

**TOWN OF MONTVILLE
ZONING BOARD OF APPEALS
STAFF REPORT**

DATE: February 9, 2023
TO: Montville Zoning Board of Appeals
FROM: Meredith Badalucca, Zoning Officer
RE: Application# 23 ZBA 1 – 314 Route 163 (M/B/L 082-062-000)
Variance from the required Industrial Front & Rear Yard Setbacks

APPLICANT/OWNER: Michael T. & Gilda L. Steifel
SITE ADDRESS: 314 Route 163 (M/B/L 082-062-000), Uncasville, CT
ZONING DISTRICT: Industrial
PROPOSAL: Variance from the required Industrial front & rear yard setbacks to construct a storage building & storage container

STAFF COMMENTS:

The property is located in the Industrial zoning district on about 0.36 acres (17,320 square feet) and has approximately 294 feet of frontage on Route 163. The property is a legal pre-existing, non-conforming undeveloped lot with regards to its size. The minimum required lot size in this district is 40,000 square feet. The required front and rear yard setbacks are 30 feet each.

The applicant proposes to construct a 30' x 30' storage building and place a 8'x 40' storage container on the property. The storage building is proposed to be 24.5 feet from the front property line and 18 feet from the rear property. The storage container is proposed to be located 20 feet from the front property line and 20 feet from the rear property line. Location of both structures are shown on a plan entitled "Conceptual Improvement Plan Prepared for Michael T. Stiefel & Gilda L. Stiefel, #314 Route #163, Montville, Connecticut, dated December 6, 2022."

In January 2009, the Town of Montville foreclosed on the property and the Planning & Zoning Commission at it's April 28, 2009 meeting voted in favor of an 8-24 Review for the sale of the property. The property was sold on December 6, 2012 and most recently sold on November 10, 2022 to the applicant.

The applicant states the hardship is as follows: "The property pre-dates the adoption of the zoning regulations. It was recently sold at auction by the Town of Montville. The existing size and shape of the lot make it difficult to develop given the current setback requirements of the Industrial zone. After applying setback requirements to the property, the area left for a potential structure is slightly less than 20' wide. In order to make use of this property within the industrial district the variances requested are needed."

If the Commission is inclined to grant the variance requested in this application, the following language for a motion of approval is suggested:

MOTION (A Motion to Approve)

I make a Motion to GRANT a variance of Zoning Regulations Section 13.6 (Industrial District Minimum Setbacks) as requested in Application #23ZBA1 and as shown on a plan entitled "Conceptual Improvement Plan Prepared for Michael T. Stiefel & Gilda L. Stiefel, #314 Route #163, Montville, Connecticut, dated December 6, 2022." As follows: a 10' variance of the required 30' Front Yard setback and a 12' variance of the required 30' Rear Yard setback to allow for the construction of a storage building and location of a storage container.

The hardship being the lot has existed in its present form since prior to zoning and has been a legally pre-existing, non-conforming lot in terms of total lot area. This limits the location and size of structures on the lot that would meet the Industrial Zone required minimum setbacks.

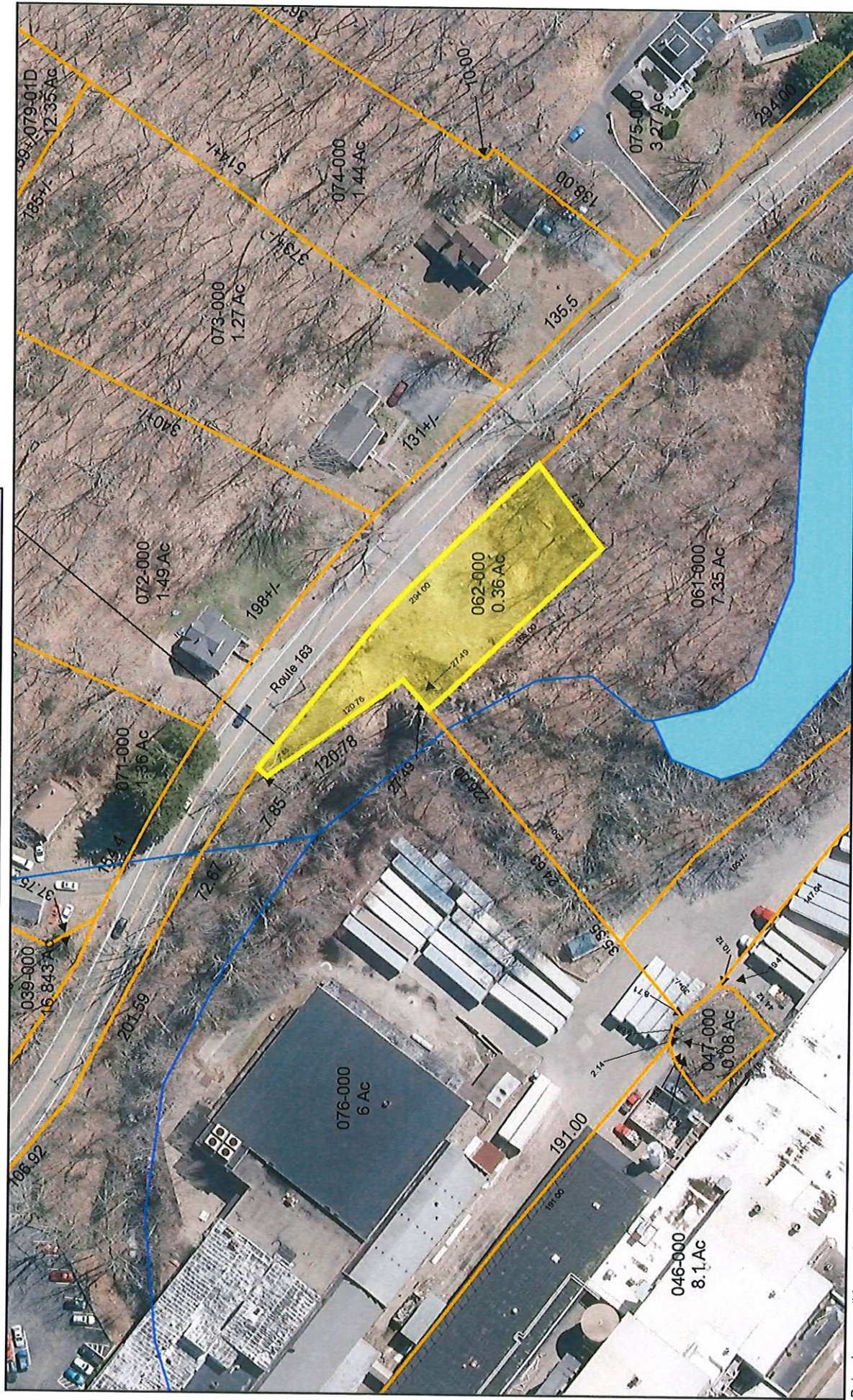
The findings for the granting of the variances are they would be in harmony with the general intent and purpose of the Montville Zoning Regulations and would conserve the public health, safety, convenience, welfare.



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1 inch = 100 Feet

1 inch = 100 Feet



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