

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

AGENDA

**Zoning Board of Appeals
Waterford Town Hall**

**March 12, 2025
5:30 PM**

1. CALL TO ORDER/APPOINTMENT OF ALTERNATES

2. APPROVAL OF THE December 4, 2024 MEETING MINUTES

3. PUBLIC HEARING

Application #ZBA-25-1 - Appeal of A Beautiful Real Estate LLC, owner and applicant for property located at 14 Bella Vista Street, R-20 zone. Variances are requested from zoning regulations: Section 4.4.1 - front yard setback, 4.4.2 - side yard setback and 4.4.3 - rear yard setback as shown on plans titled "Zoning Location Survey" dated February 3, 2025.

4. NEW BUSINESS

5. CORRESPONDENCE

6. EXECUTIVE SESSION

Discussion of the following pending litigation:

Maryse Callard, Trustee C/O (George Szdlowski) v. Zoning Board of Appeals of The Town of Waterford and the Town of Waterford; Docket Number KNL-CV-23-6063980-S

7. ADJOURNMENT

RECEIVED FOR RECORD
WATERFORD, CT
2025 MAR -7 A 8:11
ATTEST: *[Signature]*
TOWN CLERK

MINUTES

RECEIVED FOR RECORD
WATERFORD, CT

2024 DEC -9 A 9:58

Zoning Board of Appeals
Waterford Town Hall

December 4, 2024

5:30 PM

ATTEST: *Dawn Choisy*
TOWN CLERK

Members Present: Anne Darling, Michelle Kripps, John Morgan,
William Herzfeld (5:45)
Members Absent: Chairwoman Cathy Gonyo
Alternates Present: Greg Gallup
Alternates Absent: Jason Kohl
Staff Present: Jonathan Mullen, Planning Director; Wayne Scott, Zoning
Official; Dawn Choisy, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Acting Chairwoman Darling called the meeting to order at 5:35. G. Gallup was appointed to sit for Chairwoman Gonyo.

2. APPROVAL OF MINUTES

MOTION: Motion made by J. Morgan, seconded by G. Gallup, to approve the minutes of the November 6, 2024 meeting as written.

VOTE: 4-0, C. Gonyo and J. Kohl abstaining.

3. OLD BUSINESS

Application #ZBA-24-4 - Appeal of A Beautiful Real Estate LLC, owner and applicant for property located at 14 Bella Vista Street, R-20 zone. Variances are requested from zoning regulations: Section 4.4.1 - front yard setback, 4.4.2 - side yard setback and 4.4.3 - rear yard setback as shown on plans titled "Zoning Location Survey" dated July 15, 2024.

J. Mullen noted that at this time, only 4 Board members were present, and asked the applicant's agent James Bernardo if he wished to proceed. J. Bernardo agreed to the Board proceeding.

Acting Chairwoman Darling read the following motion, which was moved by J. Morgan.

Moved that the Town of Waterford zoning Board of Appeals grant the appeal of A Beautiful Real Estate LLC, owner and applicant for property located at 14 Bella Vista Street, R-20 zone. Variances are requested from zoning regulations: Section 4.4.1 - front yard setback, 4.4.2 - side yard setback and 4.4.3 - rear yard setback as shown on plans titled "Zoning Location Survey" dated July 15, 2024 based on the following findings:

1. The property at 14 Bella Vista Street is a lot of record, located in a Single Family Residential Zone serviced by Town water and sewer, on which there is no structure;
2. The requested variances provide reasonable relief to the applicant to allow use of the property as a single family residence.

The motion was seconded by G. Gallup.

J. Mullen stated that if no relief is granted, it would be a taken, meaning that the owner would not be allowed reasonable use of the land.

W. Herzfeld arrived at 5:45.

M. Kripps noted that a majority of the neighbors spoke against the application.

Acting Chairwoman Darling stated concerns with fire protection due to the narrow street, and referred to Section 27.5.h of the Zoning Regulations. G. Gallup noted that some neighbors stated that they park on the street.

W. Herzfeld stated that when someone invests in a property they assume that they can utilize it.

Acting Chairwoman Darling called for a vote on the motion.

VOTE: 3-2, A. Darling and M. Kripps voting against. Motion fails.

REASONS:

1. Too many variances are being requested
2. Concerns regarding being able to provide fire and/or police protection to the site in question or to adjacent properties in accordance with Section 27.5.h of the Zoning Regulations

4. NEW BUSINESS

There was no new business.

5. CORRESPONDENCE

No correspondence was received.

7. ADJOURNMENT

MOTION: Motion made by W. Herzfeld, seconded by G. Gallup, to adjourn the meeting at 6:00.

VOTE: 5-0

Respectfully Submitted,


Dawn Choisy
Recording Secretary



Town of Waterford

Department of Planning and Development
www.waterfordct.org

Office Use Only

Date Submitted: _____

Processed By: _____

App. No.: _____

Total Fee: \$ _____

Variance Application to the Zoning Board of Appeals

Property Address: 14 Bella Vista Street (Quaker Hill)

1. Type of Variance Application(s) (Check all that apply)

- | | | |
|---|--|---|
| ☒ Residential | ☐ CAM Residential | ☐ Location of Approval DMV |
| ☐ Other Residential | ☐ CAM Non-Residential | ☐ Other: _____ |
| ☐ Non-Residential | | |

2. Owner(s) of Record (As listed on deed)

Name: A Beautiful Real Estate LLC Telephone#: 860-235-8500
Address: 159 Boston Post Rd Cell Phone#: _____
City/State: East Lyme, CT 06333 Email: petritmarku@msn.com

3. Applicant Information

Name: A Beautiful Real Estate LLC Telephone#: 860-235-8500
Address: 159 Boston Post Rd Cell Phone#: _____
City/State: East Lyme, CT 06333 Email: petritmarku@msn.com

4. Agent Information

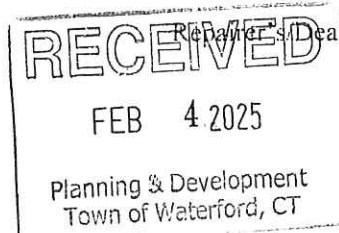
Name: James Bernardo, LS Telephone#: 860-447-0236
Address: 102A Spithead Rd Cell Phone#: 860-460-5871
City/State: Waterford, CT 06385 Email: jim@jbsurvey.com

5. Application Request Type

I/We hereby apply for:

Variance from the Zoning Regulations ☒

Repairer's/Dealer's License ☐



6. Parcel Information

Map/Block/Lot: 76 / 247 76 / 247 Street No. & Name: 14 Bella Vista Street
Approximate Size SF/AC: 5127 / 0.12 Date acquired: 6-21-2024 Zone(s): R-20
Deed recorded in Waterford Land Records Volume Number: 1798 Page(s): 3
Located on the side W of Bella Vista Street, 150 feet
(N, S, E, W) (STREET)
N from the intersection of Bella Vista Drive and Bella Vista Street
(N, S, E, W) (STREET) (STREET)
The variance relates to (please check one):
Use: ☐ Area: ☐ Frontage: ☐ Yards/Setbacks: ☒ Signs: ☐ Dealer/Repairer: ☐

