



DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION
REPORT: Lot combination of 50 Enfield Street and 52-56 Enfield Street, for consideration on Tuesday November 22, 2022

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Evelyne St-Louis, Senior Planner (evelyne.st-louis@hartford.gov)

PROJECT: Lot Combination
50 Enfield Street and 52-56 Enfield Street
PARCEL IDS: 219-221-131 and 219-221-130
ENERGOV ID: ADMIN-2022-3548

ZONE: NX-2, Neighborhood Mix District

TYPE: Lot Combination pursuant to Hartford's Zoning Regulations and Subdivision Regulations

APPLICANT: Kimothy Rochester, Oswald Blint Surveying

OWNER: Uton Blake Home Improvement Services, LLC

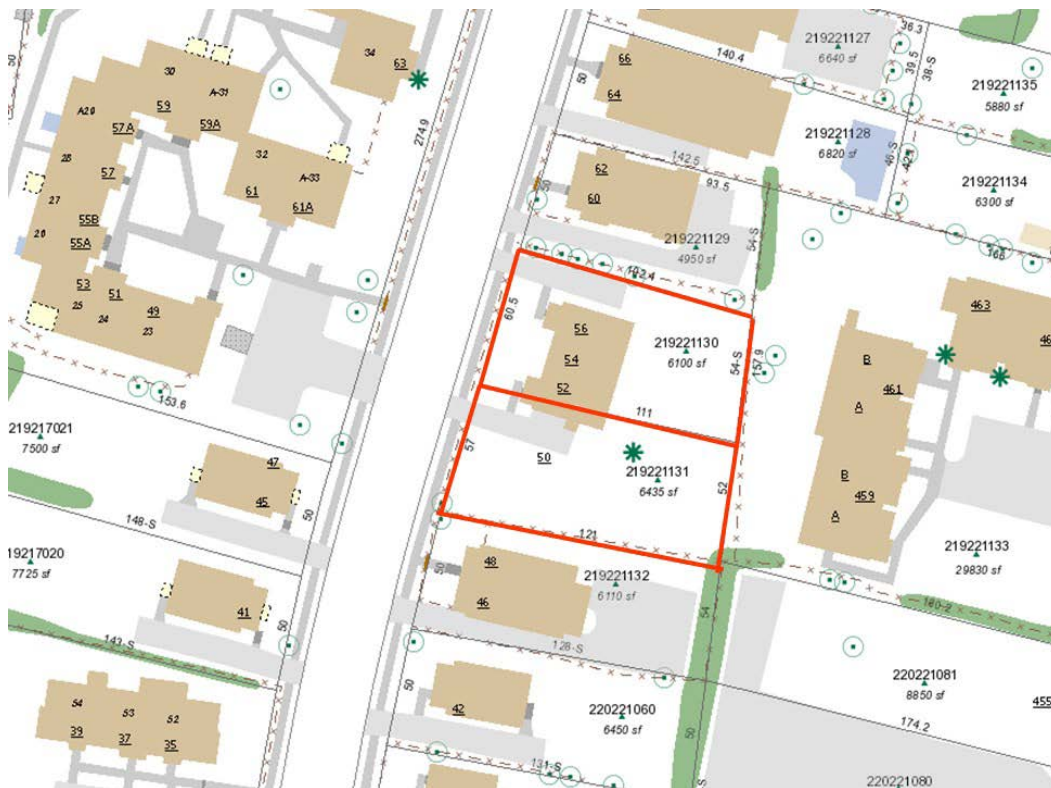


Figure 1: Location Map (City of Hartford GIS, 2022)

BACKGROUND INFORMATION

This application is a request to combine two adjacent parcels located at 888 and 890 Tower Avenue, which are both zoned N-4-1, Neighborhood district. This application is being referred to the Planning & Zoning Commission because the proposed lot combination would create a nonconformity, while also eliminating two nonconformities.

KEY APPLICATION TIMELINES

- The application was received on September 9, 2022.
- The applicant submitted a request to extend the application timeline by 65 days, thereby moving the deadline from November 13, 2022, to January 17, 2023 (65 days plus 65-day extension).

