



## DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION

*REPORT:* Request for Variance at 150 Kenyon Street  
for consideration October 6, 2020

### STAFF REPORT

**TO:** Zoning Board of Appeals  
**PREPARED BY:** Grant Losapio, Consultant  
oneplan@hartford.gov

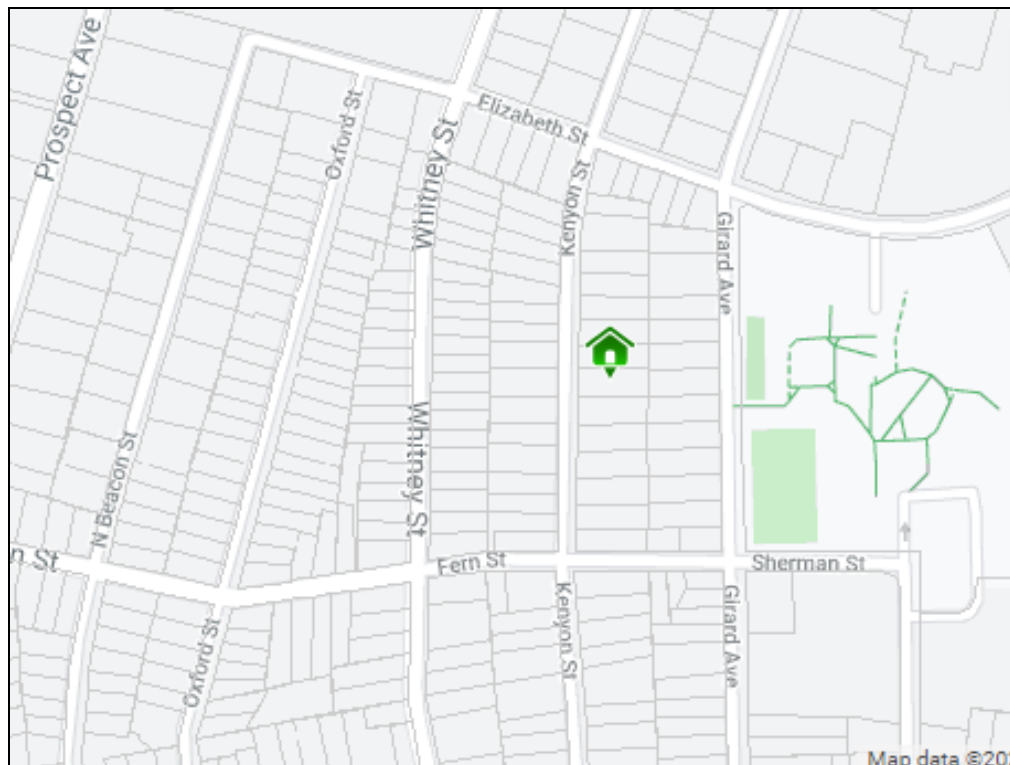
**PROJECT:** Request for Variance at  
150 Kenyon Street, Hartford, CT 06105  
**PARCEL ID:** 132-309-082  
**ENERGOV ID:** COMM-2020-0251

**ZONE:** N-2-1

**TYPE:** Request for Variance from Section 4.20.3.C.(3), per Section 1.3.6 of  
Hartford Zoning Regulations, Last Amended June 5, 2020 (hereinafter  
“Zoning Regulations”)

**APPLICANT:** Grant Ehrlich

**OWNER:** Grant and Elizabeth Ehrlich



Location Map

### **BACKGROUND INFORMATION**

The subject of this application is a proposed accessory structure at 150 Kenyon Street, which is located in the N-2-1 zoning district. The existing primary building is a House B type home, built in 1905, that contributes to the West End North National Historic District. The applicant proposes to construct a new 8'x12' shed in the rear yard for storage and safe keeping of gardening tools. An existing garage out-building structure currently exists in the Northeast corner of the rear yard.

This application is a request for Variance from the following sections of the Zoning Regulations:

1. **Chapter 4, Section 4.20.3.C.(3)** To allow an additional Out-Building Accessory Structure, where a maximum of one Out-Building is permitted on a lot zoned Neighborhood (N).



Figure 1. Google Streetview, dated June 2019. Depicts the subject property, as seen from Kenyon Street. The existing garage out-building in the rear yard can be seen just around the North side of the home.

### **KEY APPLICATION TIMELINES**

- Application Submission Date: September 3, 2020.
- Date Application was Accepted as Complete: September 3, 2020.
- Application Date of Receipt: October 6, 2020 (sooner of either: date of next regularly scheduled meeting, or 35 days after acceptance of complete application).
- Public Hearing is scheduled to open on Tuesday, October 6, 2020; Open Hearing Deadline: Thursday, December 10, 2020.
- Close Hearing Deadline (if opens October 6, 2020): Tuesday, November 10, 2020.
- CT General Statutes Sec.8-7D allow that the applicant may consent to one or more extensions of time, provided the total extension of all time periods shall not be for longer than 65 days\*.

