

file copy

ZBA # 20-06672
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Receipt # 32373
RECEIVED
TOWN OF HAMDEN

TOWN OF HAMDEN
ZONING BOARD OF APPEALS
VARIANCE APPLICATION

NOV 17 2020

PLANNING AND
ZONING DEPT.

Property Address 820 Mix Avenue Zone R5

- Spring Glen Village District
- Newhall Design District

Hamden Land Records (from Town Clerk's Office): Volume 4224 Page 126

Applicant Sajida Farooqui Address 820 Mix Avenue
Phone (203) 619-3150 Town/Zip Hamden, CT 06514

Property Owner Sajida Farooqui Address 820 Mix Avenue
Phone (203) 619-3150 Town/Zip Hamden, CT 06514

Lessee _____ Address _____
Phone _____ Town/Zip _____

Agent/Attorney Michael Stone Address 129 Church Street Ste 800
Phone (203) 776-8100 Town/Zip New Haven, CT 06501

Email Address of Primary Contact Mike@mstonestonelaw.com

*This application is not complete unless signed by the owner and his/her agent (if applicable).

1. Variance Requested - State the Section Number from the Hamden Zoning Regulations that relates to the requested variance. State what your request is in relation to what is required. For example, "Section 220, Table 2.3: Applicant is asking for a 15 foot side yard where a 30 foot side yard is required."

A) Section 220, Table 2.1: Applicant is asking for a 50.58' lot width, where 60' is required B) Section 220, Table 2.3: Applicant is asking for 10' and 12' rear yard setbacks, where 25' is required C) Section 220, Table 2.1: Applicant is asking for 50.3% Impervious Percentage, where 35% is required

2. What is the unique hardship applicable to the land (cannot be financial)?

The existing house is situated in such a way on the parcel that the proposed lot split will result in two irregularly shaped parcels, requiring variances for lot width, Impervious coverage (Percentage), and two variances for rear yard setbacks

3. Attach a **site plan** that is drawn to scale and includes the following:
 - A. Dimensions of the lot
 - B. Location of all existing and proposed structures on subject property
 - C. Elevation drawings for any structures over four feet high
 - D. Zone of adjacent properties
 - E. Location of existing structures on adjacent properties

4. Provide an **Assessor's Map** (from the Assessor's Office) of the property clearly showing:
 - A. Your property (clearly identified)
 - B. Nearest intersecting streets
 - C. All properties located within 100 feet of any portion of your property

5. Provide a **list of property owners within 100 feet** of any portion of your property including properties across streets. You can get this information from the Assessor's Office. This list should contain the property owner's abutting property address and home mailing address.

6. Provide stamped (not metered) **envelopes** addressed to all property owners (not tenants) within 100 feet (on abutters list from Assessor's Office) including one addressed to yourself. Address the envelopes to the property owner's mailing address rather than to the address of the property that abuts yours. The return address should read:

Zoning Board of Appeals
 Hamden Government Center
 2750 Dixwell Avenue
 Hamden, CT 06518

7. Post the required sign(s) on the subject property at least ten days prior to the public hearing (see the instructions, page 2).

8. Pay the appropriate **fee** (fee schedule listed on the first page of instructions). How long have you owned/leased the property? Since May 22, 2015

9. Please list any variances previously requested for this property and the outcome:
N/A

10. Has any application involving this property been submitted to the Planning and Zoning Commission? Yes / No If yes, what was its decision?

I hereby state that all the above information and any information contained in any papers submitted herewith are true and correct to the best of my knowledge and belief under penalties of false statements.

I understand that by applying I grant permission for a member or members of the Zoning Board of Appeals and staff to enter upon the subject premises for the purpose of making a visual examination of same.

