

### MEMORANDUM OF STAFF COMMENTS

**TO:** Zoning Board of Appeals  
**FROM:** Adam Levitus, ZEO  
**DATE:** May 21, 2021  
**RE:** ZBA #2021-11 Yard Variances for New Garage  
**APPLICANT:** Geoffrey Biscette & Dina Sylvain-Biscette, Owners  
**ADDRESS:** 210 Main St  
Map 9-3 Block 54 Lot 13  
**ZONE:** R-11

#### Proposal and Background

Geoffrey Biscette & Dina Sylvain-Biscette (property owners) are requesting variances for northerly front yard of 6 feet when 25 feet is required and a southerly rear yard of 23.75 feet when 40 feet is required in the R-11 Zone per Berlin Zoning Regulations V.B.5 for a detached 22 foot x 24 foot 2-car garage.

According to assessor's records, the existing house was built in approximately 1900. Both the existing lot (area) and existing building (front and side setbacks) are nonconforming.

#### Staff Comments

The lot is atypical, with a quasi-triangular shape and relatively long front and rear property lines as compared to the side property lines. Accordingly, the front and rear yards and the existing location of the home would preclude a garage of the proposed size and shape from being located on the property in accordance with the required setback regulations.

Staff recommends discussion of:

- The hardships proposed by the applicant to justify the variance requests
- The configuration of this property as compared to other lots on curves/corners
- The configuration/location of the proposed shed as compared to alternatives that would better comply with the regulations

#### Zoning Requirements: §V.B.5

Front Yard Required: 25 ft  
Proposed Front Yard: 6 ft  
Front Rear Required: 40 ft  
Proposed Front Yard: 23.75 ft

*The Town of Berlin Plan of Conservation and Development, Section II, Strategic Outline for Implementation, Strategy 1: Coordinate the Regulatory Structure to Support the Plan, 3) states: Any variance granted by the Zoning Board of Appeals should be consistent with the standards imposed by Connecticut General Statutes in which a hardship exists owing to conditions affecting a specific parcel of land, and the variance which is granted should be consistent with the goals and policies of this plan and the intent of the zoning regulations.*



# Town of Berlin

ZBA # 2021-11

## Planning and Zoning Department

240 Kensington Road  
Berlin, Connecticut 06037  
www.town.berlin.ct.us

Town of Berlin  
Received

APR 07 2021

### ZONING BOARD OF APPEALS APPLICATION

- ☐ Special Permit ☒ Variance ☐ Appeal of ZEO  
☐ Motor Vehicle Location ☐ Alcohol Uses Location ☐ Other / Determination

Property Owner(s): Geoffrey Biscette and Dina Sylvain-Biscette

Project Address\*: 210 Main Street

Map: 9-3 Block: 54 Lot: 13 Zone(s): R-11 Lot Area: 0.2 acre

#### Please select all relevant items below:

- ☐ Supplemental Information Is Required For:  
ZBA Special Permit / Sale of Alcoholic Beverages Location / Motor Vehicle Uses Location  
☒ Inland Wetlands and Water Course Commission review needed *May require review.*  
☐ Planning and Zoning Commission review needed  
☐ Property is within 500 feet of a Municipal Boundary of \_\_\_\_\_  
☐ Previous Zoning Board of Appeals actions on this property:

Date(s) & Purpose(s): \_\_\_\_\_

#### Applicant Information

Name: Geoffrey Biscette Firm Name: (owners)  
Street Address: 212 Main St. City: Kensington ST: CT Zip: 06037  
Email: jilo233@hotmail.com Phone: 347 243 1047  
Signature: [Signature] Date: 4/6/21

#### Property Owner(s) Information (If Not the Applicant)

Name: n/a Principal: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

\*Letter of Authorization Required

ZBA action is requested pursuant to Berlin Zoning Regulations Section(s): V.B.5.

\*Any town official and/or employee who the town deems necessary may enter the property to verify information submitted with this application.