- On March 10, 2020, State of Connecticut Governor Ned Lamont declared a public health and civil preparedness emergency (“state of emergency”) as a result of coronavirus disease 2019 (COVID-19) outbreak and pandemic.
- The Planning Division is operating under a series of Executive Orders issued by Governor Lamont (7.E & 7.I) which modify public hearing noticing requirements.
  - o \*Time periods that may pass or expire during the state of emergency may be further extended by no more than an additional 90 days, for a total of 155 extension days available, which may be applied towards all time periods, as needed

### **LEGAL STANDARD**

The ZBA shall have the power, under Chapter 124 of the Connecticut General Statutes, to vary the application of the zoning laws, ordinances, or regulations when the conditions affecting a particular parcel but not the general district cause exceptional difficulty or unusual hardship to that substantial justice will be done and the public safety and welfare secured, provided that the zoning regulations may specify the extent to which uses shall not be permitted by variance in districts in which such uses are not otherwise allowed. The board must take into consideration conserving the public health, safety, convenience, welfare, and property value solely with respect to the affected parcel. (City of Hartford Zoning Board of Appeals Bylaws, Article II, Sec. 3)

### **STANDARD SPECIFIC TO THE USE**

#### **Zoning Regulations**

**Chapter 1, Sec. 1.3.6.J.(3):** “A variance is only effective after a certified copy of the approved variance is filed in the office of the city clerk and recorded in the city land records in accordance with the general statutes.”

**Chapter 4, Sec. 4.1.2.J.(2):** “(a) Detached accessory structures are not permitted in the front yard. (b) Detached accessory structures shall be located behind the principal structure in the rear yard. (c) Detached accessory structures shall not exceed the height of the principal structure.

**Chapter 4, Sec. 4.20.2.G:** “Materials shall match those of the principal structure when the accessory structure is greater than 300 square feet.”

**Chapter 4, Sec. 4.20.3.C:** “(1) Side and Rear Setback. Minimum side and rear setback of an Out Building shall be 5 feet. (2) Height. The height of the Out Building may be one story lower than the principal building. (3) Residential Districts. A maximum of one Out Building shall be located on a lot zoned Neighborhood (N).”

### **APPLICANT’S STATEMENT OF HARDSHIP**

The following statement is from the application and can be seen in Attachment 2 of this report:

*“However small your garden, you must provide for two of the serious gardener’s necessities, a tool shed and a compost heap.” ~ Anne Scott-James, cited at CT.gov/.../Composting and Organics Recycling*

Hardship statement

We request a variance to permit an 8’ x 12’ shed in the backyard at 150 Kenyon.

We need a small space suitable to store shovels, rakes, and other tools. A shed will prevent theft by placing the tools out of sight and behind a door.

The shed will be in our rear yard, and have an area of about 96 square feet.

Because it is less than 200 square feet, a building permit is not required. However, because we have a detached garage, we need a variance for an additional accessory structure.

Our garage, while not original to the property, was likely built around 1920 to 1930. It is small, having 7' doors and 1' of clearance between the side of the door and the outside wall. We debated replacing the garage, and had plans drawn by Jim Vance. That process allowed us to realize that a larger garage would be more than is needed, and a shed would be more attractive.

The shed has natural wood pine siding with a rough-sawn texture. We plan to let the siding age and weather naturally so in time it will be grey. The shed is above ground, no electrical and no plumbing. The door is a barn door style sliding door.

Our southern neighbor, Scott Griffin, at 148 Kenyon, said he would have not object to the requested variance.

Our eastern neighbor, Alicia Fournier at 155 Girard, is also supportive, and said she would not object to the requested variance.

Our northern neighbor, Berthel Johnson at 154 Kenyon, is similarly supportive and has provided a letter of support, a copy of which is provided with this application.

Attached are drawings and pictures of the shed, and a drawing indicating its location on our property.

Requested is a variance to permit this additional accessory structure.”

## **FINDING OF FACTS**

### **Lot**

- The Subject Property is located within the N-2-1 District.
- Lot Area: +/- 13,874 SF
- The Subject Property is located in the West End Neighborhood Revitalization Zone (NRZ)
- The property is located within the West End North National Historic District.
- An existing garage structure, in the rear yard of the home, occupies the northeast corner of the property.

### **Building**

- The existing building is a 2.5-story House B Building Type.
- House B Buildings are permitted in the N-2-1 district, per Section 4.1.2.A.

### **Use**

- The applicant proposes an 8'x12' shed, Out-Building use in the rear yard. There is an existing garage, Out-Building accessory structure in the rear yard.