LEGAL STANDARD

Standard for Application Type:

Connecticut General Statutes Chapter 126, Section 8-18 and 8-25 define what constitutes a “subdivision” and requires such subdivision applications to be reviewed by the Planning & Zoning Commission. Lot line revisions and “first cut” applications do not require review by the Commission.

Hartford’s Zoning Regulations currently do not provide explicit guidance on lot combination/lot split/lot line revision applications. Given the current lack of clarity in the Zoning Regulations, the following section is applicable:

The Commission reviews site plans in accordance with Zoning Regulations Section 1.3.3. Site plans may be modified, conditioned, or denied only if they fail to satisfy the zoning regulations, inland wetland regulations, or subdivision regulations. The Commission may deviate from the minimum requirements for building siting, height, street facades, accessory structures dimensions, tree installation, landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15% upon certain findings.

STANDARDS SPECIFIC TO THE USE

City of Hartford Subdivision Regulations

Section 16. Formal consideration. All subdivision plans which include the division of land into three (3) or more lots, and all resubdivisions, shall require a public hearing.

Sec. 58. Block & lot layout. The layout of blocks and lots shall be such that there will be no foreseeable difficulty, for reasons of topography or other conditions, in securing building permits in compliance with the zoning regulations and applicable state health and environmental codes.

City of Hartford Zoning Regulations

Section 1.3.3.C. Site Plan Review, Decision-Making.

- (1) The commission delegates to the zoning administrator decision-making authority for site plan review except where expressly stated elsewhere in these regulations. The zoning

administrator has discretion to refer a site plan review to the full commission, which would then become the decision-making body.

- (5) To provide flexibility that will promote rehabilitation of existing buildings and new construction, the decision-making body may approve an application that deviates from the minimum or maximum requirements for building siting, height, street facades, accessory structures dimensions, tree installation (in consultation with the city forester), landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15 percent, or deviations in required building materials, if the decision-making body finds that: (a) The adjustment from the minimum or maximum requirements is consistent with all relevant purpose and intent statements of these zoning regulations and with the general purpose and intent of the plan of conservation and development; and (b) The adjustment will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Section 1.5. Nonconformities.

Section 1.5.2.B. Nonconforming Lots, Use Allowed. Any nonconforming lot of record in single ownership that does not meet the requirements of these regulations for required lot area and lot width, may be utilized for any use permitted in the zoning district in which the lot is located, provided all the requirements for such zoning district, except the required lot area and lot width, are met on such lot.

Figure 2.2-A Table of Districts. NX-2 District. “The NX-2 district is intended for neighborhood areas with a wide mix of building forms, including Apartment Buildings, Stacked Flats, and multi-unit House Type B Buildings. This is the most common NX district.”

Figure 4.1-B Permitted Building Types by District. Permitted building types in the NX-2 district include Apartment Buildings, Stacked Flats, Row Buildings, and House Type B. Civic Building Types are only permitted on corner lots.

Section 4.11. Apartment Building Type.

Section 4.12. Stacked Flats Building Type.

Section 4.13. Row Building Type.

Section 4.15. House B Building Type.

City of Hartford Plan of Conservation and Development (POCD)

- **Infill, infill, infill:** Building on vacant and underutilized lots across the city will raise property values, reduce blight, and create cohesive neighborhoods (Grow400).
- **Build 5,000 new housing units:** Enable the 10% density increase we need to enliven every neighborhood in the city (Live400).
- **Increase homeownership by 50 percent:** Having more owner-occupied units, including in 2- and 3-unit buildings and condos, will improve neighborhood stability and improve financial stability for homeowners (Live400).

