

App. No. _____ Date _____ Hearing Date _____

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: 63 Whitfield Street

OWNER: Whitfield & Water Shoppes LLC

OWNER'S ADDRESS:

7 Laurel Hollow Road, Guilford, CT 06437

APPLICANT: Whitfield & Water Shoppes LLC

APPLICANT'S PHONE /EMAIL: 203-494-2226/ todd@waterstreetmgmt.com

APPLICANT'S ADDRESS: 7 Laurel Hollow Road, Guilford, CT 06437

Zoning District: C-1 Map 39 Lot 94

Has a previous Variance/Appeal been filed in connection with these premises {X} Yes { } No

If yes, provide copies.

VARIANCE OR APPEAL REQUESTED (SPECIFY ZONING SECTION): Article V Section 273-24 Table 3B Line 7

This Variance/Appeal relates to:

	Zoning Requirements	Proposed
Lot Area	5,000	23,225.3
Lot Width	50'	93.95'
Lot Shape	50'	90'
Setback from street	0.2'	0.1'
Side Yard (West)	10'	0.4'
Rear Yard	10'	139.1'

	Zoning Requirements	Proposed
Building Height (Accessory)		
Parking		
Lot Coverage	50%	35%
Floor Area		
Use		
OTHER		

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

Describe: Proposed addition to existing non-conforming building. Addition of a walk-in cooler and dry storage area.

State Hardship (For Variance) Property and building existed prior to zoning. Due to existing septic areas, walkways, and parking, there is no other alternative location. The proposed location will have no impact on the previous mentioned concerns.

Additional Information Please

Please answer the following additional questions:

Single Family Dwelling	Residential Accessory Use	Garage
Two Family Dwelling	Farm Accessory Use	Gasoline Station
Office in Dwelling	Industrial	Other: _____
Homecraft Industry	X Commercial	

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 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

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

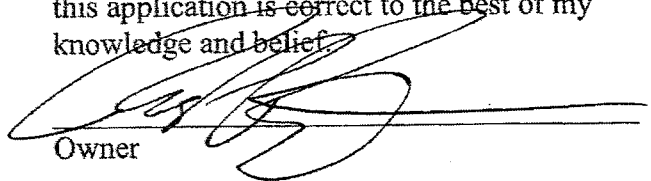
Waivers requests are limited to the above two paragraphs. The reason for the waiver request shall be submitted in writing with the application. Three affirmative votes shall be required to approve a waiver request. The denial of a waiver request shall table the application until a property survey map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



Owner

Appellant, Lessee, Agent

09 | 21 | 2020

Date

NOTICE OF VARIANCE

June 10, 1977

TO: Mr. Steven Leninski
Pond Meadow Road
Killingworth, Connecticut 06417

RE: Appeal No. 1138
granted to Mr. Frank
Prumeto

We hereby certify that on May 26, 1978 the Zoning Board of Appeals of the Town of Guilford granted an application for an appeal for variance as follows:

1. Owner of Record: Steven & Patricia M. Leninski.
2. Description of Premises: Vol. 209, Pg. 459, Guilford Land Records.
3. Zoning Regulations Varied: Article III, Sect. 34.5.3, Section 34.11d.
4. Nature of Variance: C-1 sign variance to permit a 3' x 3' free-standing sign reading "The Rev. Whitfield Sundae Shop".
5. Conditions:
 1. Removal of all other signs except the existing sign over the applicant's front doorway.
 2. Proposed sign to be located 4' west from sidewalk, 45' from existing "Douden's" nonconforming sign, and 8" from north property line.
 3. Proposed sign to be in accordance with exhibit filed, showing a 3' x 3' sign on a 4" x 4" post, the bottom of the sign to be 8' from the ground.
 4. Proposed sign to be installed within 3 months.
6. Hardship or Reason for Decision: Section 34.5.3 of the Guilford Zoning Regulations requires that no free-standing sign can be located less than 400' from another such sign on the same lot. The proposed sign would enable adequate advertising of this property in the C-1 Zone, and additionally, there is no provision made for multi-tenanted signs in the C-1 Zone as are provided for in other commercial zones.

Guilford Zoning Board of Appeals

By: *[Signature]*
Its Chairman

Received For Record July 12, 1977
at 12:45 P.M. and recorded by
Jean R. Gordon, Town Clerk

NOTICE OF VARIANCE

TO: Stephen B. Dudley
89. State Street
Guilford, Conn. 06437

RE: APPEAL NO. C1591

We hereby certify that on July 25, 1984, the Zoning Board of Appeals of the Town of Guilford granted your application for a variance as follows:

1. Owner of Record: Steve Leninski
2. Description of Premises: Volume 229, Page 650, Guilford Land Records
3. Zoning Regulations Varied: Article III, Section 31, Table 3, Item 8 and Section 37.2.5
4. Nature of Variance: 4 foot side yard variance and 4 foot buffer strip variance to permit construction of wood stairs for access to second floor.
5. Conditions: None
6. Hardship or Reason for Decision: In the interests of health and safety an emergency exit should be available. The granting of this variance does not offend the Comprehensive Plan of Development and there is a hardship due to the location of the building.

Guilford Zoning Board of Appeals

Received for Record AUG 10 1984
at 1:20-m P.M. and recorded by
Barbara K. Rawson Town Clerk

By *Harold Keeney* Chairman/
Secretary

NOTICE OF VARIANCE

TO: Bruce Rinehart
140 Four Mile River Road
Old Lyme; Ct. 06371

RE: APPEAL NO. C2100

We hereby certify that on September 22, 1993, the Zoning Board of Appeals of the Town of Guilford granted your application for a variance as follows:

1. Owner of Record: Steven Leninski
2. Description of Premises: Volume 253, Page 275, Guilford Land Records
3. Zoning Regulations Varied: Article III, Section 34.3.12
4. Nature of Variance: Sign variance to permit a temporary menu sign for more than 20 days per year.
5. Conditions:
 1. Sign Design to be approved by Planning & Zoning Commission
 2. Certificate of Appropriateness be secured from the Guilford Historic Commission
6. Hardship or Reason for Decision: Strict enforcement of the zoning regulations cause undue hardship in that the restaurant is located down an alley and is not visible from the street, making it difficult to attract customers.

Received for Record **OCT 7 1993**
at 2 H.06 M. P M. and Recorded by
Janice N. Teft
asst. Town Clerk

Guilford Zoning Board of Appeals

By *Charles E. Bishop*, Chairman

NOTICE OF VARIANCE

TO: Craig Maturo
for 63, 65 & 67 1/2 Whitfield Street
Guilford, CT 06437

APPEAL NO: C3166B

It is hereby certified that June 23, 2010 the Guilford Zoning Board of Appeals granted your application for a variance as follows:

1. Owner of Record: Whitfield Street, LLC
2. Description of Premises: Volume 618, Page 539
Assessor's Map 39, Lot no. 93
3. Zoning Regulations Varied: a variance from the sign requirements of Table 3C, Line 10
4. Nature of Application: A variance from the sign requirements to allow 144 sq feet of signage on a lot.
5. Conditions: none
6. Hardship or Reason for Decision: This has no adverse impact on the comprehensive plan.

By *Dennis Dostert*
Dennis Dostert, Chairman

APR - 8 2011

Received for Record
at 12^H 56^M P M and Recorded by
Jamie G. Teft Town Clerk