### **Neighborhood Context**

- The area is largely characterized by House B type buildings that contribute to the North End West National Historic District, which their historic forms and details.



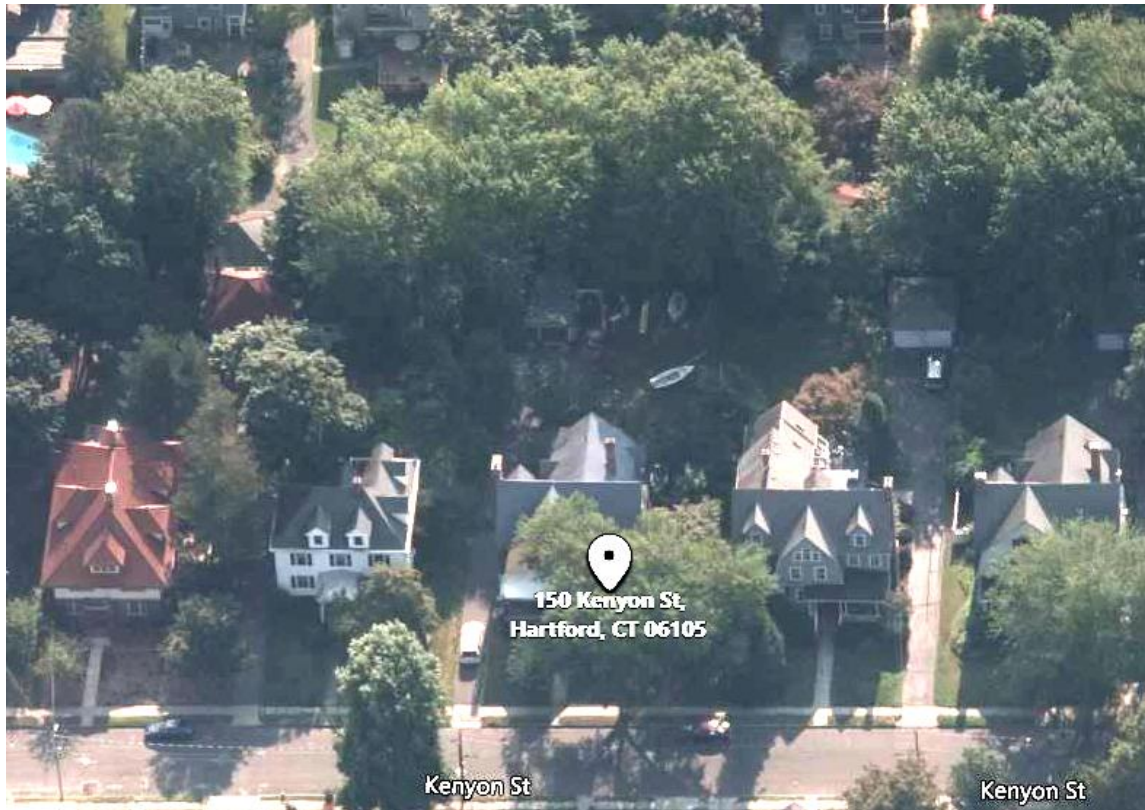


Figure 2. Bing Eagle Eye View. Depicts the subject property and a bird's eye view of the rear yard.