7. Zone District

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT SIZE	20,000 sSF	5,127 SF	5,127 SF
MINIMUM FRONTAGE	85'	53.66'	53.66'
MINIMUM FRONT YARD	50'	N/A	31'
MINIMUM SIDE	20'	N/A	9 & 10'
MINIMUM REAR YARD	50'	N/A	23'
MAXIMUM BUILDING COVERAGE	25%	N/A	23.5%
MAXIMUM BUILDING HEIGHT	35'	N/A	22'
MINIMUM PARKING SPACES	2	2	2

8. Under what section(s) of the Zoning Regulations is the appeal based?

Attach additional sheet if necessary

Section 4.4.1 Front Yard, Section 4.4.2 Side Yard (Both) & Section 4.4.3 Rear Yard

9. Specifically state amount of variance or action Board is requested to take:

Attach additional sheet if necessary

A VARIANCE OF 19' IS REQUIRED FROM SECTION 4.4.1 TO ALLOW FOR A FRONT YARD SETBACK OF 31'.
A VARIANCE OF 10' IS REQUIRED FROM SECTION 4.4.2 TO ALLOW FOR A SIDE YARD SETBACK OF 10' ON THE EAST SIDE.
A VARIANCE OF 9' IS REQUIRED FROM SECTION 4.4.2 TO ALLOW FOR A SIDE YARD SETBACK OF 11' ON THE WEST SIDE.
A VARIANCE OF 27' IS REQUIRED FROM SECTION 4.4.3 TO ALLOW FOR A REAR YARD SETBACK OF 23'.

10. What is the hardship claimed? See Sections 27.4 and 27.5 of the Zoning Regulations

The property is an existing residential building lot that existed since 1932, prior to the first effective Zoning Regulations in 1954. The new house is a minimal size. Strict enforcement of the current zoning setback regulations leaves less than 1 square foot of legal building area on the property. The variances requested are the minimum necessary to allow a reasonable use of the land.

11. Has/Have any previous appeal(s) been filed in connection with these premises during the past ten calendar years?

Yes ☒

No ☒

If yes, July 2024 & October 2024 and ZBA-24-3 & 24-4
Date(s) *Appeal Number(s)*

12. Coastal Area Management Boundary

Is the property within the Coastal Area Management Boundary?

Yes ☒

No ☐

Is a CAM report required?

Yes ☐

No ☒

If yes, is the report attached?

Yes ☐

No ☒

If No, note the exempt section(s) of Zoning Regulations Section 25.4.2.(5)

13. Owner, Applicant and/or Agent Acknowledgement

By signing below, the Owner and Applicant hereby grant the Waterford Zoning Board of Appeals and its authorized agents, including the Zoning Enforcement Officer, and Town Public Works Staff, the right to enter the premises, subject of the application, to inspect and verify the information contained in the variance application.

I We hereby depose and say that all the above statements and the statements contained in any papers submitted herewith are true to the best of my knowledge and belief.

Pettit Mauke

Signature of Owner

6/21/2024

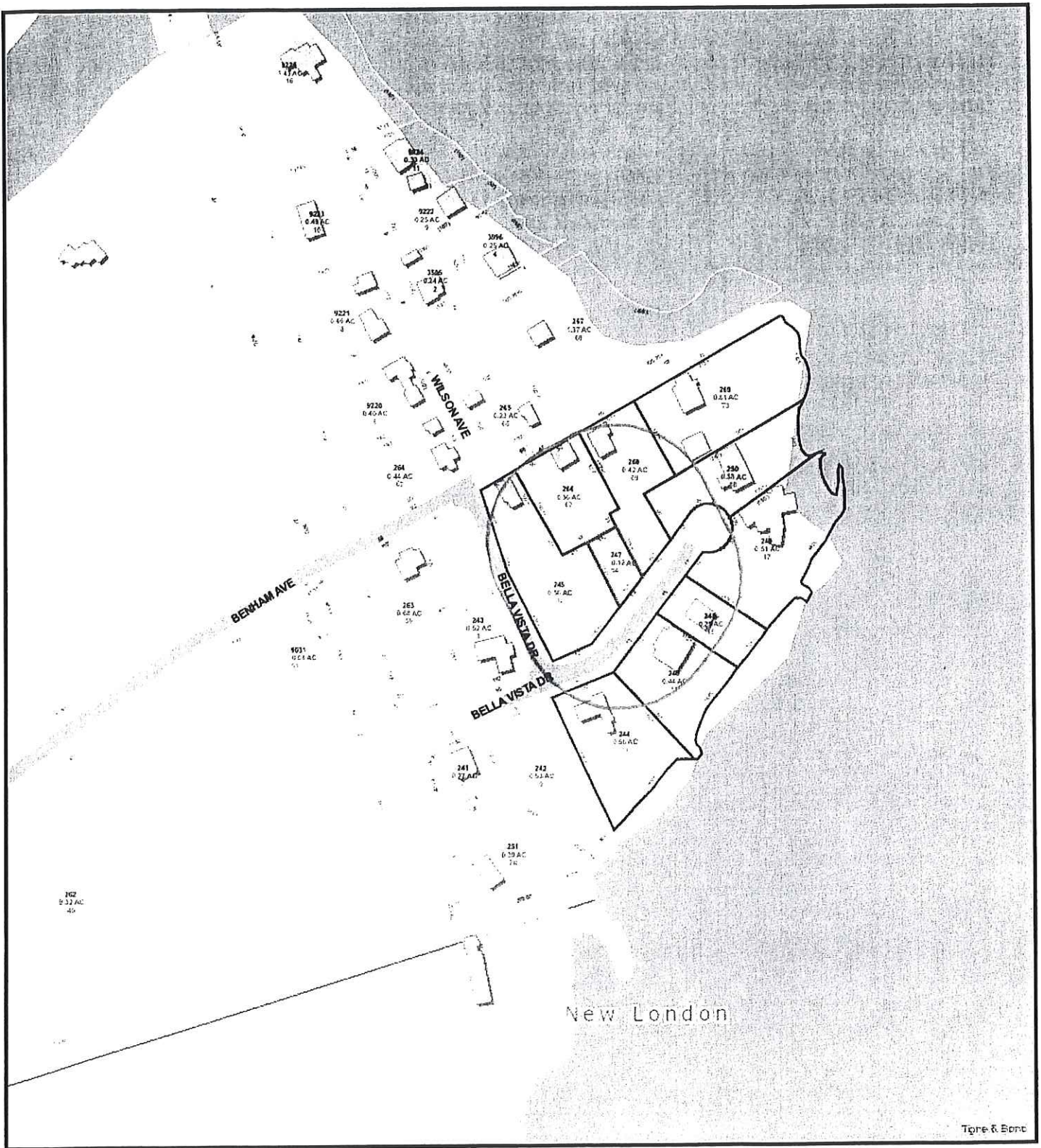
Date

James Bernardo

Signature of Applicant/Agent

6-21-2024

Date



6/3/2024 2:49:54 PM

Scale: 1"=200'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.