FINDING OF FACTS

Subject properties:

- Both properties are zoned NX-2. They are owned by the same property owner. They do not have any historic designation.
- 50 Enfield Street is ~0.15 acres with a front lot width of 57 ft.
- 52-56 Enfield Street is ~0.14 acres, with a front lot width of 60.5 ft.
- 52-56 Enfield St is occupied by a two-unit dwelling House Type B structure. Note that the building form is possibly more similar to a House Type C, but because it isn't a permitted building type in the NX-2 district, Staff determined that the House Type B classification would be more appropriate.
- The structure encroaches significantly on the abutting parcel to the south, 50 Enfield St. The structure has two driveways, with parking located in the side yard. One driveway is located on the 50 Enfield Street parcel and the other on the 52-56 Enfield St parcel.
- 50 Enfield St is otherwise vacant and appears to be used as yard space for the residential units.
- There is a 30" MDC-owned sanitary sewer line and associated 40-foot easement that runs diagonally across the properties (see Figure 2). The applicant, a licensed surveyor, contacted the MDC to obtain more information on the easement. The MDC provided the drawings included as Attachments 1 and 2, which show the location of the sewer line and the easement's dimensions. The MDC also stated verbally that no buildings are permitted over the easement area, but note that neither the MDC nor the applicant were able to find the original easement agreement language. According to the applicant, it is typical for MDC easements to prohibit buildings over the easement area.

Proposed application:

- The request to combine two parcels at 50 & 52-56 Enfield Street into a single rectangular lot that would measure 0.29 acres with a front lot width of 117.5 feet, as shown in Figure 2. Figure 5 summarizes the zoning criteria for the new proposed lot.
- The property owner's stated intent is to leave the parcels as they are. No renovations or redevelopment is proposed at this time.
- For lot combination/lot split/lot line revision applications, all outstanding City taxes on the properties must be paid prior to the application being approved. As of this writing, both properties had outstanding tax payments due. Payment of outstanding taxes is proposed to be included as a condition of approval.