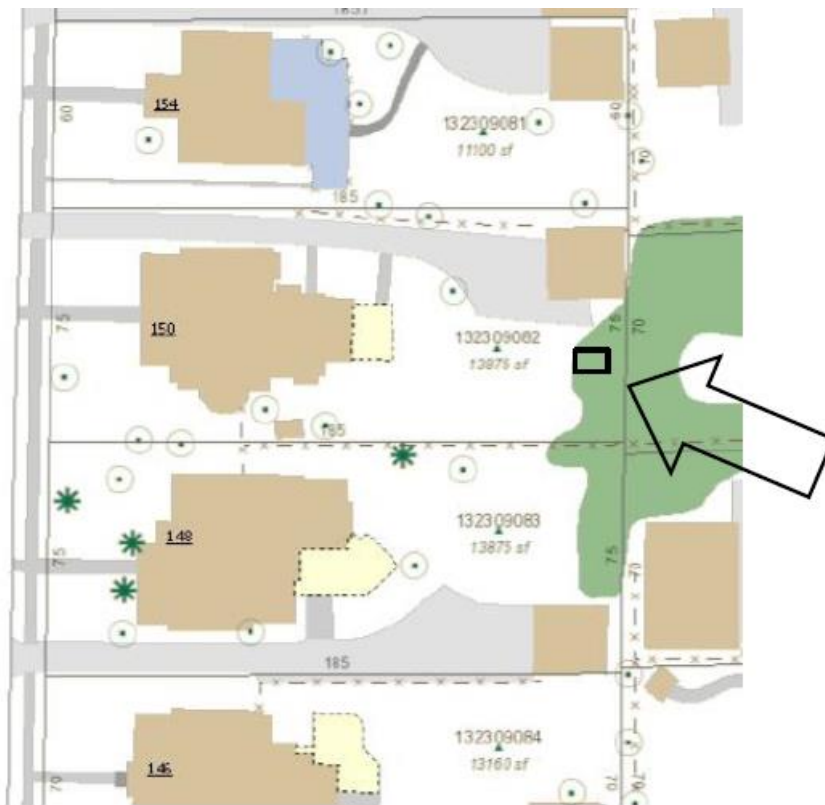


Figure 3. Map of the proposed location for the additional accessory structure, provided by the applicant.





Figure 4. Google Streetview, dated June 2019. Angled view from North on Kenyon Street from which the proposed shed might be visible.

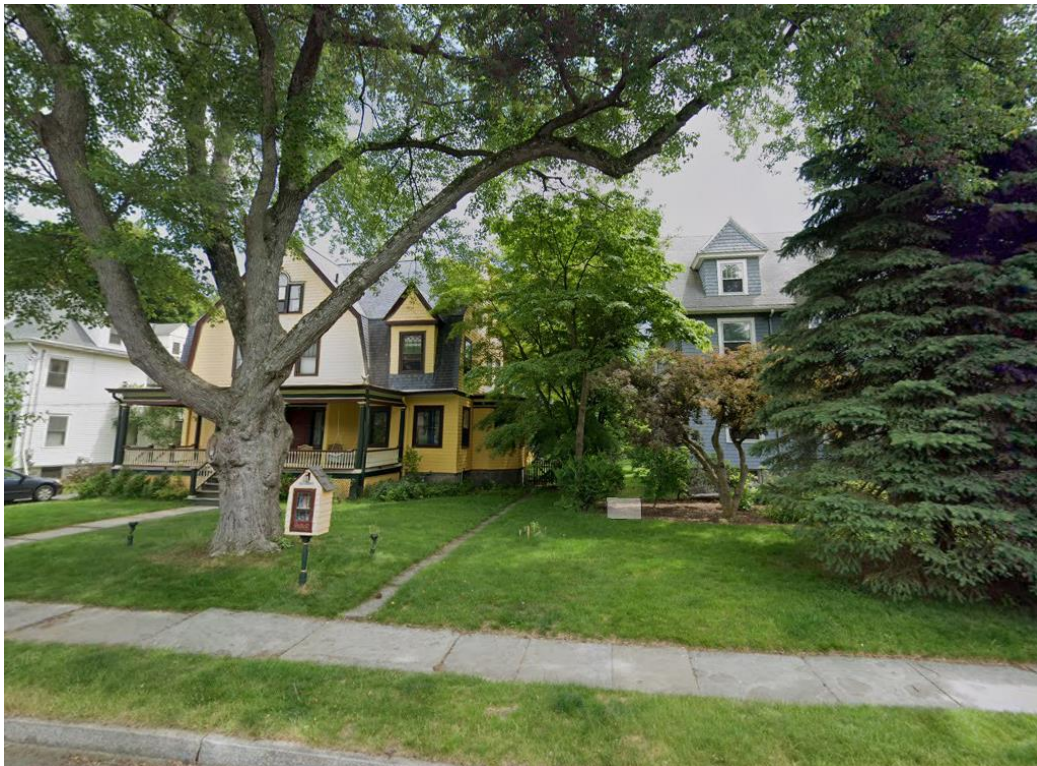


Figure 5. Google Streetview, dated June 2019. Angled view from South on Kenyon Street from which the proposed shed might be visible.

