DDS- Planning & Zoning: Plan Review Application



Submission date: 28 February 2022, 1:52PM

Receipt number: 647

Related form version: 2

Application Type

Check all that apply: Site Plan Review

Variance

Property Information

Property Address: 923 Maple Avenue No coordinates found

Zoning District: MS-3

Parcel ID: 210-754-081

Property Owner: A Broad Street, LLC

Address of Property Owner: 831 Maple Avenue, Hartford, Connecticut 06114

Email: foodland@aol.com

Applicant

Name of Applicant: John Bailey Kennelly

File Date: **02/28/2022**

Address: 484 Farmington Avenue, Hartford, Connecticut 06105

No coordinates found

Phone: 860-202-9705

Email:

Primary Point of Contact

Name: John B. Kennelly

Phone: **860-202-9705**

Email john@kennellyassociates.com

Project Narrative

Please describe your application action(s) and provide as much detail as possible. Attach additional pages if necessary: The application is to increase from one to four fueling pumps at 923 Maple Avenue. This will require a variance from Section 4.20.4F as to the location of the pumps. The applicant will also be increasing tree cover and reducing impervious surface to bring it into conformance with regulations. The applicant will also eliminate a curb cut.

Zoning Map Change Application

Proposed Zone:

Describe the existing use of land and buildings in the zone change area:

Reason for this request:

Zoning Appeal Application

Are you an aggrieved party?

Permit or Violation Number:

State your reason for appealing the decision of the administrator or enforcement officer:

Variance Application

Please state the paticular hardship* or unnecessary difficulty that prompts this application and the site the section of the zoning regulations that you are seeking relief from:

Site Pan and Variance Application 923 Maple Avenue Section 4C State the particular hardship or unnecessary difficulty that prompts this application and cite the section of the zoning regulations that you are seeking relief from. The parcel in question is irregular in shape and dimensions. It is utilized as a gas station and a food mart. Section 4.20.4F requires that the fueling pumps be located in the side or rear of the building. This is impossible due to the shape of the lot and the existing layout of the fueling system. Compliance with this regulation would require the applicant to raze the building in question and reorient it and the pumps in relation to Maple Avenue. These are conditions unique to this building and parcel and requiring that the building be leveled to conform with the regulations constitutes an unusual hardship. Further, this use as a gas station is in accordance with the MS-3 zone and other work as a part of this application will bring the use into further conformance. Specifically, the applicant will be increasing the tree canopy cover to conform to City regulations. Second, the applicant will be eliminating one of its four curb cuts and additional landscaping with comply with the minimum percentage of commercial building impervious surface requirements. The Board and staff should note to create the additional greenspace will require that we eliminate a neighboring parcel's use of the applicant's land for driveway access. If staff does not want us to eliminate that driveway access, the applicant will also need a variance for impervious cover. If the applicant utilizes its land which the neighbor has been accessing the rear of its building, the applicant achieves a 70% impervious cover. If the neighbor is allowed to continue to use the driveway access, then

the applicant can only achieve 74% impervious cover and would be seeking a variance on these grounds as well. It is important for the Board to note that the variance application will not substantially affect Hartford's comprehensive zoning plan. The accepted formulation for allowance of a variance is: (1) the variance does not substantially affect the comprehensive plan of zoning, and (2) adherence to the strict letter of the zoning regulation is shown to cause an unusual hardship unnecessary to the carrying out of the general purposes of the zoning plan. Smith v. ZBA, 174 Conn. 373 (1978). Requiring the demolition of the existing building to comply with back or side yard location of the fuel system does cause an unusual hardship which is unnecessary to achieve the purpose of our city's zoning plan. In fact, allowing this variance is directly in conformance with the existing goals of the MS-3 zone i.e. "vehicleoriented services and uses."

Subdivision Application

Number of lots to be created:

Area of each lot in square feet:

Street frontage of each of the new lots in feet:

Lot Combination Application

Addresses of lots to be combined

Map/Block/Lot for each property to be combined:

Liquor Permit Application

Please upload a copy of your State of CT Liquor Permit below.

Sign Permit Application

1. Is this sign proposed outside of the building line?

Maximum extention from building line:

2. Is this sign proposed outside of the street line?

Maximum extension from the Street line

- 3. Is the sign luminated?
- 4. Engineer Name (if any):

Phone:

Address:

- 5. Minimum distance from lowest point to the sidewalk:
- 6. Maximum height of sign from lowest point of established grade:
- 7. Distance from the nearest outdoor sign:
- 8. Square feet of surface for one face of the sign:
- 9. Wording of the sign (include all words):

Description of work (upload additional files if necessary)

Upload any supporting materials below.

