly behind her lot; the address of which is located on Old Farms Road. The rear of the Old Farms Road neighbor's lot abuts the rear of her property. She is not able to see that house from her backyard. The neighbors she spoke to did not seem to have any problems with the proposed shed on her lot. Instead, they responded favorably that she would no longer have to carry her lawn mower up and down steps to her house due to a lack of storage facility.

Board member Bukowski inquired if there was a wooded area behind her property.

Ms. Veneziano responded in the affirmative, and that the woods start at the edge of her property.

Chair Shea closed the public hearing.

Vice-chair Bloom motioned to accept and approve the variance as requested by the applicant. Board member Carroll seconded the motion. All were in favor and the motion was approved.

Chair Shea stated the following from the Town's regulations: That the granting of the variance will be in harmony with the purposes and intent of these regulations; will accomplish substantial justice; and will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, and welfare.

Alternate member Lupis motioned to adjourn the meeting. Vice-chair Bloom and Board member Carroll seconded the motion. All were in favor.

There being no further business, the meeting adjourned at 7:15 p.m.

The next regularly scheduled meeting is November 21, 2019.

Susan Guimaraes, Clerk  
Zoning Board of Appeals  
Town of Avon Planning and Community Development