# Neighbor's Support



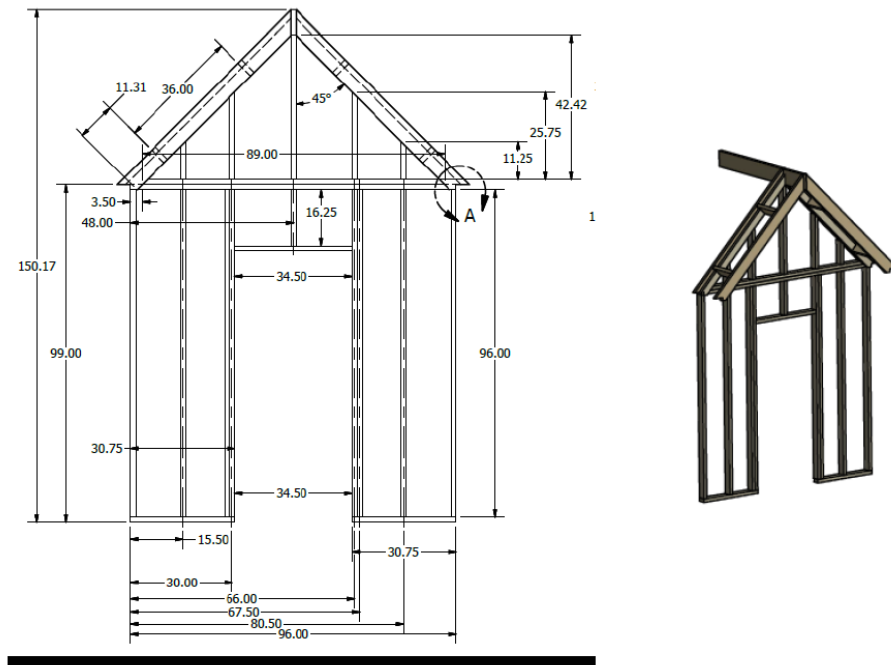
Figure 6. Diagram of neighborhood support, provided by the applicant in the Shed Plans, Attachment 3 of this report.



Figure 7. Images of the proposed shed, provided by the applicant in the Shed Plans, Attachment 3 of this report.



### Front Framing



Figures 8. Elevations of the shed's front framing, provided by the applicant in the Shed Plans, Attachment 3 of this report.

### **COMMENTS RECEIVED (DEPARTMENTS, AGENCIES, NRZs, PUBLIC)**

Attachment 4 of this report includes a petition and letters of support from neighbors of 150 Kenyon Street, recommending approval of this application.

### **ANALYSIS**

The Applicant proposes an additional Out Building in the rear yard of 150 Kenyon Street, in the form of an 8'x12' shed for the use of storing and safekeeping gardening tools. Section 4.20.3.C.(3) of the Zoning Regulations states that a maximum of one Out Building shall be located on a lot zoned Neighborhood (N), so the applicant has requested a variance from this section of the regulations.

The statement of hardship provided by the applicant, Attachment 2 of this report, cites a need for a suitable place to store shovels, rakes, and other tools. It goes on to explain that the existing garage on the property was built around 1920 to 1930 and has very little clearance from the sides of the garage door to the interior walls to allow for such storage, therefore depriving the applicant of the ability to use it for storage. It is worth noting that detached garages are characteristic of the homes in the neighborhood which would create similar circumstances throughout the district, but the small dimension of the existing out building structure on this property may create unique hardship for this applicant.

From the mapping and drawings of the shed provided in the Shed Plans, Attachment 3, the proposed accessory structure appears to meet the rear yard location, height, and setback requirements set forth in the Zoning Regulations. Due to the footprint of the proposed accessory structure being less than 300 sf, the Zoning Regulations do not require that the materials match those of the primary structure.



It appears, from Figures 3 and 4 which are views from North and South along Kenyon street angled into the rear yard of the subject property, that the shed will not be visible from the street due to the adjacent structures and existing vegetation.

The applicant also provides, in Attachment 3, a diagram that depicts the neighbors in this area that are in support of the approval of this application. A signed petition and a couple of Letters of Support from neighbors have been provided by the applicant in Attachment 4.

**STAFF RECOMMENDATION**

Staff recommends approval of this application.

**A draft resolution follows.**

**ATTACHMENTS**

Application and Supporting Documents – provided by the applicant

1. Application
2. Statement of Hardship
3. Shed Plans
4. Neighbor Petition and Letters of Support

**REVIEWED AND EDITED BY,**

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Aimee Chambers, Director

ZONING BOARD OF APPEALS

VARIANCE

DRAFT RESOLUTION

150 Kenyon Street

October 6, 2020

**Whereas,** The City of Hartford Zoning Board of Appeals has reviewed the requested Variance from the Zoning Regulations, Section 4.20.3.C.(3), to allow the construction of a 8’x12’ shed, an Out Building on the property identified by the City Assessor as 150 Kenyon Street, which is located in the N-2-1 Zoning District; and

**Whereas,** Pursuant to Zoning Regulations Chapter 4, Section 4.20.3.C.(3) a maximum of one Out Building is permitted on a lot zoned Neighborhood (N); and

**Whereas,** There is an existing detached garage Out Building located in the Northeast corner of the property; and

**Whereas,** The proposed Out Building shall be placed 5' + from the property line and shall be in accordance with other height and site location requirements in these zoning regulations; and

**Whereas,** The applicant proposes the construction of a new 8’x12’ shed, in the rear yard of the subject property, for the storage and safekeeping of gardening tools; and

**Whereas,** The Zoning Board of Appeals [finds or does not find] the proposed request for Variance to warrant relief from strict compliance with the provisions of the Zoning Regulations; and