11. Property Owner's Signature *[Signature]* Date Nov 12, 2020
12. Applicant's Signature *[Signature]* Date Nov 12, 2020
Sajida Farooqui

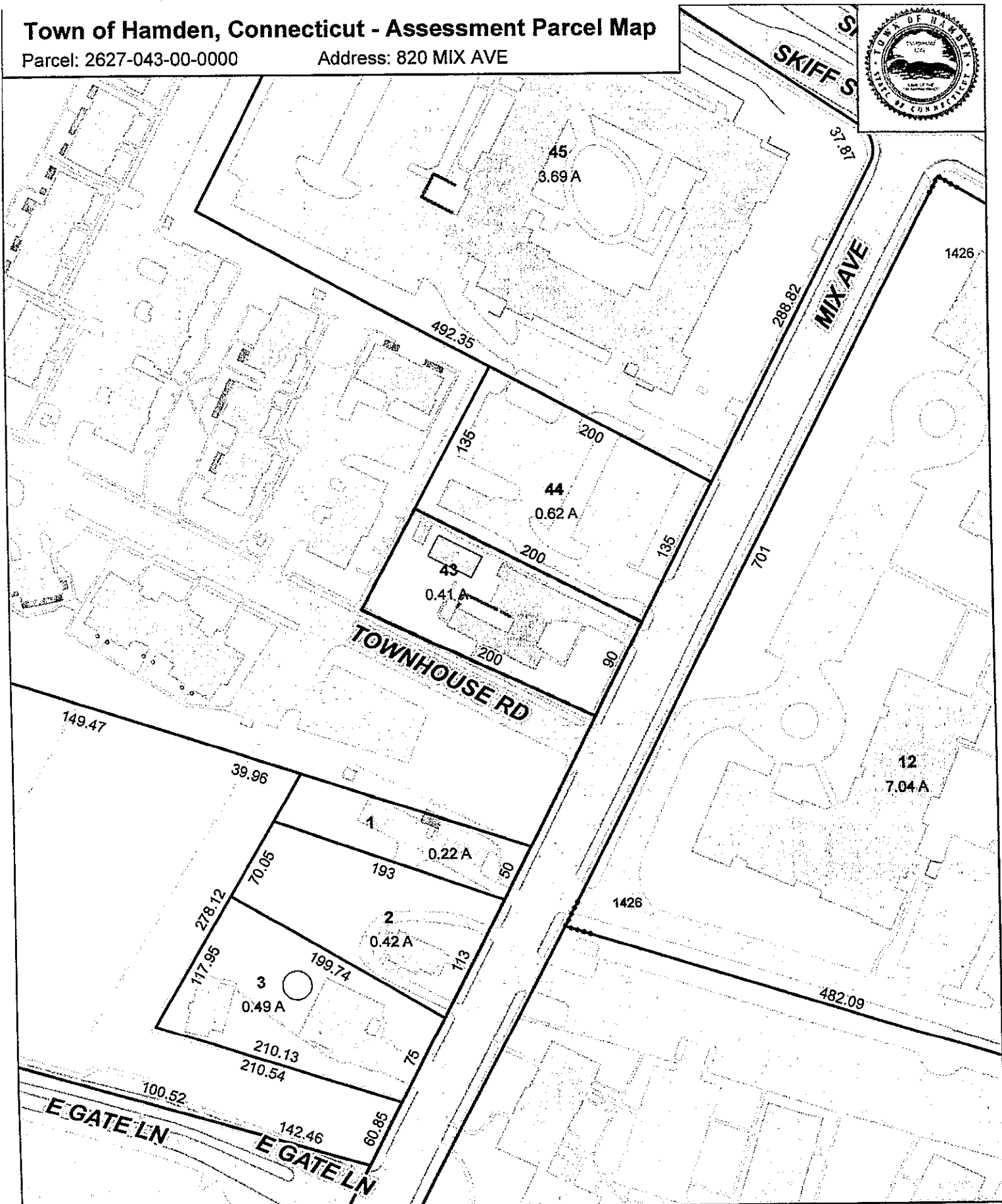
NEXT STEPS IF YOU ARE GRANTED A VARIANCE