14 BELLA VISTA STREET**Location** 14 BELLA VISTA STREET**Mblu** 76 / 247 / 1**Acct#** 00023300**Owner** A BEAUTIFUL REAL ESTATE
LLC**Assessment** \$23,490**Appraisal** \$33,560**PID** 247**Building Count** 1**Current Value**

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$0	\$33,560	\$33,560
Assessment			
Valuation Year	Improvements	Land	Total
2022	\$0	\$23,490	\$23,490

Parcel Addresses**Additional Addresses**

No Additional Addresses available for this parcel

Owner of Record**Owner** A BEAUTIFUL REAL ESTATE LLC**Sale Price** \$45,000**Co-Owner****Certificate****Book & Page** 1798/3**Sale Date** 10/07/2022**Instrument** 00**Ownership History****Ownership History**

Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
A BEAUTIFUL REAL ESTATE LLC	\$45,000		1798/3	00	10/07/2022
GRISWOLD KAREN L	\$0		1478/0208		09/19/2016
GRISWOLD KAREN L	\$0		1392/0198		02/04/2015
LONERGAN OLGA C EST	\$0		1258/0295	25	08/01/2012
LONERGAN OLGA C	\$0		0157/0570	00	06/28/1965

Building Information

Building 1 : Section 1

Year Built:
Living Area: 0
Replacement Cost: \$0
Building Percent Good:

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Grade:	
Stories	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC %	
Total Bedrooms:	
Full Bthrms:	
Half Baths:	
Extra Fixtures	
Total Rooms:	
Bath Style:	
Kitchen Style:	
Num Kitchens	
Fireplace(s)	
Extra Opening(s)	
Gas Fireplace(s)	
% Attic Fin	
LF Dormer	
Foundation	
Bsmt Gar(s)	
Bsmt %	

Building Photo



(https://images.vgsi.com/photos/WaterfordCTPhotos//\00\00\77\63.JPG)

Building Layout

(https://images.vgsi.com/photos/WaterfordCTPhotos//Sketches/247_247.jpg)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

SF FBM	
SF Rec Rm	
Fin Bsmt Qual	
Bsmt Access	

Extra Features

Extra Features		Legend
No Data for Extra Features		

Land

Land Use

Use Code	100
Description	Res Vacant
Zone	R-20
Neighborhood	400
Alt Land Appr Category	No

Land Line Valuation

Size (Acres)	0.12
Frontage	50
Depth	0
Assessed Value	\$23,490
Appraised Value	\$33,560

Outbuildings

Outbuildings		Legend
No Data for Outbuildings		

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$33,560	\$33,560
2022	\$0	\$33,560	\$33,560

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$23,490	\$23,490
2022	\$0	\$23,490	\$23,490

Return to: STEVENS, HARRIS & GUERNSEY, P.C.
ATTORNEYS AND COUNSELORS AT LAW
351 MAIN STREET
NANTIC, CONNECTICUT 06357

WARRANTY DEED - STATUTORY

KNOW YE, THAT I, KAREN L. GRISWOLD, of Groton, Connecticut, for the consideration of \$45,000.00 received to my full satisfaction of A BEAUTIFUL REAL ESTATE LLC, of East Lyme, Connecticut, do give, grant, bargain, sell and confirm unto the said A BEAUTIFUL REAL ESTATE LLC

WITH WARRANTY COVENANTS, all that certain piece or parcel of land described as follows:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

Being the same premises conveyed to the Grantor herein by deed at Volume 1392, Page 198, and Volume 1478, Page 208.

CONVEYANCE TAX RECEIVED
STATE \$ 337.50
LOCAL \$ 112.50
DAVID L. CAMPO, CCTC
WATERFORD TOWN CLERK

Signed this 21st day of September, 2022.

Signed and delivered in the presence of:


Lora A. DeCosta


KAREN L. GRISWOLD


Brendan P. McKeever

STATE OF CONNECTICUT

:

: ss: East Lyme

September 21, 2022

COUNTY OF NEW LONDON

:

Personally appeared KAREN L. GRISWOLD, Signer of the foregoing instrument, and acknowledged the same to be her free act and deed, before me.


BRENDAN P. MCKEEVER
COMMISSIONER OF THE SUPERIOR COURT

Grantees' Mailing Address:
335 Main Street
Niantic, CT 06357

SCHEDULE A

The land referred to herein below is situated in the County of New London, State of Connecticut, and described as follows:

All that certain piece or parcel of land situated on the northerly side of Bella Vista Drive, known as 14 Bella Vista Drive, Waterford, Ct 06385, and shown as Lot #13 on a map entitled "Boundary Survey Property of Karen Griswold Location: 14 Bella Vista Drive Waterford Ct, Sheet Number 1 of 1, Scale 1"= 90' J. Robert Pfanner & Associates, P.C. Civil Engineers & Land Surveyors, 10/28/15", which map is filed in the Office of the Waterford Town Clerk and being more particularly bounded as follows:

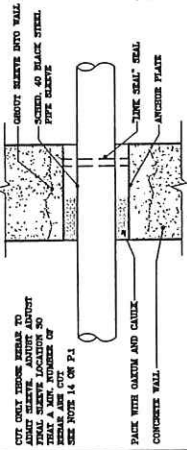
Beginning at an iron pin set at the southeasterly corner of said Lot #13 and the southwesterly corner of land N/F of Craig W. & Sara Hart, as shown on said map; thence S 54°59'58" W, 54.27 feet along the northerly line of Bella Vista Drive to an iron pin set at land N/F of Antoinette J. Boulton as shown on said map; thence N 13°56'45" W, 112.37 feet to an iron pin set at land N/F of Bryan G. & Erin N. Saylor as shown on said map; thence N 78°14'16" E, 50.68 feet to an iron pin set in the westerly line of said Hart land; thence S 13°56'45" E, 90.94 feet along said Hart land to the iron pin set in the northerly line of Bella Vista Drive which marks the point or place of beginning.

RECEIVED FOR RECORD
Oct 07, 2022 11:09A
DAVID L. CAMPO
TOWN CLERK
WATERFORD, CT

GENERAL NOTES:

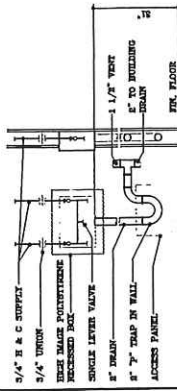
- DO NOT SCALE DIMENSIONS
- ALL DIMENSIONS TO FACE OF STUD UNLESS OTHERWISE NOTED.
- ALL EXTERIOR PARTITIONS SHALL BE 2-1/2" WOOD STUDS AT 16" O.C. 5/8" GYPSUM BOARD AT BOTH SIDES, UNLESS OTHERWISE NOTED.
- PROVIDE BRACING AS REQUIRED FOR THE INSTALLATION OF BATHROOM ACCESSORIES ETC.
- ALL EXTERIOR WALLS SHALL BE 16" AFF. UNLESS OTHERWISE NOTED. TO MANUFACTURER SPECIFICATIONS.
- VERIFY WINDOW R.O. AFTER FINAL SELECTION ACCORDING TO MANUFACTURER SPECIFICATIONS.
- ALL EXTERIOR WALLS TO BE 2 X 8 STUDS @ 16" O.C.
- EXTERIOR FINISHES TO BE DETERMINED BY OWNER AND CONTRACTOR.

