

**ZONING BOARD OF APPEALS
July 27, 2023
TOWN OF EAST HARTFORD
740 MAIN STREET
EAST HARTFORD, CT 06108**



REGULAR MEETING

The Regular Meeting of the Zoning Board of Appeals was called to order by Chairman James McElroy at 7:00 p.m. in the Community Cultural Center auditorium.

PRESENT: Members: James McElroy, David Repoli, Fady El-Hachem, Harrison Amadasun, and Erwin Hurst Sr.

Also Present: Vilma de Leon, Assistant Zoning Enforcement Official and Juliet Relph, Clerk

ABSENT: Daron Ross (excused)

Pledge of Allegiance led by Chairman, James McElroy

I. CHAIRMAN James McElroy – Called meeting to Order – 7:00 p.m.

II. HEARING OF ITEMS TO COME BEFORE THE BOARD, CALL OF ITEMS:

1. Milton East Hartford Investments, LLC, **99-101 East River Drive**, requests a variance from **Section 3.2** – Business Zones and Uses, to permit a college facility (Arizona College of Nursing). (**Zone B-4**). [Postponed to August 31, 2023 meeting by the request of the owner]
2. VN Family Property, LLC, **110 Main Street**, is appealing the order of the Assistant Zoning Enforcement Official to Cease and Desist the operation of a rooming house, a Barber Shop, a Spa and a Nail Salon, a violation of **Section 3.2** – Business Zones and Uses and **Section 3.2.B.3/Section 6.5.A.1** – Personal Service Establishments Type 2 of the zoning regulations. (**Zone B-1**). [Postponed to September 28, 2023 meeting by the request of the owner]
3. Avis and Jaman Ward, **25-27 Timothy Road**, are appealing the order from the Assistant Zoning Enforcement Official to move a shed and a pet house 6 feet away from the side property line, a violation of **Section 2.5.A.2** – General Requirements for Accessory Uses/Structures/Location. (**Zone R-4**).
4. Patricia and Thomas Welles, **122 Shadycrest Drive**, request a variance from **Sections 7.2.H.1 and 7.2.H.2** - Parking in Required Front Setback and Side Yard, to permit the expansion of the driveway 8 ft. within the front yard with other alternatives. (**Zone R-2**).

III. HEARINGS DISCUSSIONS AND BOARD DECISIONS:

1. Milton East Hartford Investments, LLC, **99-101 East River Drive**, requests a variance from **Section 3.2** – Business Zones and Uses, to permit a college facility (Arizona College of Nursing). **(Zone B-4). [Postponed to August 31, 2023 meeting by the request of the owner]**
2. VN Family Property, LLC, **110 Main Street**, is appealing the order of the Assistant Zoning Enforcement Official to Cease and Desist the operation of a rooming house, a Barber Shop, a Spa and a Nail Salon, a violation of **Section 3.2** – Business Zones and Uses and **Section 3.2.B.3/Section 6.5.A.1** – Personal Service Establishments Type 2 of the zoning regulations. **(Zone B-1). [Postponed to September 28, 2023 meeting by the request of the owner]**

Motion was made by James McElroy to postpone to September 28, 2023 meeting. Seconded by David Repoli. (Approved by a vote of 5-0)

3. Avis and Jaman Ward, **25-27 Timothy Road**, are appealing the order from the Assistant Zoning Enforcement Official to move a shed and a pet house 6 feet away from the side property line, a violation of Section 2.5.A.2 – General Requirements for Accessory Uses/Structures/Location. (Zone R-4).

According to Avis and Jaman Ward, the shed was partly built when they bought the house 12 years ago. They also said they retained a surveyor but were not given a blueprint. They said this is in retaliation for their neighbor who they asked to move his car when they decided to build a fence.

The neighbor (Richard Ware) said the fence is on his property, a tree was there, and the original fence went around the tree onto his property. The Wards built their fence after the tree was taken down, and therefore the fence remains on his property.

The Board said that they need the blueprint for the property. It was suggested that they resolve the fence issues with the Town Selectman.

Motion was made by Dave Repoli to uphold the cease and desist order from the Assistant Zoning Enforcement Official. Seconded by Fady El-Hachem. (Approved by a vote of 5-0)

THE REASON FOR DENIAL:

Granting of the variance/appeal would not be in accordance with the lawful purpose or intent of the Zoning Regulations. The applicant did not prove hardship under the law. Variance violates Town Code of Ordinances.

4. Patricia and Thomas Welles, **122 Shadycress Drive**, request a variance from Sections 7.2.H.1 and 7.2.H.2 - Parking in Required Front Setback and Side Yard, to permit the expansion of the driveway 8 ft. within the front yard with other alternatives. (Zone R-2).

Motion was made by Fady El-Hachem to approve the expansion of the driveway 8 ft. within the front yard, requesting an 8 ft. variance to park in the front yard. Seconded by Harrison Amadasun. Variance approved by a vote of 5-0].

THE REASON FOR APPROVAL IS:

Relief can be granted without impairment to the integrity of the zoning regulations.

IV. OLD BUSINESS – None

V. NEW BUSINESS – None

VI. MISCELLANEOUS – None

VII. APPROVAL OF ZBA MINUTES FOR March 30, 2023

David Repoli made a motion to approve the minutes and Seconded by Fady El-Hachem. [Vote of 5-0]

VIII. PAYMENT OF BILLS

A. Payment of Clerk - \$100.00

David Repoli made a motion to remit payment to the clerk. Seconded by Fady El-Hachem. [Vote of 5-0]

**IX. ADJOURNMENT - There being no further business –
Erwin Hurst, Sr. made a motion to adjourn at 8:00pm – Seconded by Harrison Amadasun. [Vote of 5-0]**

The next regular meeting of the Zoning Board of Appeals is scheduled for Thursday, August 31, 2023.