Now Therefore Be It

**Resolved,** That the Commission hereby [approves or denies] the requested variance from the sections stated above.

**Resolved** this 6<sup>th</sup> day of October, 2020

# DDS- Planning & Zoning: Plan Review Application





Submission date: 1 September 2020, 1:42PM

Receipt number: 25

Question	Response
<b>Application Type</b>	
Check all that apply:	Variance
<b>Property Information</b>	
Property Address:	150 Kenyon St, Hartford, CT 06105, USA <a href="#">Map</a> (41.7719169, -72.7101515)
Zoning District:	N
Parcel ID:	132309082
Property Owner:	Grant and Elizabeth Ehrlich
Address of Property Owner:	150 Kenyon Street, Hartford, CT
Email:	gehrlich@snet.net
<b>Applicant</b>	
Name of Applicant:	Grant Ehrlich
File Date:	09/01/2020
Address:	150 Kenyon Street, Hartford, CT No coordinates found
Phone:	8608088309
Email:	gehrlich@snet.net
<b>Primary Point of Contact</b>	
Name:	Grant Ehrlich
Phone:	8608088309
Email:	gehrlich@snet.net
<b>Project Narrative</b>	
Please describe your application action(s) and provide as much detail as possible. Attach additional pages if necessary:	Add a shed to the backyard.
<b>Zoning Map Change Application</b>	
Proposed Zone:	
Describe the existing use of land and buildings in the zone change area:	
Reason for this request:	
<b>Zoning Appeal Application</b>	
Are you an aggrieved party?	
Permit or Violation Number:	
State your reason for appealing the decision of the administrator or enforcement officer:	



Variance Application	
<p>Please state the particular hardship* or unnecessary difficulty that prompts this application and the site the section of the zoning regulations that you are seeking relief from:</p>	<p>Grant Ehrlich 150 Kenyon Street Hartford, CT            "However small your garden, you must provide for two of the serious gardener's necessities, a tool shed and a compost heap." ~ Anne Scott-James, cited at CT.gov/.../Composting and Organics Recycling Hardship statement            We request a variance to permit an 8' x 12' shed in the backyard at 150 Kenyon. We need a small space suitable to store shovels, rakes, and other tools. A shed will prevent theft by placing the tools out of sight and behind a door. The shed will be in our rear yard, and have an area of about 96 square feet. Because it is less than 200 square feet, a building permit is not required. However, because we have a detached garage, we need a variance for an additional accessory structure. Our garage, while not original to the property, was likely built around 1920 to 1930. It is small, having 7' doors and 1' of clearance between the side of the door and the outside wall. We debated replacing the garage, and had plans drawn by Jim Vance. That process allowed us to realize that a larger garage would be more than is needed, and a shed would be more attractive. The shed has natural wood pine siding with a rough-sawn texture. We plan to let the siding age and weather naturally so in time it will be grey. The shed is above ground, no electrical and no plumbing. The door is a barn door style sliding door. Our southern neighbor, Scott Griffin, at 148 Kenyon, said he would have not object to the requested variance. Our eastern neighbor, Alicia Fournier at 155 Girard, is also supportive, and said she would not object to the requested variance. Our northern neighbor, Berthel Johnson at 154 Kenyon, is similarly supportive and has provided a letter of support, a copy of which is provided with this application. Attached are drawings and pictures of the shed, and a drawing indicating its location on our property. Requested is a variance to permit this additional accessory structure.</p>
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 extension 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.	<a href="#">Shed Plan.pdf</a> <a href="#">Support ltr Berthel Johnson 154 Kenyon, Aug 17, 2020.pdf</a> <a href="#">Hardship statement.pdf</a>
Signatures	
Signature of Applicant	 <a href="#">Link to signature</a>
Printed Name of Applicant:	Grant Ehrlich
Date:	09/01/2020
Signature of Property Owner:	 <a href="#">Link to signature</a>
Printed Name of Property Owner:	Grant Ehrlich
Date:	09/01/2020