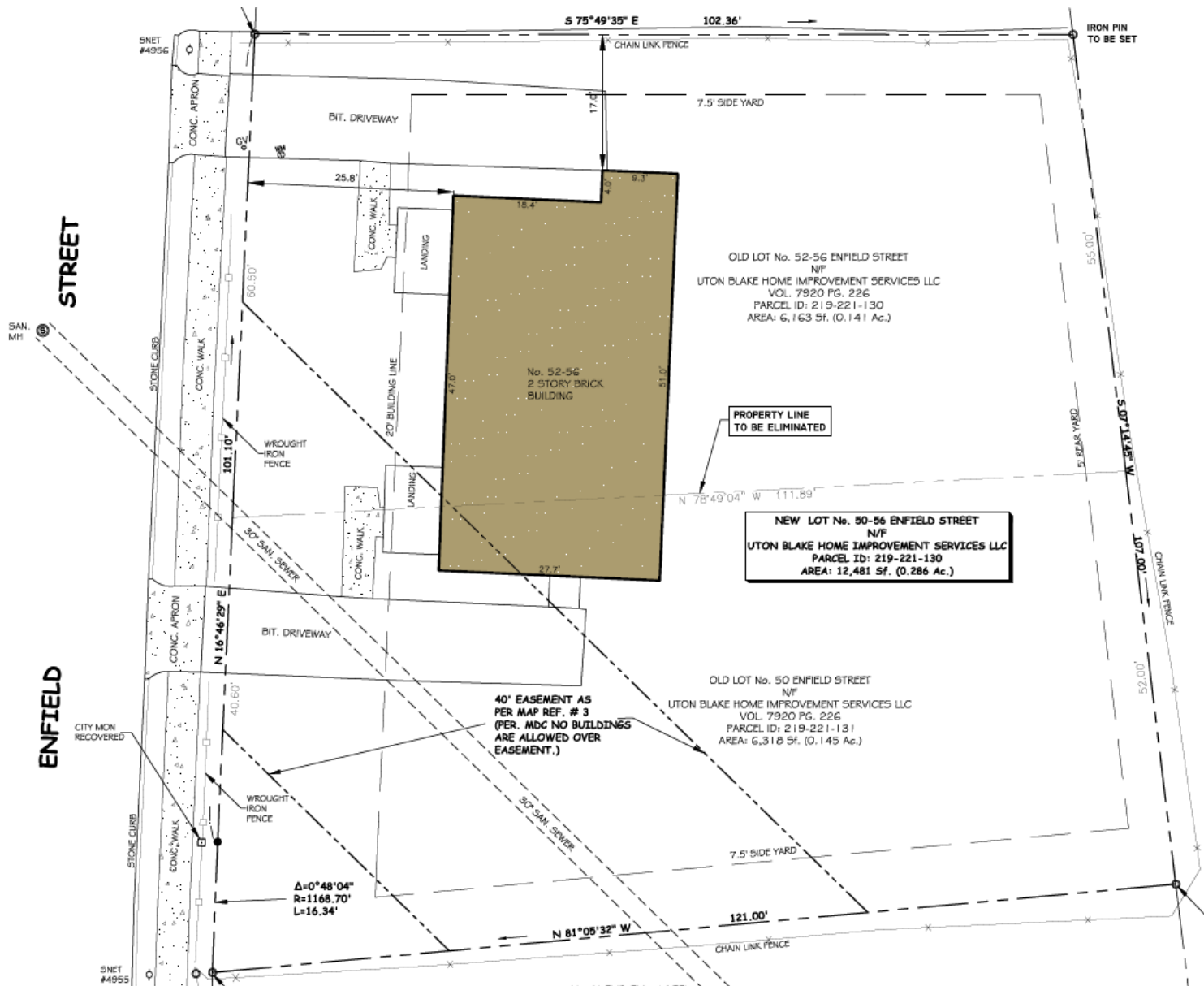


Figure 2. Proposed lot combination submitted by applicant, last revised November 13, 2022.



Figure 3. Google Streetview of the subject properties (Google Streetview, October 2020).



Figure 4. Enfield Street block, from approximately Greenfield Street to Mather Street (Hartford GIS, 2022).

ZONE: NX-2	REQUIRED	EXISTING	PROPOSED
HOUSE B BUILDING TYPE REG.			
MULTIPLE PRINCIPLE BUILDING	not permitted	1	1
MINIMUM FRONT LOT LINE COVERAGE	75%	78%	46%*
OCCUPATION OF CORNER	required	N.A.	N.A.
FRONT BUILD-TO ZONE	within 2' of the building line	6'	6'
CORNER BUILD-TO ZONE	within 5' of the building line	N.A.	N.A.
MINIMUM SIDE YARD	7.5'	-8'*	17'
MINIMUM REAR YARD	5'	51'	51'
MINIMUM LOT WIDTH	30'	57.6'	111.8'
MAXIMUM BUILDING WIDTH	65'	51'	51'
MAXIMUM BUILDING COVERAGE	52%	22%	11%
MAXIMUM IMPERVIOUS AREA	65%	27%	21%
ADDITIONAL SEMI-PERVIOUS AREA	15%	0%	0%
PARKING & DETACHED GARAGE LOCATION	rear yard	side yard*	side yard*
PERMITTED VEHICULAR ACCESS	1 driveway per.lot	1	2*1
MINIMUM OVERALL HEIGHT	2 STORIES	2 STORIES	2 STORIES
MAXIMUM OVERALL HEIGHT	3 STORIES	2 STORIES	2 STORIES
*DENOTES NON CONFORMING			

Figure 5. Summary zoning table for proposed combined lot. Submitted by applicant, last revised November 13, 2022.

COMMENTS RECEIVED (DEPARTMENTS, AGENCIES, NRZs, PUBLIC)

No comments were received or solicited for this application type.

ANALYSIS

Because the requested lot combination would not create any new parcels, it can be reviewed administratively and does not require a public hearing. However, the zoning administrator has opted to refer this application to the Planning & Zoning Commission for reasons described below.

Hartford’s Zoning Regulations and Subdivision Regulations do not provide extensive or very explicit guidance on how to review lot combination/lot line revision/lot split applications. Generally, Staff evaluate these applications based on the following criteria:

- Pursuant to the spirit and intent of Section 1.5 of the Zoning Regulations regarding nonconformities, lot combinations must not create or expand nonconformities, whether lot or building related. Staff has generally interpreted the 15% deviation allowance for site plan and special permit reviews per Section 1.3.3.C.(5) as also applicable to lot combinations. If a

lot combination renders a certain zoning characteristic to be +/- 15% of what is required as measured in absolute numbers, Staff would not consider this to be creating a nonconformity.

