

App. No. 17166

Date 7/21/22

Hearing Date 8/26/20

TOWN OF GUILFORD, CONNECTICUT

Zoning Board of Appeals

(Form must be filled out completely, if not applicable so indicate by inserting N.A. in appropriate space.)

Submit Eight (8) copies of the Application and Maps & DIGITAL PDF TO planning.zoning@ci.guilford.ct.us

PROPERTY LOCATION: 110 Clapboard Hill Road, Guilford, CT 06437

OWNER: Timothy Lyons and Kristina Lyons

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OWNER'S ADDRESS: 110 Clapboard Hill Road, Guilford, CT 06437

JUL 21 2020

APPLICANT: Timothy Lyons and Kristina Lyons

GUILFORD PLANNING & ZONING COMMISSION

APPLICANT'S PHONE /EMAIL: 203-558-3412/ Kristina.a.lyons@gmail.com

APPLICANT'S ADDRESS: 110 Clapboard Hill Road, Guilford, CT 06437

Zoning District: R-5 Map 75 Lot 13-04 Unique ID K9800004

Has a previous Variance/Appeal been filed in connection with these premises { } Yes No
If yes, provide copies.

VARIANCE OR APPEAL REQUESTED (SPECIFY ZONING SECTION): Section 273-25A (2)(b) interior lot setback of 50ft.

This Variance/Appeal relates to:

	Zoning Requirements	Proposed
Lot Area	40,000	
Lot Width		
Lot Shape	125	
Setback from street		
Side Yard		
Rear Yard	50	28

	Zoning Requirements	Proposed
Building Height		
Parking		
Lot Coverage		
Floor Area		
Use		
Other		

Work constitutes a(n) alteration { }, conversion { }, or extension to an existing building { }, and/or non-conforming building { } or Use { } Other { }.

Describe: installation of an in-ground swimming pool- dimensions 18X36

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State Hardship (For Variance) See attached letter for details

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GUILFORD PLANNING & ZONING COMMISSION



Additional Information

Please answer the following additional questions:

Single Family Dwelling
 Two Family Dwelling
 Office in Dwelling
 Homecraft Industry

Residential Accessory Use
 Farm Accessory Use
 Industrial
 Commercial

Garage
 Gasoline Station
Other: _____

Does this property contain inland wetlands or water course? Yes { } No

Is the property

- a. Located within 500 feet of an adjoining municipality? { } Yes No
- b. Located within a filed Watershed Boundary? { } Yes No
- c. Located in an Aquifer Protection Area? { } Yes No

Notification of Neighbors

The applicant shall notify by certified mail, **at least (10) days prior to the Public Hearing**, the owners of land which abut and or are directly across the street from the subject parcel. See attached sample letter.

Evidence of certified mailings (return receipt not necessary) shall be submitted by the applicant at the Public Hearing. A list of Abutters names and addresses will be provided to you.

Instruction and Procedures

1) Regular meetings of the Board are held on the fourth Wednesday of each month at 7:30p.m. in the Nathanael A. Greene Community Center, 32 Church Street, Guilford, unless otherwise stated in a legal notice published in a newspaper having a circulation in the Town of Guilford.

2) Eight (8) copies of the application and maps shall be submitted to: Clerk of the Zoning Board of Appeals, Town Hall South, 50 Boston Street, Guilford, Connecticut 06437, accompanied by a filing **FEE of \$210** for variance applications and **\$310** for appeal of Zoning Enforcement Officer decisions. Please make check payable to TREASURER, TOWN OF GUILFORD.

3) If requested by the Board or agent, applicant or his agent shall cooperate in all respects to allow Board members to visit the property, identifying markers to be placed by the applicant if property has no posted number.

4) Applicant/Appellant/or his agent must be present at the hearing.

5) Owner of property or his authorized agent must sign the application.

6) All applications shall include a property survey map which depicts all existing structures, and proposed additions to existing structures, or new structures, which are the subject of the variance application, prepared by, and signed and sealed by a Connecticut licensed land surveyor. Existing survey maps which were not specifically prepared for the purpose of the variance application, may be used only if it meets the standards herein below, and when accompanied by a statement from the signatory surveyor of the map, that the existing structure(s) still represent that current conditions, upon making a site inspection of the property.

All mapping and survey information submitted with an application to the commission, shall comply with the "Minimum Standards For Surveys And Maps In The State Of Connecticut", as endorsed by the Connecticut Association of Land Surveyors, Inc.

Minimum Classes of Survey Accuracy: Horizontal Class A-2
Vertical Class T-2 or T-3

Map Scale: 1" = 40', or as deemed appropriate by the surveyor to depict the property and area(s) of the variance request in legible detail.

Building setback lines and setback distances

Depict at appropriate locations, the distance between the property line and existing and proposed structures. Specifically, at those locations pertinent to the variance request.