Grant Ehrlich  
150 Kenyon Street  
Hartford, CT

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Map



# Neighbor's Support

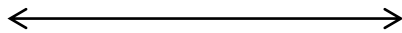


Uconn Law



Floor

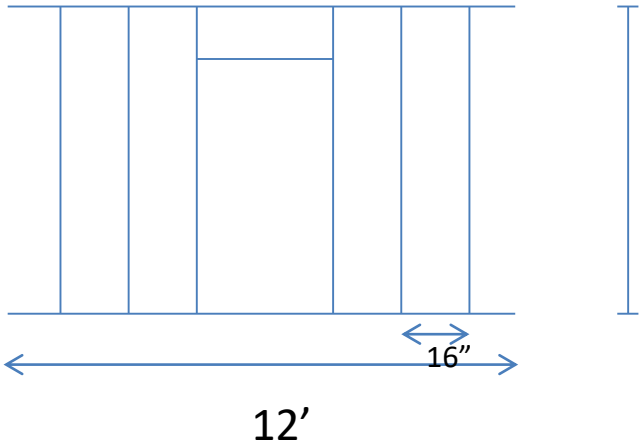
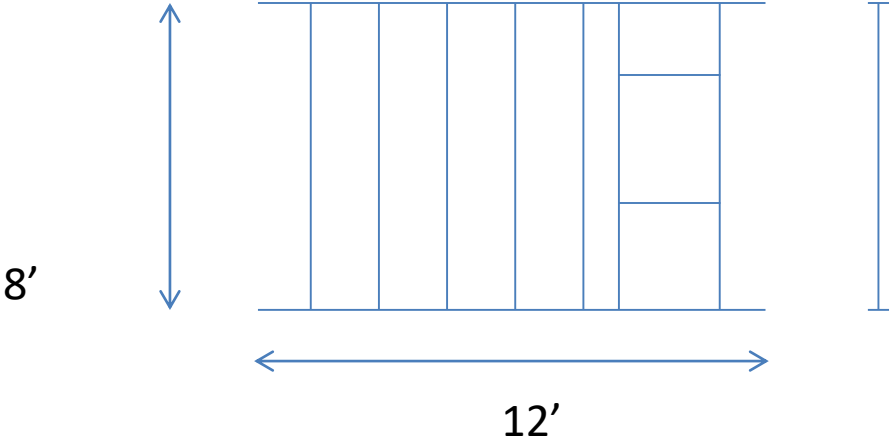
12'



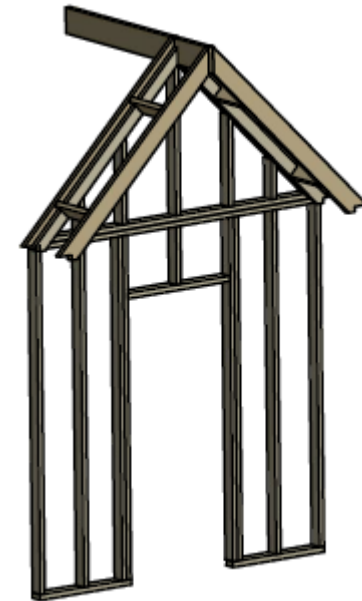
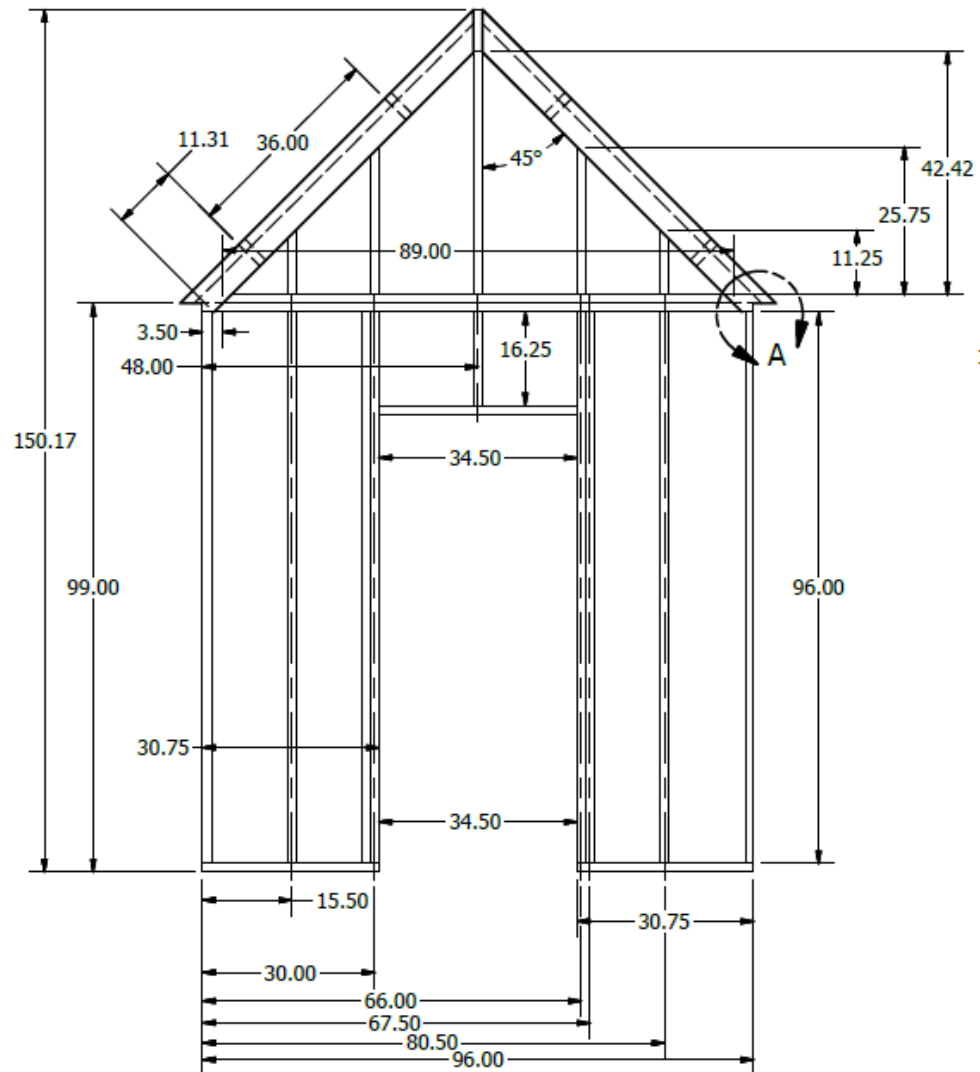
8'