- Per the spirit and intent of the Subdivision Regulations, any lot resulting from a lot combination/lot line revision/lot split must be such that it can feasibly be developed or redeveloped in accordance with the Zoning Regulations. The proposed parcel(s) should be reviewed based on their zoning district and associated permitted building types.
- Neighborhood context and relevant POCD goals should also inform these types of applications.

Staff is referring this application to the Planning & Zoning Commission because the proposed lot combination would create two nonconformities, but also eliminate some nonconformities, as described below:

- **The lot combination would render the primary structure's front lot line coverage nonconforming.** House Type B building types have a minimum front lot line coverage requirement of 75%. The existing structure has a conforming lot line coverage (78%), but after the lot combination, it would decrease to 46%.
- **With the lots combined, the newly created lot would have two driveways, which is not permitted for House Type B building types.** While there are currently two driveways utilized by the existing structure, they are technically located on two separate lots. After the lot combination, the combined lot would have two driveways, which is a nonconformity.
- **The lot combination would eliminate the encroachment of the existing structure onto the abutting parcel.** The primary structure currently encroaches several feet into an abutting parcel. The structure also has nonconforming side setback, which would be eliminated (currently has a "negative" side setback, whereas 7.5 ft minimum is required).

The application must also be evaluated based on whether the combined lot could feasibly be redeveloped in accordance with the Zoning Regulations. This application is unusual given the existence of an MDC easement. Whether combined or not, the lots would be difficult to develop, as described below:

- If the 50 Enfield St parcel remains as a stand-alone parcel, redevelopment in accordance with the Zoning Regulations would not be possible given that all of the building types permitted in the NX-2 district require structures to be located within 2 ft of the building line.
- If the lots were combined, full-scale redevelopment would similarly be restricted by the easement. Expansion of the existing structure could feasibly be permitted towards the rear of the building, but expansion into the side yard would not be possible given the easement.

Finally, the surrounding neighborhood context should also be taken into consideration. Enfield Street between Mather St and Greenfield St is characterized by a mix of building types and lot widths. Most lots are about 50 ft wide, but a handful of parcels are wider, in some cases up to 90 or 150 ft. As such, the combined lot as proposed would be wider than the majority of parcels, but would not be completely unique within the block.

Consistency with the POCD

Relevant goals of the POCD include encouraging infill development, increasing residential density, and promoting homeownership opportunities. The POCD and the Zoning Regulations also broadly seek to promote walkable, human-scale street and building designs. It could be argued that this

application is not aligned with these goals, as the combined lot would reduce the likelihood that an additional second residential structures could be built. However, the existence of an easement on these lots renders the development of a second structure on the existing 50 Enfield Street parcel quite unlikely. Therefore, Staff find that the application is not inconsistent with the POCD.

Summary

Despite the nonconforming front lot line coverage and nonconforming number of driveways that would result from the lot combination, this application would also eliminate the structure’s nonconforming encroachment and nonconforming side setback. Staff find that the elimination of these nonconformities possibly outweighs the creation of new nonconformities. Furthermore, the existence of the easement renders the 50 Enfield St parcel unlikely to be redeveloped.

STAFF RECOMMENDATION

Staff recommends approval of the proposed lot combination, with the following conditions:

1. All outstanding taxes associated with the subject properties shall be paid prior to final approval of the requested lot combination.
2. The applicant shall submit a mylar of the proposed lot combination and pay the required recordation fee for this application type.

A draft resolution follows.

ATTACHMENTS

- **Attachment 1.** Drawing showing location of existing MDC sewer line (undated drawing, submitted to the applicant the MDC).
- **Attachment 2.** Drawing showing location of 40-foot MDC easement (undated drawing, submitted to the applicant by the MDC).