Fully executed Variance Site Plan Application.pdf

John Rolling /

Site Plan 1 of 2.pdf Site Plan 2 of 2.pdf

Signatures

Signature of Applicant

Link to signature

Printed Name of Applicant:	John B. Kennelly
Date:	02/28/2022
	If you are not the property owner, you must attach a Letter of Authorization from the property owner to apply.
Letter of Authorization from Property Owner	Zoning Board of Appeals.docx
Date:	02/28/2022

EnerGov App.#:



City of Hartford Department of Development Services Planning Division

260, Constitution Plaza, Hartford, Connecticut 06103-1822 Return Form to the Planning Desk Counter or Via Email 860-757-9040 | oneplan@hartford.gov

PLANNING AND ZONING APPLICATION

PLEASE CHECK TH	E ACTION(S) YOU ARE A	PPLYING FOR:		
 □ Zoning Appeal □ Zoning Permit: Signage/ Use/Accessory ⋈ Site Plan □ Subdivision/Lot Line Revision 	□ Approval of Location⋈ Zoning Variance□ Zoning Map Change	☐ Historic Review ☐ Lot Combination ☐ Liquor Permit ☐ Special Permit	Receiving Federal Fu	Repair
1. PROPERTY INFO	RMATION			
Parcel ID: 2\0 - 75 Property Owner: A	Broad St. LLC	_ Zoning District :(http://a	ate: <u>CT</u> Zip Code: <u>O6/14</u> ssessor1.hartford.gov/default.asp) M6- tate: <u>CT</u> Zip Code: <u>O6/14</u> ud6aol.com	3 Main St. 2
2. APPLICANT	en e	e e esperante de la compansión de la compa		
Name of Applicant:		LESP. Fill	le Date: 2/28/22 State: CTZip Code: 06109 ennelly associates,	
3. PRIMARY POINT	OF CONTACT:			
Phone: 860 - 3	R Kennelly Fig. 202-9705 Kennelly asso	ciates.com		

Thou Care	A 41.
EnerGov	ADD.#:

4. PROJECT NARRATIVE

Describe your application action(s) and provide as much detail as possible. Attach additional pages if necessary	y:
This application is to replace and expand the existing gas pur	Γ-
at 923 Maple Ave. The owner wishes to increase the number	04
pumps from one to four. As a part of the project, the owner u	<u>//</u> [[
increase landscaping to comply with commercial building importions	·············
surface requirements (Sc. 47/2) and increase tree canopy cover	
to comply with City regulations. The increase in the number of pumps	
required a variance from Sec. 4204 F. Due to the shape of the	<u> </u>
lot and the contiguration of the pumps, the potential compliance	
with Sec. 420,47 Further, the applicant will eliminate one of ta	<u> </u>
curb cuts to make the parcels use less non-conforming.	
** Please complete the following sections as they pertain to the actions you are appi	YING FOR.
DON'T FORGET TO SIGN THE APPLICATION ON THE LAST PAGE!	31111010111
A. COMPLETE IF APPLYING FOR ZONING MAP CHANGE:	
	Health Asserted to Mentille Action (888)
Proposed Zone:	
Describe the existing was of land and buildings in the game shapes areas	
Describe the existing use of land and buildings in the zone change area:	
	_
Describe the proposed use of land and buildings in the zone change area:	***************************************
Describe the proposed use of fand and buildings in the zone change area.	
Reason for this request:	<u>.</u>
1	
B. COMPLETE IF APPLYING FOR ZONING APPEAL:	
Are you an aggrieved party? (Check one): □Yes □No Permit or Violation number:	
State your reason for appealing the decision of the zoning administrator or zoning enforcement officer:	
bute your reason for appearing the decision of the zering deminionator of zering environment extremit	
	_
	-

				EnerGo	ov App.# <u>:</u>
C. COMPLETE IF APPLYING FOR ZONI	NG VARIA	NCE:			
State the particular hardship* or unnecessary diregulations that you are seeking relief from. (Co	ontinue this	narrative on	a separate sh	eet if necessary	.)
*A"hardship" is defined by the Connecticut State Statute especially affecting such parcel but not affecting generally to regulations would result in exceptional difficulty or unusual of variance [unless] loss is so great as to amount to compare the second of the content of the content is a second of the content is a	the district in w I hardship." No confiscation o	phich it is situate ote that "mere fi f applicant's p	ed, a literal enfo nancial loss do property; [a] v	orcement of such by es not constitute ha variance might be	laws, ordinances or rdship warranting granti pjustified."
D. COMPLETE IF APPLYING FOR SUBD	IVISION, I	OT LINE F	REVISION,	OR LOT COM	IBINATION
Lot Subdivision/Lot Line Revision:					
Number of new lots to be created:	Area of ea	ch of the nev	v lots in squa	are feet	
Street frontage of each of the new lots in feet		.			
Lot Combination:					
Address of lots to be combined					
Map/Block/Lot for each property to be combine	d: M	ap	_Block	Lot	
	M	ap	_Block	Lot	***************************************
	Ma	ap	_Block	Lot	
(Map/Block/Lot and address information ca	an be found	at <u>http://gis.</u>	hartford.gov.	/parcelviewer/in	.dex.html)
E. COMPLETE IF APPLYING FOR HISTO	DRIC REVI	EW			
IMPORTANT: HISTORIC COMMISSION AND DEMOLITION PERMIT WILL BE ISSUE APPROVAL APPLICANTS MAY STILL NEIPERMIT ISISSUED	PPROVAL D FOR W	MUST FIRS ORK ON	HISTORIC	PROPERTIES	. AFTER HISTOR
**Recent photos <u>AND</u> proposed specifications	s/cut sheets	for material	are required	l to be submitte	d with this application
Proposed work includes: Repairs	Addition	□ New construction		olition □ Otl (spec	· · · · · · · · · · · · · · · · · · ·
If proposing demolition, provide reason (attach	additional p	ages if neces	ssary):		