Brief description of the proposal: Construction of 2 car garage on the property. 22x24 feet Height 18 feet.

ADL ? to permit of pitched roof per Section

ADL  
↓  
See  
plan  
for  
Dimensions

**VARIANCE APPLICATIONS:** For relief of: front yard (25') + rear yard (40') requirement.

Requested requirement: Front yard, 19 feet Rear yard 16.30 feet

Reason/Description of Hardship (REQUIRED):

Property slopes severely from street down to pond. Property is triangular. Due to slope and property configuration, proposed garage location is the only viable location.

#### MOTOR VEHICLE USE LOCATION<sup>1</sup>:

The first page of the State DMV application is required to be submitted with this application

<input type="checkbox"/> New Car Dealer	<u>Number of Service Bays</u>	<u>Parking Required</u>	<u>Parking Provided</u>
<input type="checkbox"/> Used Car Dealer	_____	_____	_____
<input type="checkbox"/> General Repairer	_____	_____	_____
<input type="checkbox"/> Limited Repairer	_____	_____	_____
<input type="checkbox"/> Gasoline Station	_____	_____	_____

#### SALE OF ALCOHOLIC BEVERAGES LOCATION<sup>1</sup>

The first page of the State Liquor Permit application is required to be submitted with this application

Type of State Liquor Permit:

- ☐ On -Premises Permit: Type \_\_\_\_\_
- ☐ Off-Premises: Type \_\_\_\_\_
- ☐ Other: Explain \_\_\_\_\_

**To be completed by P&Z staff only:**

Fee Paid \$ 345 (Refer to current Fee Schedule)

ZBA # 2021-11

Received by: ADL CLK # 111

Scheduled on ZBA Agenda of:

5/25/21

#### ZONING BOARD OF APPEALS DECISION:

Plan Title & Date: \_\_\_\_\_

Town of  
Recei

APR 07 2021

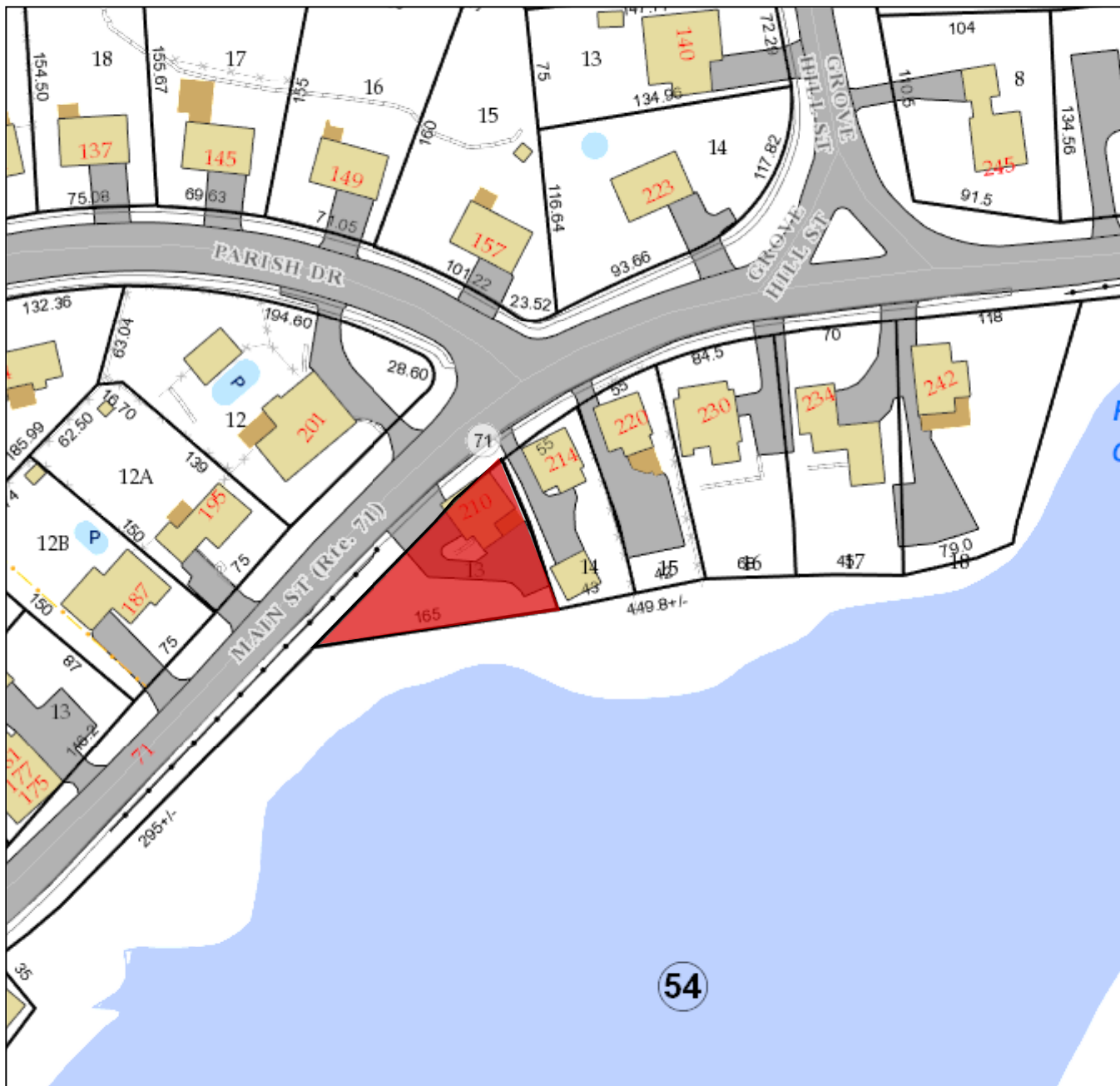
Planning & Zoning D  
Berlin, Connecticut