REVIEWED,

Aimee Chambers, Director



CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
50 ENFIELD STREET & 52-56 ENFIELD STREET
PROPOSED LOT COMBINATION

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the lot combination application requesting to combine two parcels at 50 Enfield Street (parcel ID 219-221-131 and) and 52-56 Enfield Street (parcel ID 219-221-130), per Hartford’s Zoning Regulations and Subdivision Regulations; and
- Whereas,** Per the Subdivision Regulations, the request to combine these two lots does not constitute a subdivision and therefore does not require a public hearing and can be reviewed administratively; and
- Whereas,** The subject properties are zoned NX-2, Neighborhood Mix District; and
- Whereas,** The subject properties do not currently have any historic designation; and
- Whereas,** The subject properties are currently owned by the same property owner; and
- Whereas,** The property at 50 Enfield Street is a vacant 0.15-acre parcel with a front lot width of 57 feet; the property at 52-56 Enfield Street is a 0.14-acre parcel with a front lot width of 60.5 feet; and
- Whereas,** An existing House Type B building, with a two-unit dwelling use, currently occupies the 52-56 Enfield Street parcel, but also encroaches significantly onto the abutting parcel at 50 Enfield Street; and
- Whereas,** A 30” MDC-owned sanitary sewer line and associated 40-foot easement run diagonally across the properties; the MDC provided drawings confirming the location of the sewer and easement, and stated verbally that no buildings are permitted over the easement area, although note that the original easement agreement language could not be obtained by the applicant (a licensed surveyor) or by the MDC; and
- Whereas,** The proposed combined lot would measure 0.29 acres and have a lot width of 117.5 ft; and

Whereas, The proposed lot combination would render the front lot line coverage of the existing structure nonconforming; it is currently 78% (conforming) and would be reduced to 46% (nonconforming). A minimum of 75% is required for the House Type B building type; and

Whereas, As proposed, the newly combined lot would have two driveways, whereas only one driveway is permitted for the House Type B building type; and

Whereas, The proposed lot combination would eliminate the nonconforming encroachment of the primary structure onto the abutting parcel and would also eliminate the structure's nonconforming side setback; and

Whereas, Redevelopment, in accordance with the Zoning Regulations, of either the existing 50 Enfield Street parcel or of the combined lot as proposed would be significantly constrained by the easement; and

Whereas, The requested lot combination is not inconsistent with the Plan of Conservation and Development (POCD); and