DO NOT SCALE DIMENSIONS TO
 CURT. SEATING. SEATING ADJACENT
 FINAL SEATING LOCATION DO
 NOT SCALE DIMENSIONS OF
 SEATING AND CURT.
 SEE NOTE 14 ON P.1



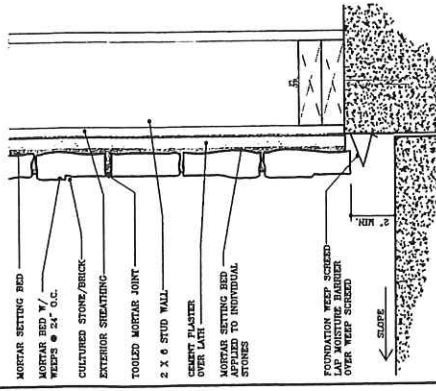
A PIPE SLEEVE IN CONC. WALL

NO SCALE



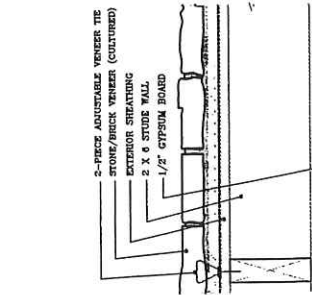
B WASHING MACHINE CONNECTION

NO SCALE



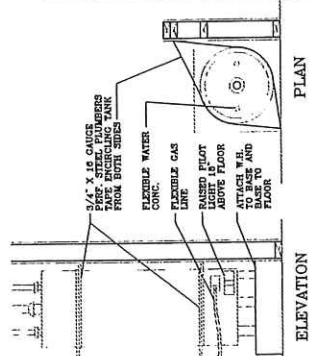
C SECTION DETAIL

NOT TO SCALE



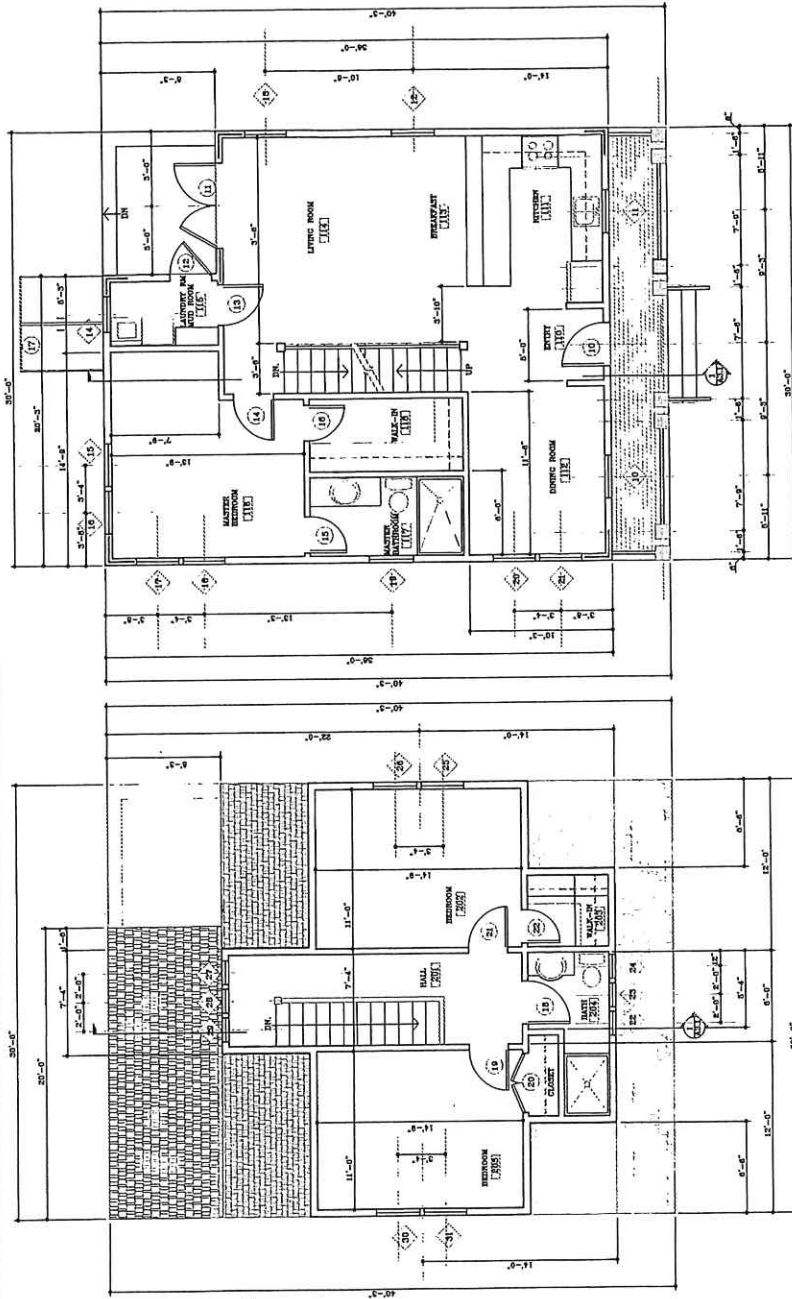
D SECTION DETAIL

NOT TO SCALE: WINDOW JAMB



E WATER HEATER SUPPORT

SCALE: 1\"/>



1 FIRST FLOOR PLAN

SCALE: 1/4\"/>

2 SECOND FLOOR PLAN

SCALE: 1/4\"/>

ROOM FINISH SCHEDULE

ROOM	NAME	FLOOR	BASE	WALLS	CEILING	REMARKS
100	ENTRY	1ST	CT	CT	CT	
101	ENTRY	1ST	CT	CT	CT	
102	ENTRY	1ST	CT	CT	CT	
103	ENTRY	1ST	CT	CT	CT	
104	ENTRY	1ST	CT	CT	CT	
105	ENTRY	1ST	CT	CT	CT	
106	ENTRY	1ST	CT	CT	CT	
107	ENTRY	1ST	CT	CT	CT	
108	ENTRY	1ST	CT	CT	CT	
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110	ENTRY	1ST	CT	CT	CT	
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196	ENTRY	1ST	CT	CT	CT	
197	ENTRY	1ST	CT	CT	CT	
198	ENTRY	1ST	CT	CT	CT	
199	ENTRY	1ST	CT	CT	CT	
200	ENTRY	1ST	CT	CT	CT	

AS SHOWN

FILE

DWG. AL100

SHEET X OF X

JOB NO. BE0224

DATE

02 - 29 - 2024

A BEUTIFUL REAL ESTATE LLC

14 BELLA VISTA DRIVE

WATERFORD, CT

FLOOR PLANS

ARCHITECTURE PLANNING DEVELOPMENT

Stephen N. Nadeau, AIA

100 S. WINDFALL ROAD

WATERFORD, CT 06395

WWW.ABUDGET.COM

FENCE

BENHAM ROAD

THIS TRACT SOLD

WATER TOWER

CENTRAL VERMONT R.R. CO.

