



City of Middletown

Department of Planning, Conservation & Development

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MEMORANDUM

TO: The Middletown Zoning Board of Appeals

FROM: Marek Kozikowski, AICP, City Planner

A handwritten signature in blue ink, appearing to read "Marek Kozikowski".

DATE: January 29, 2021

RE: **Variance Application**
124 South Plumb Road (07-0333)
Variance of Required Frontage

On behalf of the Walter J. Bysiewicz, Karen Bysiewicz, Susan Bysiewicz and Gail Bysiewicz, record owners (the "Owners") of the property located at 124 South Plumb Road, Middletown, Connecticut (the "property"), Planning, Conservation and Development Staff of the City of Middletown (the "City") is requesting a variance of Section 21.02 of the Middletown Zoning Code to permit a lot frontage of 72.59 ft for the existing lot. The Owners and City are working jointly on revising the lot lines so that the City can purchase the excess land for open space and farmland preservation.

Existing Conditions

The property at 124 South Plumb Road contains 10.58 acres in the R-30 Zone. It is a through lot with 456.46 ft of frontage on South Plumb Road and 72.59 ft of frontage on North Plumb Road. The property is improved with a single-family dwelling, detached garage, driveway, septic system, well, lawns, and other associated improvements. The driveway extends south from the dwelling to South Plumb Road. The property contains excess land that is partially wooded and partially cultivated land.

Proposed Conditions

The proposed conditions included revised property lines around the existing improved area resulting in a 3.39 ac property. The property will transform from a through lot to a lot with only the existing frontage on North Plumb Road. The property will maintain conforming lot area and required yards. The remaining 7.20 acres of land containing the excess wooded area and cultivated land will be conveyed and combined with the abutting vacant property.

The property will have frontage only on North Plumb Road. The existing frontage is 72.59 ft when 150 ft is required pursuant to Section 21.02 of the Middletown Zoning Code. The required frontage is 150 ft because it is an existing lot. New lots on private septic and well would require 200 ft pursuant to Section 21.05 of the Middletown Zoning Code.

There is no opportunity to acquire additional land from adjacent property owners to assemble more land to increase the frontage of the property without making the adjacent properties more nonconforming.

If the variance is granted, then a new driveway will be installed extending north to North Plumb Road. The existing driveway will be abandoned prior to the City purchasing the land, or a temporary easement will be granted over the driveway until a new driveway is installed.

Hardship

The intention of the lot line revision is to maximize the area for open space acquisition through purchase of the remaining land using the open space bonds that were approved through referendum in 2019. Under the proposed conditions, the City will seek to acquire a contiguous 39 acre tract of land containing both forested area and cultivated agricultural land. The tract is also contiguous with other open space land to the west that is owned by the City.

A hardship is because the alternative, maintaining conforming frontage on South Plumb Road, would result in: a significant amount of wooded area left unpreserved and would bisect the open space acquisition into two tracts when a contiguous tract provides benefits for access, maintenance and migration for wildlife.



Neighborhood Analysis

The neighborhood was assessed to evaluate the existing frontages for parcels improved with single family dwellings. The neighborhood was developed with primarily 100 ft wide lots with a few lots with a greater amount of frontage.



There are 38 properties that front North Plumb Road. Only 5 properties have conforming frontage. The majority of the lots (28 total) contain 100-120 ft of frontage. Three properties have less than 80 ft of frontage, which includes the subject property. The average frontage for properties on the segment of North Plumb Road between Red Cedar Lane and Northview Drive is 95.15 ft.

City Water and Sewer

The property is within the sewer service area and water and sewer infrastructure is installed in North Plum Road. The existing dwelling is confirmed to be on private septic and all other houses on North Plumb Road appear to be connected to city sewer.