Now therefore Be It

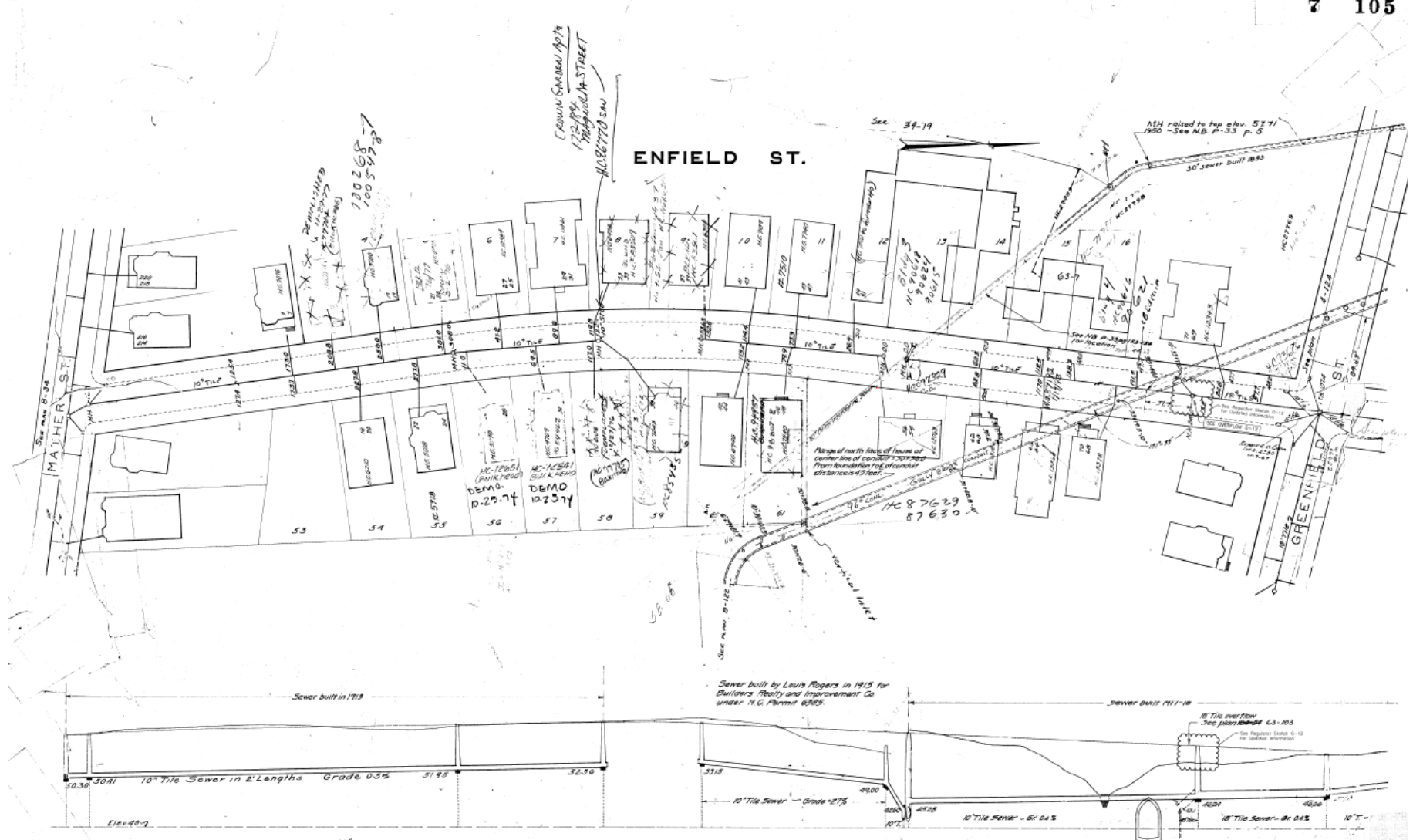
Resolved, The City of Hartford Planning & Zoning Commission hereby **denies/approves** the lot combination application requesting to combine two parcels at 50 Enfield Street (parcel ID 219-221-131 and) and 52-56 Enfield Street (parcel ID 219-221-130), per Hartford's Zoning Regulations and Subdivision Regulations, as shown on plans prepared by Oswald Blint Surveying last revised November 9, 2022, **with the following conditions of approval:**

- 1. All outstanding taxes associated with the subject properties shall be paid prior to final approval of the lot combination.**
- 2. The applicant shall submit a mylar of the proposed lot combination and pay the required recordation fee for this application type.**

Be It Further,

Resolved, This 22nd day of November, 2022.

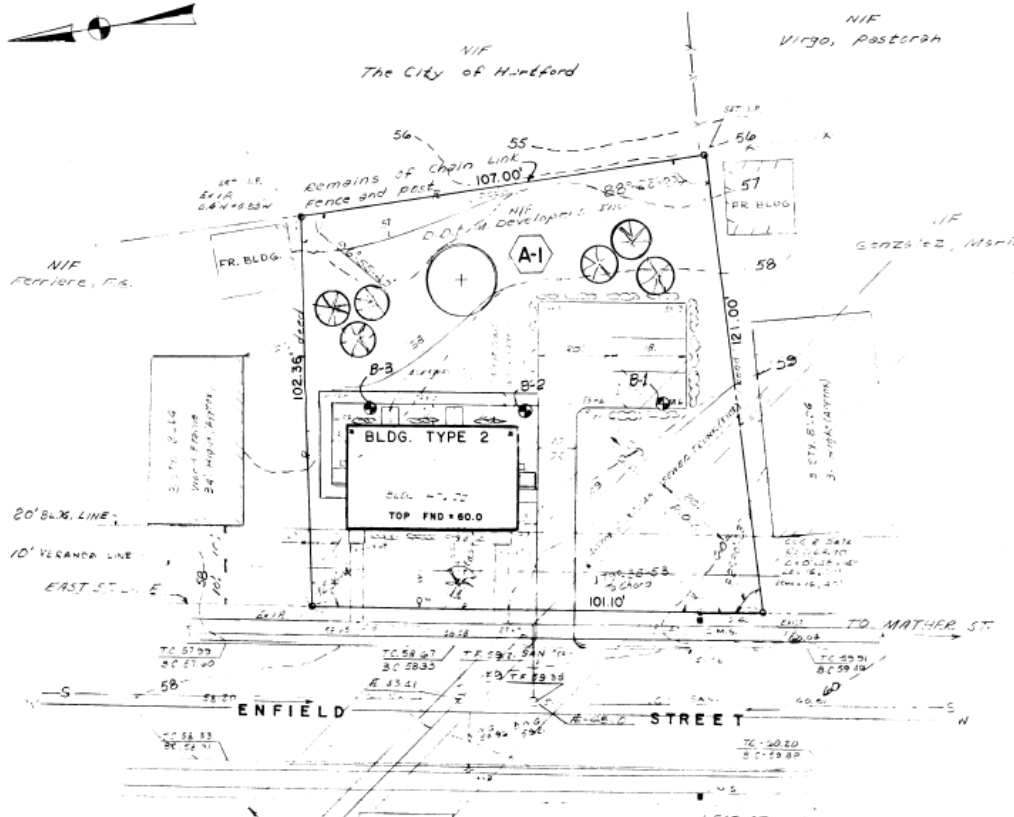
Attachment 1. Drawing showing location of existing MDC sewer line (provided by the MDC, undated).