RIVER

THAMES

PLAN OF
BUILDING LOTS OF HARRISONS
WATERFORD CONN.
belonging to
THE SAVINGS BANK OF NEW LONDON
JUNE 1883

SCALE 40ft = 1 INCH

Note - Distances between any
two points on the plan are
given in feet and tenths of feet.

Surveyed by ORANGE B. LEE
L.S.M. 2001 CIVIL ENGINEER
NEW LONDON CONN.

1	2
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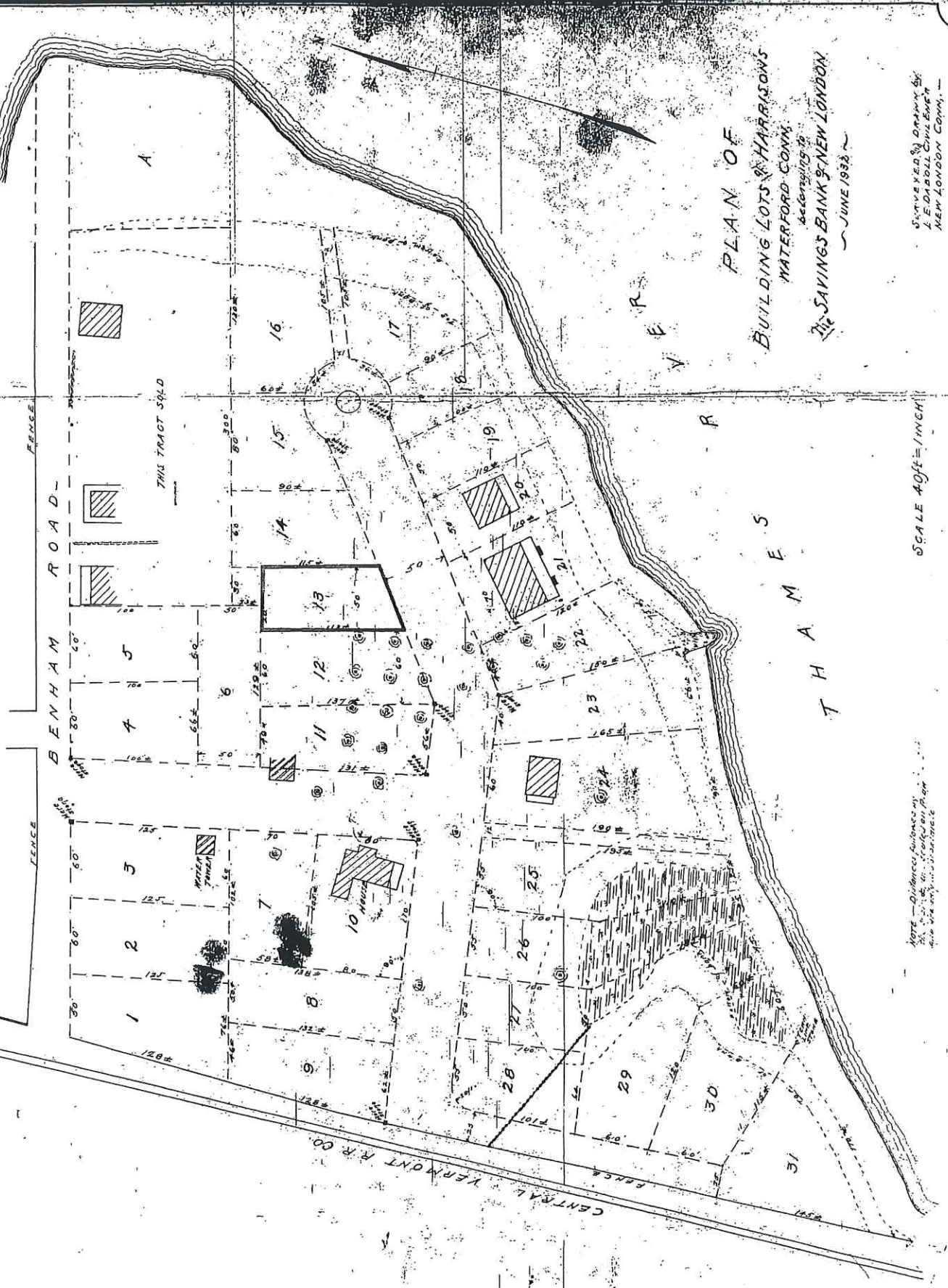
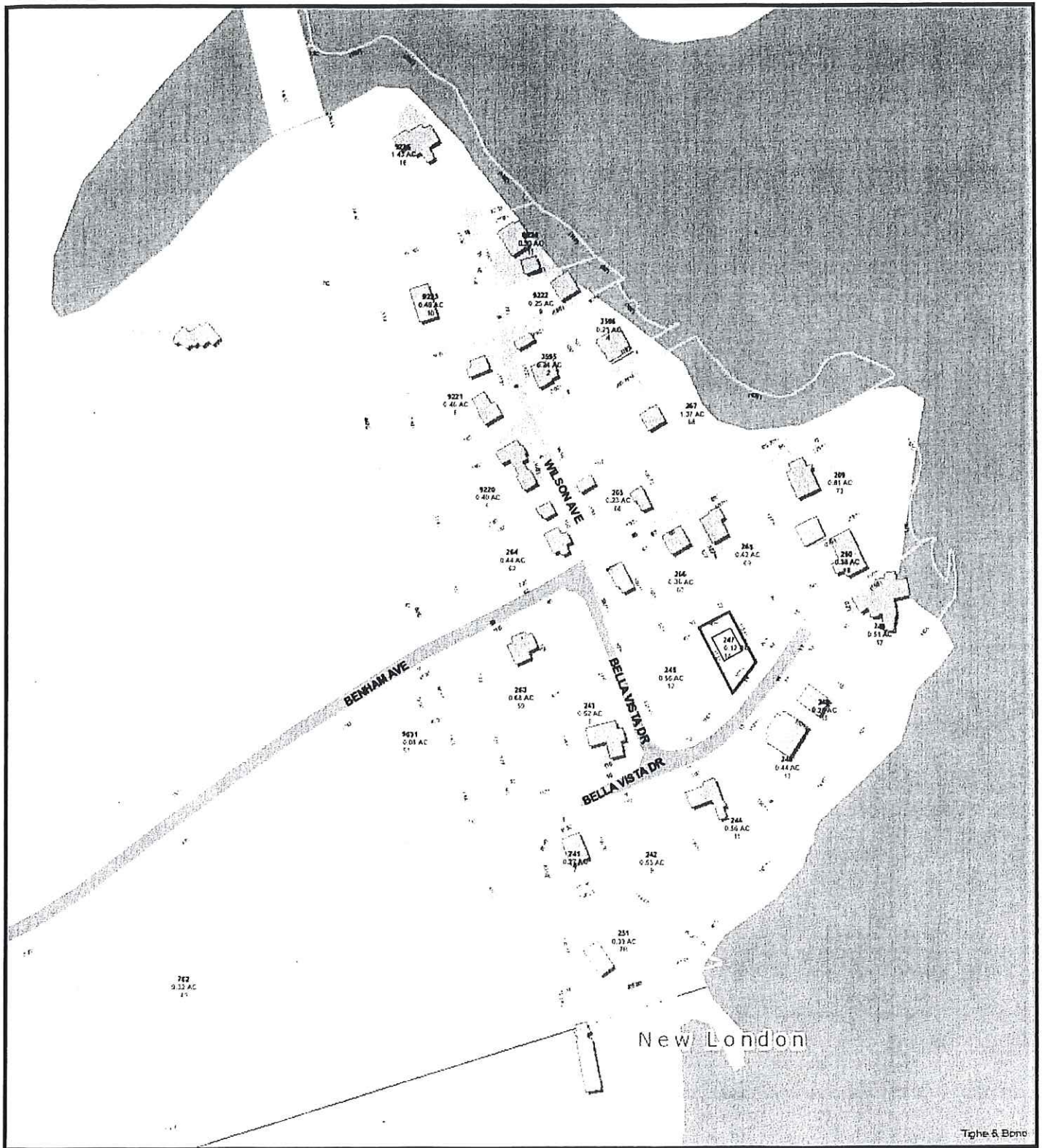