# Town of Berlin

## Geographic Information System (GIS)



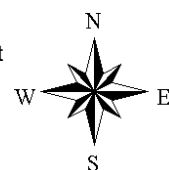
Date Printed: 5/21/2021



### MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Berlin and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 100 feet





210 Main St,  
Berlin, CT 06037

200

Main St

Park Dr

211/201





Google





# Town of Berlin, CT

## Property Listing Report

Map Block Lot

9-3-54-13

Building # 1

PID

1405

Account

1014860

### Property Information

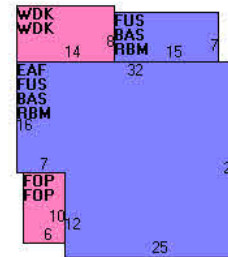
Property Location	210 MAIN ST
Owner	BISCETTE GEOFFREY & SVI VAIN-BISCETTE DINAT
Co-Owner	
Mailing Address	212 MAIN ST BERLIN CT 06037
Land Use	1040 Two-Family
Land Class	R
Zoning Code	R-11
Census Tract	4003

District	1
Acreage	0.2
Utilities	All Public
Book / Page	760/43

### Photo



### Sketch



### Primary Construction Details

Year Built	1900
Building Desc.	Two-Family
Building Style	Two-Family
Stories	2
Occupancy	2.00
Exterior Walls	Brick/Masonry
Exterior Walls 2	
Roof Style	Gable
Roof Cover	Asph/F Gls/Cmp
Interior Walls	Drywall
Interior Walls 2	
Interior Floors 1	Hardwood
Interior Floors 2	

Heating Fuel	Gas/Oil
Heating Type	Forced Air-Duc
AC Type	None
Bedrooms	4 Bedrooms
Full Bathrooms	3
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	9
Bath Style	Average
Kitchen Style	Average
Fin BSMT Area	
Fin BSMT Quality	
Fin BSMT Area 2	
Fin BSMT Qual 2	