Current materials being repaired/ replaced:

Materials/products being used in work:___

COMPLETE IF APPLYING FOR A SIGN PERMIT	
1. Is this sign proposed outside of the Building line? DYes DNo	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Maximum extension from the Building line:ftin.	
2. Is this sign proposed outside of the Street line? The No	
Maximum extension from the Street line:ftin,	
3. Is this sign illuminated?	
4. Engineer Name(if any):	Phone:
Address:	
5. Minimum distance from lowest point of sign to sidewalk:ftftftftftftftftft	in,
6. Maximum height of sign from lowest established grade:ft	ln,
7. Distance from the nearest outdoor sign:ft	in.
8. Square feet of surface for one face of the sign:ft	in,
9. Wording on the sign(include all words):	
Description of work (attach additional pages if necessary):	
NOTE: Please submit copies of all drawings drawn to scale. Signed drawings of the sign. Elevation of building should include the location of proposed should include the location of proposed and existing signs and their distributed property lines.	and existing signs. Site plans
. SIGNATURE(S)	
By signing below, I certify that all work will be done in strict accordance with the BUILDING CODES. Further, all work covered by this application has been authorial agree that no work shall commence nutil all determinations have been made and the pr	zed by the owner of this properly.
Applicant Signature: John & Ramelf Date:	
Printed Name of Applicant: Jutin B. Kanvelly	
Property Owner Signature (REQUIRED): A land Sun Date:	7/28/22
Printed Name of Property Owner: //wral Alam	

Site Pan and Variance Application 923 Maple Avenue Section 4C

State the particular hardship or unnecessary difficulty that prompts this application and cite the section of the zoning regulations that you are seeking relief from.

The parcel in question is irregular in shape and dimensions. It is utilized as a gas station and a food mart. Section 4.20.4F requires that the fueling pumps be located in the side or rear of the building. This is impossible due to the shape of the lot and the existing layout of the fueling system. Compliance with this regulation would require the applicant to raze the building in question and reorient it and the pumps in relation to Maple Avenue. These are conditions unique to this building and parcel and requiring that the building be leveled to conform with the regulations constitutes an unusual hardship.

Further, this use as a gas station is in accordance with the MS-3 zone and other work as a part of this application will bring the use into further conformance. Specifically, the applicant will be increasing the tree canopy cover to conform to City regulations. Second, the applicant will be eliminating one of its four curb cuts and additional landscaping with comply with the minimum percentage of commercial building impervious surface requirements. The Board and staff should note to create the additional greenspace will require that we eliminate a neighboring parcel's use of the applicant's land for driveway access. If staff does not want us to eliminate that driveway access, the applicant will also need a variance for impervious cover. If the applicant utilizes its land which the neighbor has been accessing the rear of its building, the applicant achieves a 70% impervious cover. If the neighbor is allowed to continue to use the driveway access, then the applicant can only achieve 74% impervious cover and would be seeking a variance on these grounds as well.

It is important for the Board to note that the variance application will not substantially affect Hartford's comprehensive zoning plan. The accepted formulation for allowance of a variance is: (1) the variance does not substantially affect the comprehensive plan of zoning, and (2) adherence to the strict letter of the zoning regulation is shown to cause an unusual hardship unnecessary to the carrying out of the general purposes of the zoning plan. Smith v. ZBA, 174 Conn. 373 (1978). Requiring the demolition of the existing building to comply with back or side yard location of the fuel system does cause an unusual hardship which is unnecessary to achieve the purpose of our city's zoning plan. In fact, allowing this variance is directly in conformance with the existing goals of the MS-3 zone i.e. "vehicle-oriented services and uses."

Zoning Board of Appeals
City of Hartford
500 Main Street
Hartford, Connecticut 06103

Zoning Board of Appeals:

John B. Kennelly and Kennelly & Associates has the authority to represent me and my company, A Broad Street, LLC in its application for a Site Plan and Variance regarding 923 Maple Avenue, Hartford, Connecticut 06114.

Sincerely,

Nurul Amal

Enclosure