Exhibit to Accompany Application ZBA-24-4

14 Bella Vista Street

Parcel ID	Owner	Address	Parcel/Acreage (SF)	Living Area (SF)	Gross Area (SF)
23300	A BEAUTIFUL REAL ESTATE LLC	14 BELLA VISTA STREET	0.12	1612	2418
319400	ALLARD MARY G L/U	4 JAMES STREET	0.25	1567	3678
23100	BOULTON ANTOINETTE J	12 BELLA VISTA STREET	0.56	1168	2564
863400	FIRST FAMILY INVESTMENTS LLC	8 WILSON AVENUE	0.46	1944	4012
25500	HART CRAIG W & SARA	69 BENHAM AVENUE	0.42	1958	4896
23200	JORDAN GILBERT F & BARBARA J	13 BELLA VISTA STREET	0.44	3050	6316
22800	JORDAN ROBERT	9 BELLA VISTA STREET	0.53	Vacant	
319300	LAMPHERE ROBERT WILLIAM ETAL	2 JAMES STREET	0.24	1017	2067
25600	LOGAN STEVEN J	73 BENHAM AVENUE	0.81	3212	5372
23700	MALLOY JANET C	7R BELLA VISTA STREET	0.39	902	2020
863700	MALLOY JANET C	11 WILSON AVENUE	0.33	2352	3886
863900	MARIANI ELEANOR C & MURALLO RONALDO G	16 WILSON AVENUE	1.43	3264	5921
23000	MESSINA JANET M	11 BELLA VISTA STREET	0.56	2706	5957
25000	MOLLOY ANGELA C	59 BENHAM AVENUE	0.68	959	2373
22600	MONIZ STEPHEN P	7 BELLA VISTA STREET	0.27	1800	3824
863500	MORELL WILLIAM A & SHARON J	9 WILSON AVENUE	0.25	2263	4330
23400	RECORDS WAYNE K & JOANN C	15 BELLA VISTA STREET	0.25	1606	3032
22900	RODRIGUEZ MICHAEL	8 BELLA VISTA STREET	0.52	2440	4604
25300	SAYLOR BRYAN G & ERIN N	67 BENHAM AVENUE	0.36	1365	2780
23500	SECCHIAROLI CRESCENTINO A	17 BELLA VISTA STREET	0.51	2183	6455
863300	SILVA RUFINO MONTERO + AGUILAR MONICA	6 WILSON AVENUE	0.4	1520	3723
25400	SINCALI ANDREW J & DEEDY SINCALI ELAINE	68 BENHAM AVENUE	1.37	2197	3763
25200	SINCALI ANDREW J & SAMANTHA J &	66 BENHAM AVENUE	0.23	1006	2077
863600	THIBAUT BARBARA EST (CRANDALL)	10 WILSON AVENUE	0.49	1404	1404
25100	VEAZIE CINDY A	62 BENHAM AVENUE	0.44	1582	2892
23600	WEBSTER COREY & CORLYN	18 BELLA VISTA STREET	0.38	2180	4892
Averages			0.49	1890.28	3810.24

Data obtained from Town tax records





DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Zoning Board of Appeals

FROM: Wayne Scott, Zoning Official

DATE: March 5, 2025

TITLE: Staff Report: Application #ZBA-25-1
 Single Family Residential
 Front, Side(s) and Rear yard Setback Variances
 14 Bella Vista Street

SUMMARY

The applicant has previous filed two appeals in connection with the premises during the past year.

- ZBA-24-3 July 2024 The applicant withdraw the application.
- ZBA-24-4 October 2024 The appeal was denied by the ZBA.

The applicant is proposing to construct a 1,138 square foot two story single-family house on the existing parcel identified as 14 Bella Vista Street. The existing parcel is nonconforming in respect to lot size. The minimum lot size in the R-20 Zone District is 20,000 square feet. The subject lot is 5,127 square feet. The proposal requires the variance from the Zoning Regulations: Section 4.4.1 – front yard setback, 4.4.2 – side yard setback and 4.4.3 - rear yard setback.

Pertinent Regulations

CGS §8-6

Zoning Regulations

Sec. 4.4 MINIMUM SETBACKS

	Required	Existing	Proposed	Variance required
Sec. 4.4.1 Front Yard	50'		31'	19'
Sec. 4.4.2 Side Yard (On the East side)	20'		10'	10'
Sec. 4.4.2 Side Yard (On the West side)	20'		11'	9'
Sec. 4.4.3 Rear Yard	50'		23'	27'

Permitted Use within the District:

Section 4.1.1 – One family dwellings

Sec. 25.3 – Development in Flood Hazard Areas

Sec. 25.4 – Coastal Area Management

Sec. 27 - Zoning Board of Appeals

DISCUSSION

The application states the following statement of hardship:

“The property is an existing residential building lot that existed since 1932 prior to the first effective Zoning Regulations in 1954. The new house is a minimal size. Strict enforcement of the current zoning setback regulations leaves less than 1 square foot of legal building area on the property. The variances requested are the minimum necessary to allow a reasonable use of the lot.”

The parcel was created as Lot 13 identified on a plan entitled “Plan of Building Lots at Harrison’s Landing Belonging to the Savings Bank of New London, Dated June 1932”. The creation of the lots predates the Town of Waterford’s adoption of subdivision regulations in 1948. Subsequent to the creation of the parcel in 1932, a 23’ X 30’ portion of the lot was deeded to an abutting property owner to the north in 1945 as referenced in deed Vol 70 page 577. (Exhibit 5) This transfer was also prior to the enactment of subdivision regulations. The remaining configuration of lot 13 (14 Bella Vista Drive) has not changed since the 1945 partial transfer. The lot is considered a pre-existing nonconforming lot. This lot has remained vacant since 1932.

The parcel is located within the R-20 (Medium Density Residential) Zone District. One family dwellings are a permitted use in accordance with Section 4.1.1 of the Zoning Regulations.