BSMT Garages	0
Fireplaces	0
Whirlpool Tub	0
Building Use	Residential
Building Condition	G
Industrial / Commercial Details (*Residential Not Applicable)	
Heat / AC	NA
Frame Type	NA
Baths / Plumbing	NA
Ceiling / Wall	NA
Rooms / Prtns	NA
Wall Height	NA
First Floor Use	NA

Report Created On

5/21/2021

# Town of Berlin, CT

# Property Listing Report

Map Block Lot

**9-3-54-13**

Building # **1**

**PID**

1405

Account

**1014860**

**Valuation Summary** (Assessed value = 70% of Appraised Value)

Item	Appraised	Assessed
Buildings	103100	72200
Extras	0	0
Improvements		
Outbuildings	0	0
Land	111800	78300
Total	214900	150500

### Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
Upper Story, Finished	917	917
Deck, Wood	224	0
Attic, Expansion, Finished	812	365
First Floor	917	917
Porch, Open, Finished	120	0
Raised Basement	917	0
Total Area	3907	2199

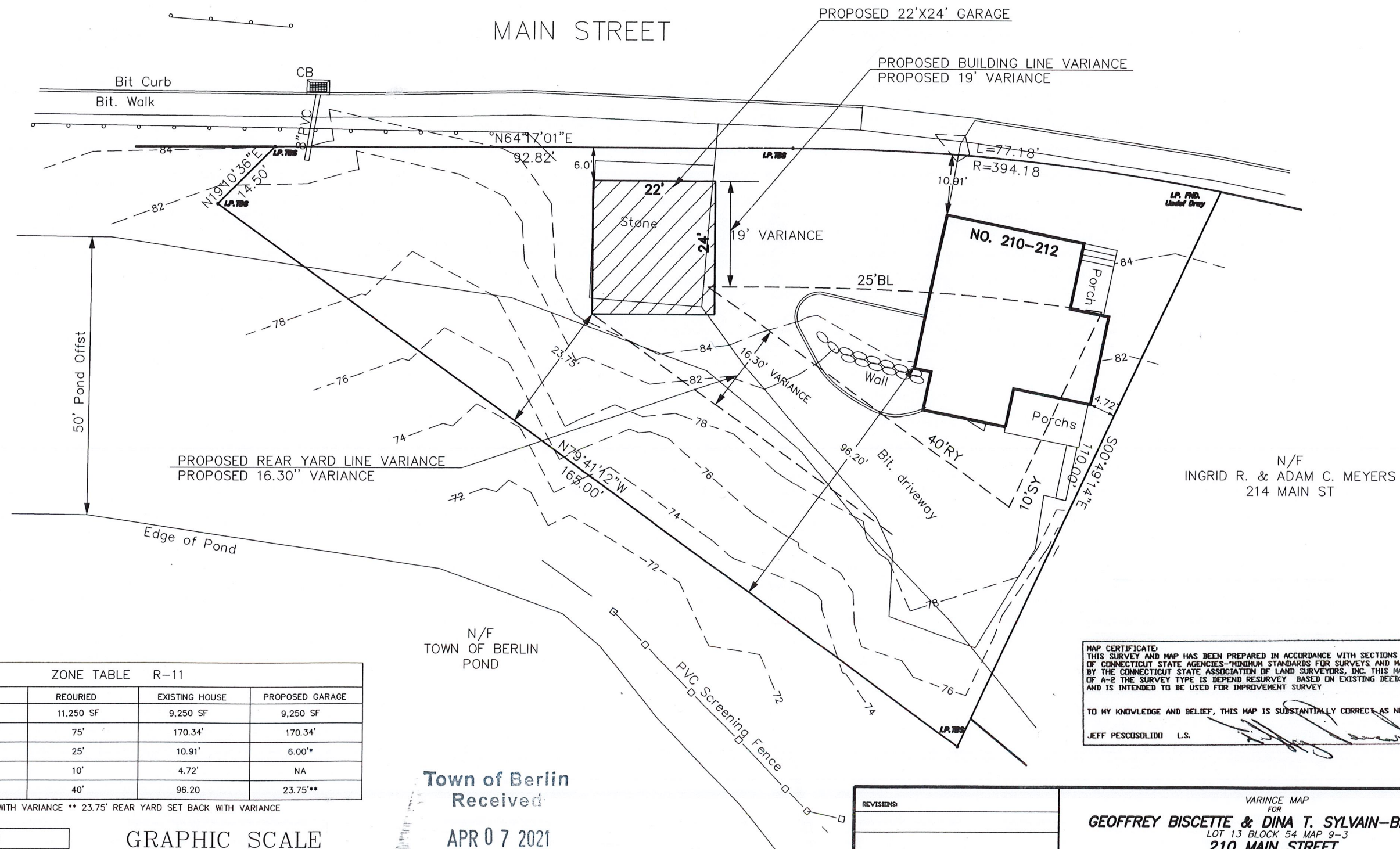
## Outbuilding and Extra Features

[illegible]

## Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
BISCETTE GEOFFREY & SYLVAIN-BISCETTE DINA T	760/43	2019-07-23	195000
THORPE KINGSLEY	0574/0420	2006-09-11	250000
BORNN GEORGE P	0566/0623	2006-04-03	150000
CIARCIA,FRANK,J,	0195/0387	1977-03-23	0





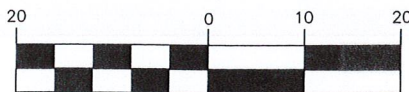
N/F  
INGRID R. & ADAM C. MEYERS  
214 MAIN ST

ZONE TABLE R-11			
	REQUIRED	EXISTING HOUSE	PROPOSED GARAGE
ACREAGE	11,250 SF	9,250 SF	9,250 SF
