



Town of Hamden

Planning and Zoning Department

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Memorandum

To: Hamden Board of Zoning Appeals
From: Erik Johnson, Acting Director Planning and Development
Subject: Variance Request: 820 Mix Avenue; Sajida Farooqui, Applicant
Date: May 17, 2022
cc: Natalie Barletta, Clerk, Planning Department

Project Summary

The Applicant N/F Arden Real Estate Holdings, LLC is requesting a side yard variance to allow for the construction of an attached garage at 820 Mix Avenue, Hamden CT. The garage will be developed in concert with a new dwelling unit that is being proposed at the property. The proposed 1155 square foot dwelling unit will replace an in ground pool on the property. The new proposed dwelling unit is allowed by-right in the R5 zone and complies with current set back requirements.

In addition to the new dwelling unit, the Applicant is proposing to construct a 300 +/- square foot attached garage that would replace an existing pool shed on the property. The pool shed is an existing non-conforming structure, located 6" 8' from the property line which is less than the 10" ft. side yard setback required in the R5 zone. As part of proposed construction of these structures, the applicant is requesting a side yard variance to allow the new attached garage to be constructed on a similar setback as the existing pool shed. By maintaining the existing setback back, applicant is able to maintain access and circulation between the driveway and existing two-family dwelling that is currently on the property.

The proposed garage would replace some of existing pool patio coverage and be attached to the new dwelling without increasing existing impervious coverage. The proposed garage structure have a 7' side yard setback, slightly more than the pool shed's 6.8 feet setback.

Key Zoning Considerations:

- The subject property is located in an R-5 zone.

- Three (3) Family Multi-Family Dwelling Dwellings are permitted within R5 Zone (Table 6.1 Allowed Uses by Zone)
- Minimum Side Yard Setback in R5 zone is 10 ft. (Section 220, Table 2.3 Residential Yard and Height Requirements for Primary Structures)
- On a corner lot, one front yard is required on the primary street frontage, and one side yard is required on the other yard adjacent to the secondary street. The yard opposite the designated front yard shall be the rear yard and the remaining yard a side yard. The front yard shall be as required by the applicable zone. (Section 220, Table 2.3 Residential Yard and Height Requirements for Primary Structures)

Variance Request:

The Applicant is requesting a side yard setback variance to allow for the construction of an attached garage at 820 Mix Avenue Specifically the applicant is requesting that that the side yard for their attached garage be set at 7ft instead of the 10ft side yard requirement as defined in Section 220, Table 2.3 of the Hamden Zoning Regulations.

Staff Recommendations:

Staff recommends approval of this request. The proposed development is consistent with the overall zoning District, and while the proposed development will result in another non-conforming structure, the proposed improvements (a) are consistent with the location of an structure that already exists on the property; (b) do not impact the either of the “front yards” on this corner property; and (c) support a substantial improvement to the subject property by the owner.

The Applicant has been in discussions with the Planning Department for nearly three (3) years about this project. Staff feel strongly that the variance request that is being proposed and recommended is consistent with the spirit and intent of the zoning regulations.