The minimum lot size for any newly created parcel in the R-20 Zoning District is 20,000 sq ft. The applicants parcel is 5,127 sq ft. The applicant is requesting setback variances to the front, rear and sides yards of the property. The applicant’s plan indicates the area of the parcel that conforms to the existing setback requirements as a small red triangle within the proposed building footprint. The proposed size of the house, including overhangs, is 1,138 square feet. The maximum lot coverage within then R-20 Zone District of 25%.

A portion of the parcel is located within the FEMA designated Flood Hazard Zone X (0.2% Annual Chance) which is outside of the Special Flood Hazard Area (SFHA) as designated by FEMA. Construction outside of the (SFHA) is not subject to Flood Hazard Construction requirements.

The parcel is located within the Coastal Management Zone as designated by CT DEEP. The construction of a single family home is exempt from compliance with coastal Site Plan Review if the structure is located farther than 100 feet from a coastal resource. This parcel is not within 100 feet of a coastal resource.

In order to justify the granting of a variance, The Board must determine whether a legal hardship exists. Per CT State Statute §8-6 and Section 27.5 of the Town of Waterford Regulations, one of the powers of the ZBA is:

27.2.3 *To determine and vary the application of provisions of these Regulations, in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not generally affecting the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship, so that substantial justice will be done and the public safety and welfare secured.*

Once the board has determined a legal hardship exists the following criteria for decisions from the Town of Waterford Zoning Regulations Section 27.5 must be applied and included in the board's discussion and findings:

27.5 CRITERIA FOR DECISIONS

In addition to other requirements established within these Regulations, the Zoning Board of Appeals, prior to making its decision regarding any application for a variance or any other matter requiring Board action in accordance with the provisions of these Regulations, shall consider, at a minimum, the following factors:

- a. The size and intensity of the proposal under consideration and its potential impact on the surrounding neighborhood including consideration of past ownership patterns involving the property in question and adjacent properties and changes in the Zoning Regulations which have occurred since the lot in question was created.*
- b. The existence of conditions of the same kind and/or character on other properties within the surrounding neighborhood.*
- c. The impact the proposed request will have on the capacity of adjacent streets to handle peak traffic loads without causing congestion and without creating any traffic hazards.*
- d. The possible obstruction of light or air, or the emission of noise, light, smoke, odor, gas, dust, or vibration in noxious or offensive quantities which might be caused by the proposal under consideration and the impact such conditions might have on adjacent properties.*
- e. The resultant effect the proposal under consideration would have on the value and utilization of other properties within the surrounding neighborhood.*
- f. The existence of unusual topography on the property in question and the nature, location and height of all existing and proposed buildings, walls, fences, and landscaping on the site in question.*
- g. The extent, nature and arrangement of all existing and proposed parking facilities, driveways and roadways on the site in question.*

h. Any problems which might be created with regard to providing fire and/or police protection to the site in question or to adjacent properties.

i. The preservation of the character of the neighborhood.

j. The location of existing water and sewerage systems serving the subject site and the adequacy of such systems to support any additional construction on the property.

k. All other standards prescribed by these Regulations.

SECTION 4 - MEDIUM DENSITY RESIDENTIAL DISTRICT (R-20)

- 4.1 GENERAL** The minimum lot size in this district shall be 20,000 square feet subject to conformance with the lot design standards of Section 3.34 of these regulations. **The following shall be permitted uses within this district. (Amended 7/2/90, Effective 7/13/90)**

4.1.1 One-family dwellings.

- 4.1.2** Farming, except piggeries and the raising of animals for the production of pelts, provided that no farming shall be permitted on any lot which is less than 120,000 square feet in size.

Roadside stands not over 200 square feet in size, only when used for the sale of farm products, shall be permitted only if such stand is accessory to a farm use existing on the lot on which said stand is located. All such stands shall be set back 15 feet from the front property line and shall be provided with at least three off-street parking spaces in addition to those parking spaces required to serve the other uses of the property. All of the products offered for sale at any stand established under this provision shall have been grown or produced on said property.

- 4.1.3** Public libraries, public schools, and places of worship, subject to the approval of a site plan under the provisions of Section 22 of these regulations.
- 4.1.4** Public or private parks and playgrounds, subject to the approval of a site plan under the provisions of Section 22 of these regulations.
- 4.1.5 CUSTOMARY HOME OCCUPATIONS**, as defined in Section 1 herein and subject to the provisions of Section 3.11 of these regulations.
- 4.1.6 ACCESSORY USES** as defined in Section 1 herein and subject to the provisions of Sections 3.9 and 3.10 of these regulations.
- 4.1.7** Accessory Dwelling Units in accordance with Section 3.36 of these Regulations.

4.2 USES PERMITTED IN THE R-20 DISTRICT SUBJECT TO THE APPROVAL OF A SPECIAL PERMIT

The following uses may be permitted in the R-20 District, if approved by the Commission in accordance with the provisions of Section 23 of these regulations.

- 4.2.1** Radio or television antennae, flagpoles, towers, chimneys, water tanks or standpipes, any of which extend more than 40 feet above the ground or private antennae more than 20 feet above the residential structure on which they are to be erected or more than 40 feet above the ground.
- 4.2.2** Cemeteries.
- 4.2.3** Buildings and structures and sub-stations operated by utility companies, but excluding service yards and outside storage areas.
- 4.2.4** Municipal facilities including firehouses and parking lots serving firehouses.
- 4.2.5** Convalescent nursing home, places for assisted living, hospitals, medical clinics, or medical service laboratories. (Amended 8/19/08)
- 4.2.6** Private educational institutions (Amended 8/19/08)
- 4.2.7** Age Restricted Housing, subject to the provisions of Section 3.17 of these Regulations. (Adopted 10/01/2000)

4.2.8 Adaptive Reuse Development subject to the provisions of Section 18a of these Regulations.
(Effective Date 9/1/14)

4.3 MINIMUM LOT FRONTAGE AND WIDTH

No lot in this district shall have less than 85 feet frontage on a public street, and each lot shall be at least 100 feet in width at the building line

4.4 MINIMUM SETBACKS

4.4.1 Front Yard - 50 feet, except when lots front a State Highway, the minimum setback shall be 75 feet.

4.4.2 Side Yard - 20 feet.

4.4.3 Rear Yard - 50 feet.

4.5 BUILDING COVERAGE (amended 6/15/03)

The aggregate building coverage on any lot in this district shall not exceed 25% of the total area of said lot, except that the Commission may, by special permit, allow an increase in coverage for existing Nursing Homes up to 35% where such expansion is for the purpose of creating private rooms, there is no increase in beds, and all patient beds are accessible at ground level. Section 23.9.1 shall not apply in the case of an application for a building coverage exception.

4.6 MAXIMUM BUILDING HEIGHT

No building in this district shall be constructed, reconstructed, extended, enlarged, moved, or altered in any way so as to have a maximum building height in excess of 35 feet, except as provided in Section 3.6 of these regulations.

4.7 OFF-STREET PARKING

Off-street parking spaces shall be provided for each lot within this district in accordance with the provisions of Section 20 of these regulations.

4.8 SIGNS

All signs erected within this district shall conform to the requirements of Section 21 of these regulations.