FRONTAGE	75'	170.34'	170.34'
BUILDING LINE	25'	10.91'	6.00*
SIDE YARD SETBACK	10'	4.72'	NA
REAR YARD SETBACK	40'	96.20	23.75**

\* BUILDING SET BACK 6.0' WITH VARIANCE \*\* 23.75' REAR YARD SET BACK WITH VARIANCE

LEGEND	
○ I.P. FND.	IRON PIPE FOUND
● I.P. TBS	IRON PIN TO BE SET
□ MON. FND.	MONUMENT FOUND
■ MON. SET	MONUMENT SET
N/F	NOW OR FORMERLY
N.T.S.	NOT TO SCALE
RY	REAR YARD
SY	SIDE YARD
BL	BUILDING LINE
○ SAN. MH.	SANITARY MANHOLE
○ STM	STORM

GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

N/F  
TOWN OF BERLIN  
POND

Town of Berlin  
Received

APR 07 2021

Planning & Zoning Department  
Berlin, Connecticut

MAP CERTIFICATE:  
THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES--MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ENDORSED BY THE CONNECTICUT STATE ASSOCIATION OF LAND SURVEYORS, INC. THIS MAP CONFORMS TO A HORIZONTAL ACCURACY CLASS OF 4-2 THE SURVEY TYPE IS DEPEND RESURVEY BASED ON EXISTING DEEDS & MAPS AND IS INTENDED TO BE USED FOR IMPROVEMENT SURVEY.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

JEFF PESCOLIDIO L.S.

REVISIONS:	VARINCE MAP FOR <b>GEOFFREY BISCETTE &amp; DINA T. SYLVAIN-BISCETTE</b> LOT 13 BLOCK 54 MAP 9-3 <b>210 MAIN STREET</b> BERLIN, CONNECTICUT		
	<b>J L SURVEYING</b> 212 OLD BRICKYARD LANE Berlin Connecticut Phone 860-828-3200		
DATE Plot Date: 2-15-21	FILE NAME C:\DRAW\2021\22107\210-212 MAIN ST	DRAWN BY JLG	SHEET NO. 1 OF 1