

NARRATIVE

The applicant, William W. Taylor, is requesting a variance to further reduce the front landscape buffer along his property located at the corner of 715 Post Road East and Roseville Road. The Connecticut Department of Transportation has taken a strip of the land, and also requires an easement at the corner of Post Road East and Roseville Road to complete a intersection improvement project. The project includes the installation of a master arm traffic signal, signalization devices and appurtenances, right to grade and construct a sidewalk, and a right to install sedimentation control system.

The taking area is 152 sq. ft.+/-, plus a defined traffic easement area is 114 sq. ft. =/-, sidewalk 69 sq. ft. +/-, and install sedimentation control system 2 sq. ft. +/- .

The hardship is the DOT's taking of Mr. Taylor's property which has resulted in the landscape buffer being reduced from the previous variances approved. It is considered a hardship when the State of Connecticut takes a portion of the property in which the remaining property is nonconforming in some respects. The hardship here is directly related to the land and is not a result of anything the applicant did or has control over. Mr. Taylor has previously received 15 variances on this property as follows:

ZBA case #7282 dated 10/15/14 modified 1/29/15;

1. Front Landscaping (All of 35-2-2 or a portion);
2. Buffer Strip
3. Sign within 15' of property;
4. 2 freestanding signs;
5. Filling within 5' of property line;
6. Loading space;
7. Dumpster within front landscape area;
8. No back up area;
9. FAR;

ZBA case #7609 Dated 2/22/18;

1. Number of compact parking spaces, 34-9.2;
2. Location of trees within parking lot, 35-2.3.2;
3. Excessive excavation or fill, 32-8.2.1(b)
4. Fill by more than 10', 32-8.2.3;
5. Slopes exceeding 20%, 32-8.3.2; and
6. Circulation of the parking lot, 34-11.4.

Mr. Taylor can not make any adjustments to his office project without impacting the previously granted variances. The DOT's plan has impacted his property and its planned development. Mr. Taylor also requests a variance for a black metal picket type fence along the side walk of Roseville Road due to the height of the existing cement wall adjacent thereto. It is his position that his variance request should be granted.

Fortunately, after the DOT has finished their improvement project the trees that were planned for the location can still be planted in their designated locations, and there will still be room for a greenspace buffer (albeit a bit smaller) between Post Road East and Roseville Roads.

In conclusion, Mr. Taylor requests a variance for the front landscape buffer, floor area and for a black metal picket fence along Roseville Road and a wall/fence greater than 8' in set back along the north property line.

Variances needed: Sec. 35-2.2.1 front landscape buffer strip
 Sec. 24-8 for Floor Area
 Sec. 31-3 and Sec. 5-2 (for wall/fence greater than 8' in setbacks)

Front landscape buffer is needed due to the reduction as result of the DOT taking.

Floor Area has been increased due to the taking and the change in lot area.

Wall and fence variance due to the wall of 8' height with fence on top of 3.5' in the setback area on the north and west lot lines.

6/21/24 revised