1. There is a **15-day appeal** period starting the day after the legal notice of action taken is published in the New Haven Register. During this time, anyone who wishes to appeal the Board's decision may take his/her case to court. **We recommend waiting until after the appeal period to record the variance.**
2. The variance must be recorded with the Town Clerk (between 9:00 am and 4:00 pm) to become effective. There is a recording fee of \$43.00 (subject to change). **Request three copies of the recorded variance notification from the Town Clerk's Office.**
3. After filing the variance with the Town Clerk, **you must obtain a Zoning Permit from the Planning Office.** The Zoning Permit process takes 7 to 10 working days.
4. At the time you file your Zoning Permit, you will need the following items:
 1. A completed Zoning Permit Application
 2. One (1) original and two (2) copies of the plot plan or site plan
 3. One (1) original and two (2) copies of the floor plans
 4. One (1) original and two (2) copies of the elevation drawings
 5. One (1) original and two (2) copies of the recorded variance notification
 6. The Zoning Permit Fee

Town of Hamden, Connecticut - Assessment Parcel Map

Parcel: 2627-043-00-0000

Address: 820 MIX AVE



Approximate Scale: 1 inch = 100 feet



Map Produced: April 2019

Disclaimer: This map is for informational purposes only. All information is subject to verification by any user. The Town of Hamden and its mapping contractors assume no legal responsibility for the information contained herein.

MICHAEL STONE
ATTORNEY AT LAW
129 CHURCH STREET • SUITE 806
POST OFFICE BOX 1112
NEW HAVEN, CONNECTICUT 06505-1112
TELEPHONE: (203) 776-8100
FAX: (203) 776-5130

November 13, 2020

Timothy J. Lee, Esq.
Assistant Town Attorney
Town of Hamden
2750 Dixwell Avenue
Hamden, CT 06518

Re: Variance Application/
820 Mix Avenue, Hamden, CT

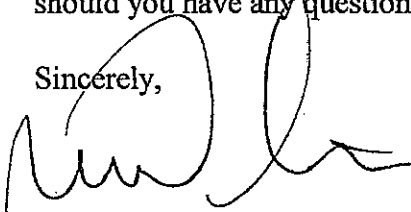
Dear Tim:

Thank you for taking the time last month to discuss the proposed application of my client, Sajida Farooqui, for a variance with reference to her property located at 820 Mix Avenue, Hamden, Connecticut. More particularly, as you will recall, we discussed the requirements for notice to abutting property owners relative to an variance application filed with the Zoning Board of Appeals.

As discussed, it is my understanding that Governor Ned Lamont's Emergency Orders override any and all notice requirements of the Town of Hamden Zoning Regulations. Specifically, Governor Lamont's **Executive Order 71**, Modifying Procedures and Deadlines for Municipal Land Use, provides in pertinent part in Subsection f, "that any requirement of personal notice by mail can be satisfied by an email if the recipient addresses are "reasonably available". However, if the email addresses are unavailable, then the personal notice requirement can be met by posting an actual sign on or about the subject property." In this instance, there are no email addresses of any of abutting property owners which are available. In said light, I think it is clear, and I believe that you would agree, that the posting of a sign at the property satisfies the notice requirements of the Governor Lamont's Executive Order 71, and therefore, the Hamden Zoning Regulations.

Thank you for your anticipated attention to the above. Please do not hesitate to contact me should you have any questions or comments in regard to the above.

Sincerely,



Michael Stone

cc. Town of Hamden Planning and Zoning Department

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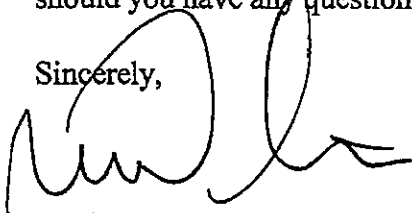
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