Attachment 2. Drawing showing 40-foot MDC easement (undated, map provided by the MDC).

SITE No.13
ENFIELD STREET
50-52, 54-56

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	Juniperus Chinensis	Chinese Juniper	1'-2'	3
	Yaxus cuspidata	Japanese Yew	2'-3'	3
	Cornus Florida	Dogwood	6'-7'	1
	Syringa vulgaris	Lilac	5'-6'	1
	Acer Platanoides	Norway Maple	8'-10'	1



NOTES:

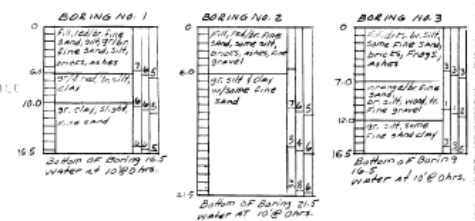
1. Reference made to maps on file on property of James Troster, Garden St. at St. Hartford Conn. Scale 1/4"=100', May 1911, Spencer and Vassburn, Engrs. Rev. Nov. 1912.

2. "The Builders Etc. and Improvement of Green Chain St. at St. May 1901, Scale 1/4"=50', Cecelia Denny, Civil Engineers."

LEGEND

- 68- PROP. CONTNTR
- 68- EXIST. CONTNTR
- W- WATER LINE
- G- GAS LINE
- S- SANITARY SEWER
- MH MAN HOLE
- CB CATCH BASIN
- ST STORM SEWER

BORING LOG



LOT	OWNER	MAX PERMITTED RES. DENSITY	MIN. REQ. LOT AREA	MAX. PERMITTED LOT OCCUPANCY	BUILDING AREA	MIN. REQ. LOT B.C.H. FEET	MIN. REQ. FRONT YARD SETBACK	MIN. REQ. SIDE YARD SETBACK	MIN. REQ. REAR YARD SETBACK	OPEN SPACE
R-2	100%	200	2000	1	50	30	5	5	5	12%

LANDSCAPE

27
 FED. PROJECT No. 26-P003-016

SITE PLAN No.13
ENFIELD STREET

L-12

PREPARED FOR: **HAF 475** TOWN: **Hartford**

STREET: **Enfield St.**

ENGINEERING HO.# **54-56** **M.C.**

70 OAKW

I HEREBY CERTIFY THAT THIS MAP AND E.L.P. WERE PREPARED IN ACCORDANCE WITH THE STANDARDS OF A CLASS "C" SURVEY AS DEFINED IN THE CODE OF REGULATIONS FOR STANDARDS OF PRACTICE OF SURVEYS AND MAPS, ADOPTED BY THE BOARD OF SURVEYORS AND MAPPERS OF THE STATE OF CONNECTICUT, AND AS APPROVED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS.