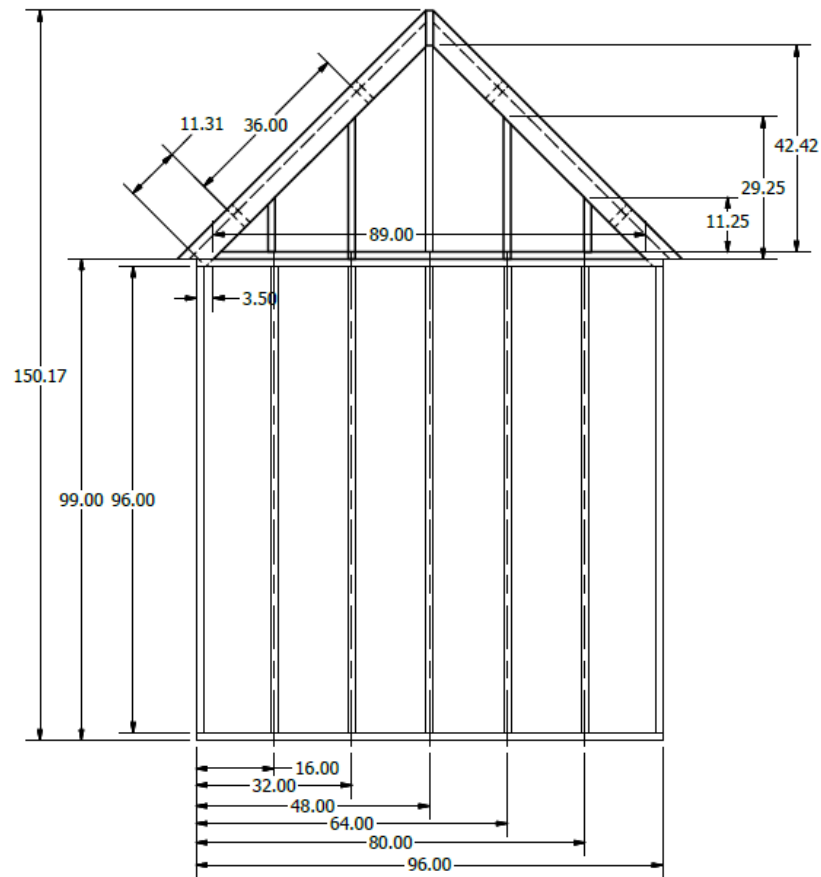
Wall Framing



## Front Framing



## Rear Framing







Letter of Support

Berthel Johnson  
154 Kenyon Street  
Hartford, CT 06105

August 12, 2020

My property abuts the northern boundary of 150 Kenyon St.

I support Grant Ehrlich's application to permit additional accessory structure in the backyard of 150 Kenyon. They have been excellent, quiet, and considerate neighbors. They maintain the property diligently, as shown by the recent house painting and front porch renovation.

The additional structure would complement the property and provide a reasonable storage space.

Sincerely,

Berthel Johnson

A handwritten signature in black ink, appearing to be 'Berthel Johnson', written in a cursive style with a large initial 'B'.

## Grant Ehrlich

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**From:** Don Miller <dmiller137@gmail.com>  
**Sent:** Tuesday, September 08, 2020 6:30 PM  
**To:** Grant Ehrlich  
**Subject:** Re: 150 Kenyon

I support your variance request

Sent from my iPhone

On Sep 8, 2020, at 5:13 PM, Grant Ehrlich <[gehrlich@snet.net](mailto:gehrlich@snet.net)> wrote:

Hi Don, thanks for your support.

As discussed, could you please acknowledge by reply email that you would support our request for a variance for an additional accessory structure, i.e., a shed having dimensions of about 8' by 12', in our backyard.

Thanks, Grant

f 150

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