Location and description of any prior variance relief granted, if recorded in the Guilford land records.

Zone boundaries upon, or within 50 feet of the property line

Depict the location and building setback dimensions for any structure on an adjoining property which is non-conforming with respect to the required minimum building setback distance, when said neighboring structure is in proximity to an applicant's structure, for which a building setback variance is requested.

Incorporation of the portion of the Assessor's map depicting the applicant's property and adjoining properties as a map detail, at a legible scale. This may be substituted with a separate copy of the pertinent portion of the Assessor's map.

Property Inspections by Commission Members

Prior to site inspection by the commission members, if the property survey map does not depict sufficient information in proximity to a requested structure variance for lay persons to reasonable determine the location of the property line, the property line shall be staked in this area(s).

Building Height Variance

Depict sufficient topography based upon a class T-2 field survey on all pertinent sides of the structure. Submit computational data for the determination of the average natural ground level. Identify the portion of the proposed structure exceeding the maximum building height, and the location and dimension of maximum building height.

Zoning Chart

All Area, location and bulk standard of Table 3 of the Guilford Zoning Regulations, items 1-12, shall be included, both on the map and on a separate letter size submittal. Items 1-12 shall specify: the required standard for the zone; existing compliance; and proposed compliance per the requested variance.

Physical features based hardship

If terrain or either inland or tidal wetlands are claimed as a hardship, mapping shall depict same. Terrain area(s) of concern shall be depicted by contours at a 2 foot interval, spot elevations may be incorporated, based upon either a class t02 field survey or class T-3 aerial mapping. The boundary of both inland and tidal wetlands shall be site specific. The former, as determined by a soil

scientist, either approved or pending approval by the Guilford Inland Wetlands Commission. The later, as determined by a biologist or other professional acceptable to the Connecticut Department of Energy and Environmental Protection. Either boundary shall have been located by a Class A-2 field survey.

Variance Requested because of a change in the zoning district of the property, or the initial adoption of the Guilford Zoning Regulations.

If the hardship claimed, and the variance requested is limited to the effect upon the property because of a change in the zoning district subsequent to the creation of the property, or the initial adoption of the zoning regulations, the applicant may submit a waiver request regarding the property survey amp requirement with the application.

Use variance

The applicant may consult with town staff as to whether a property survey map should be included in the application. It should be understood by the applicant that staff is offering only their best opinion; a waiver request must still be approved per the Waivers section herein.

Waivers

Waivers requests are limited to the above two paragraphs. The reason for the waiver request shall be submitted in writing with the application. Three affirmative votes shall be required to approve a waiver request. The denial of a waiver request shall table the application until a property survey map is submitted.

Exclusions

The following types of applications are excluded from complying with these requirements. Signage applications, and appeal of a cease and desist order of the zoning enforcement officer.

The Board in its discretion may dismiss an appeal (without prejudice) for failure to comply with any of the foregoing provisions.

I hereby certify that information submitted in this application is correct to the best of my knowledge and belief.

Kristina Lyons
Owner Tim Lyons

Appellant, Lessee, Agent

7/21/20
Date

July 15, 2020

Ms. Erin Mannix, Zoning Enforcement Officer
Zoning Board of Appeals
50 Boston Street
Guilford, CT 06437

RE: Application for Variance- Timothy and Kristina Lyons- 110 Clapboard Hill Road, Guilford, CT 06437

Dear Ms. Mannix,

We are writing this letter on behalf of our neighbors, Timothy and Kristina Lyons of 110 Clapboard Hill Road, Guilford, CT 06437. We are in full support of their application for variance to install an in-ground swimming pool and feel the variance they are requesting does not place any burden or hardship on us.

Feel free to contact us with any questions.

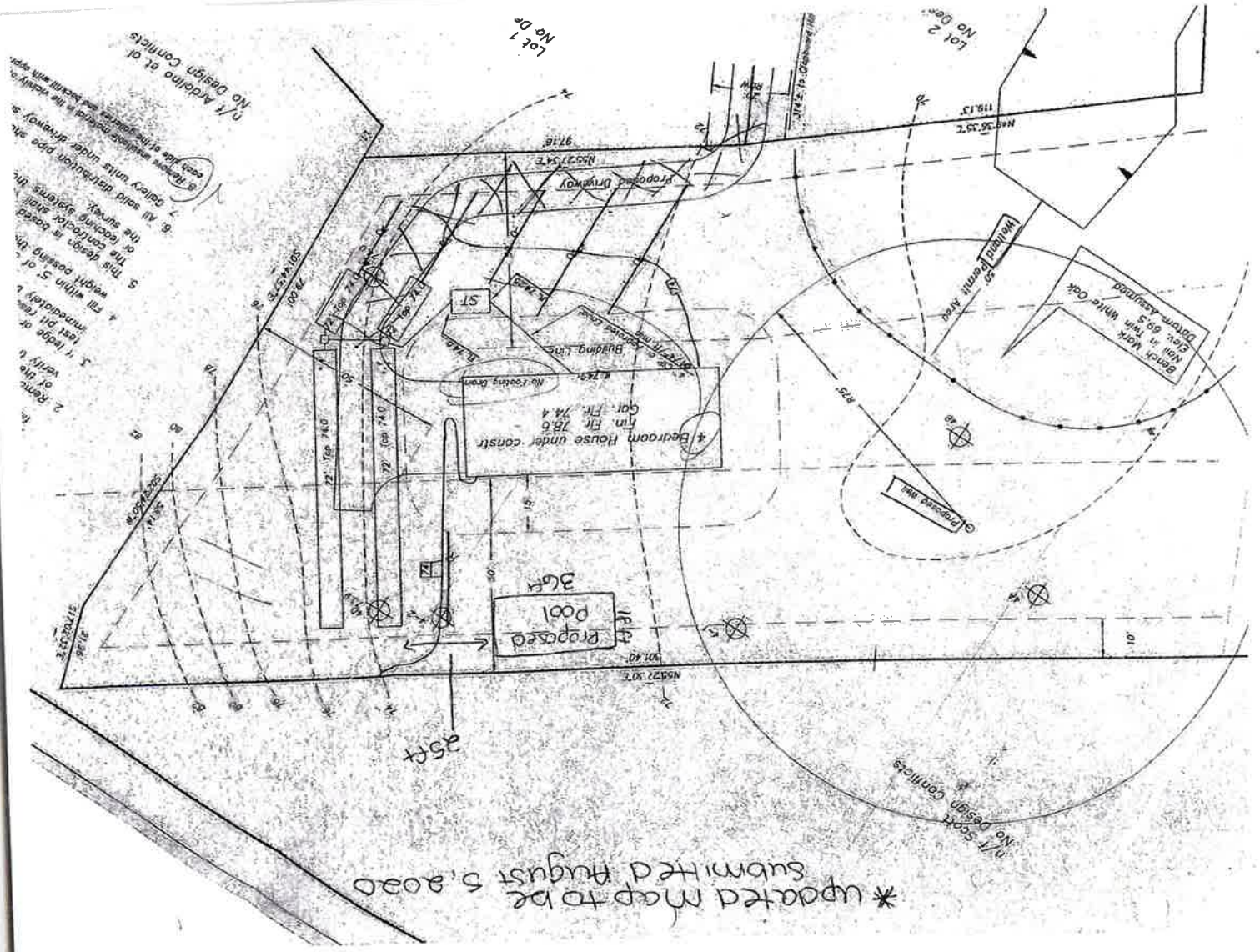
Respectfully,


Luther and Marybeth Clarke - 120 Clapboard Hill Road, Guilford, CT 06437


Steven Wang - 102 Clapboard Hill Road, Guilford, CT 06437


Dan and Karen Fisher - 80 Clapboard Hill Road, Guilford, CT 06437

* updated map to be submitted August 5, 2020



- 1/4" Scale
1/8" Scale
1. Edge of the lot
 2. Return of the lot
 3. 1" ledge of the lot
 4. 1/4" ledge of the lot
 5. This design is based on the weight passing through the lot
 6. All solid distribution pipe shall be located under driveway
 7. All solid distribution pipe shall be located under driveway
 8. Return of the lot
 9. Return of the lot
- No Design Conflicts

No Design Conflicts

Proposed House under constr.
Gar. Fl. 78.6
Gar. Fl. 78.4
No Cooling Duct
Building Lint.

Proposed Pool
36ft

Proposed Driveway

Lot 1

Lot 2

July 15, 2020

Ms. Erin Mannix, Zoning Enforcement Officer
Zoning Board of Appeals
50 Boston Street
Guilford, CT 06437

RE: Application for Variance- Timothy and Kristina Lyons- 110 Clapboard Hill Road, Guilford, CT 06437

Dear Ms. Mannix,

Attached you will find eight (8) copies of the above referenced application for variance and accompanying maps. As outlined in the application, we are seeking a variance to the set-back lines to place an in-ground swimming pool on our property.

After working closely with our pool company, Poolscape Pools, LLC., and reviewing all possible pool placement options, only one location allows for an in-ground pool. Due to the challenges and topography of the property including the septic system, the location of the well, and wetlands located on and adjacent to our property, the proposed location for the pool requires a minor variance to the setback lines.

Additionally, the variance we are requesting does not place any undue burden or hardship on our neighbors. Enclosed you will find a signed statement by our neighbors stating their approval.

In review of this application, please advise if any further information is needed. Thank you greatly for your time and consideration.

Respectfully,



Timothy Lyons



Kristina Lyons

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