4.9 ENVIRONMENTAL PROTECTION

No development shall be undertaken on any lot within this district nor shall the existing character, including vegetation and topography, be disturbed from its natural state except in accordance with the provisions of Section 25 of these regulations.

MINUTES

RECEIVED FOR RECORD
WATERFORD, CT

2024 DEC -9 A 9:58

Zoning Board of Appeals
Waterford Town Hall

December 4, 2024

5:30 PM

ATTEST: *Dawn Choisy*
TOWN CLERK

Members Present: Anne Darling, Michelle Kripps, John Morgan,
William Herzfeld (5:45)
Members Absent: Chairwoman Cathy Gonyo
Alternates Present: Greg Gallup
Alternates Absent: Jason Kohl
Staff Present: Jonathan Mullen, Planning Director; Wayne Scott, Zoning
Official; Dawn Choisy, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Acting Chairwoman Darling called the meeting to order at 5:35. G. Gallup was appointed to sit for Chairwoman Gonyo.

2. APPROVAL OF MINUTES

MOTION: Motion made by J. Morgan, seconded by G. Gallup, to approve the minutes of the November 6, 2024 meeting as written.

VOTE: 4-0, C. Gonyo and J. Kohl abstaining.

3. OLD BUSINESS

Application #ZBA-24-4 - Appeal of A Beautiful Real Estate LLC, owner and applicant for property located at 14 Bella Vista Street, R-20 zone. Variances are requested from zoning regulations: Section 4.4.1 - front yard setback, 4.4.2 - side yard setback and 4.4.3 - rear yard setback as shown on plans titled "Zoning Location Survey" dated July 15, 2024.

J. Mullen noted that at this time, only 4 Board members were present, and asked the applicant's agent James Bernardo if he wished to proceed. J. Bernardo agreed to the Board proceeding.

Acting Chairwoman Darling read the following motion, which was moved by J. Morgan.

Moved that the Town of Waterford zoning Board of Appeals grant the appeal of A Beautiful Real Estate LLC, owner and applicant for property located at 14 Bella Vista Street, R-20 zone. Variances are requested from zoning regulations: Section 4.4.1 - front yard setback, 4.4.2 - side yard setback and 4.4.3 - rear yard setback as shown on plans titled "Zoning Location Survey" dated July 15, 2024 based on the following findings:

1. The property at 14 Bella Vista Street is a lot of record, located in a Single Family Residential Zone serviced by Town water and sewer, on which there is no structure;
2. The requested variances provide reasonable relief to the applicant to allow use of the property as a single family residence.

The motion was seconded by G. Gallup.

J. Mullen stated that if no relief is granted, it would be a taken, meaning that the owner would not be allowed reasonable use of the land.

W. Herzfeld arrived at 5:45.

M. Kripps noted that a majority of the neighbors spoke against the application.

Acting Chairwoman Darling stated concerns with fire protection due to the narrow street, and referred to Section 27.5.h of the Zoning Regulations. G. Gallup noted that some neighbors stated that they park on the street.

W. Herzfeld stated that when someone invests in a property they assume that they can utilize it.

Acting Chairwoman Darling called for a vote on the motion.

VOTE: 3-2, A. Darling and M. Kripps voting against. Motion fails.

REASONS:

1. Too many variances are being requested
2. Concerns regarding being able to provide fire and/or police protection to the site in question or to adjacent properties in accordance with Section 27.5.h of the Zoning Regulations

4. NEW BUSINESS

There was no new business.

5. CORRESPONDENCE

No correspondence was received.

7. ADJOURNMENT

MOTION: Motion made by W. Herzfeld, seconded by G. Gallup, to adjourn the meeting at 6:00.

VOTE: 5-0

Respectfully Submitted,


Dawn Choisy
Recording Secretary



Town of Waterford

Department of Planning and Development
www.waterfordct.org

Office Use Only

Date Submitted: _____

Processed By: _____

App. No.: _____

Total Fee: \$ _____

Variance Application to the Zoning Board of Appeals

Property Address: 14 Bella Vista Street (Quaker Hill)

1. Type of Variance Application(s) (Check all that apply)

- | | | |
|---|--|---|
| ☒ Residential | ☐ CAM Residential | ☐ Location of Approval DMV |
| ☐ Other Residential | ☐ CAM Non-Residential | ☐ Other: _____ |
| ☐ Non-Residential | | |

2. Owner(s) of Record (As listed on deed)

Name: A Beautiful Real Estate LLC Telephone#: 860-235-8500
Address: 159 Boston Post Rd Cell Phone#: _____
City/State: East Lyme, CT 06333 Email: petritmarku@msn.com

3. Applicant Information

Name: A Beutiful Real Estate LLC Telephone#: 860-235-8500
Address: 159 Boston Post Rd Cell Phone#: _____
City/State: East Lyme, CT 06333 Email: petritmarku@msn.com

4. Agent Information

Name: James Bernardo, LS Telephone#: 860-447-0236
Address: 102A Spithead Rd Cell Phone#: 860-460-5871
City/State: Waterford, CT 06385 Email: jim@jbsurvey.com

5. Application Request Type

I/We hereby apply for:

Variance from the Zoning Regulations ☒

Repairer's/Dealer's License ☐

6. Parcel Information

Map/Block/Lot: 76 / / 247 76 / / 247 Street No. & Name: 14 Bella Vista Street
Approximate Size SF/AC: 5127 / 0.12 Date acquired: 6-21-2024 Zone(s): R-20
Deed recorded in Waterford Land Records Volume Number: 1798 Page(s): 3
Located on the side W of Bella Vista Street, 150 feet
(N, S, E, W) (STREET)
N from the intersection of Bella Vista Drive and Bella Vista Street
(N, S, E, W) (STREET) (STREET)

The variance relates to (please check one):

Use: ☐ Area: ☐ Frontage: ☐ Yards/Setbacks: ☒ Signs: ☐ Dealer/Repairer: ☐

7. Zone District

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT SIZE	20,000 sSF	5,127 SF	5,127 SF
MINIMUM FRONTAGE	85'	53.66'	53.66'
MINIMUM FRONT YARD	50'	N/A	31'
MINIMUM SIDE	20'	N/A	9 & 10'
MINIMUM REAR YARD	50'	N/A	23'
MAXIMUM BUILDING COVERAGE	25%	N/A	23.5%
MAXIMUM BUILDING HEIGHT	35'	N/A	22'
MINIMUM PARKING SPACES	2	2	2

8. Under what section(s) of the Zoning Regulations is the appeal based?

Attach additional sheet if necessary

Section 4.4.1 Front Yard, Section 4.4.2 Side Yard (Both) & Section 4.4.3 Rear Yard

9. Specifically state amount of variance or action Board is requested to take:

Attach additional sheet if necessary

A VARIANCE OF 19' IS REQUIRED FROM SECTION 4.4.1 TO ALLOW FOR A FRONT YARD SETBACK OF 31'.
A VARIANCE OF 10' IS REQUIRED FROM SECTION 4.4.2 TO ALLOW FOR A SIDE YARD SETBACK OF 10' ON THE EAST SIDE.
A VARIANCE OF 9' IS REQUIRED FROM SECTION 4.4.2 TO ALLOW FOR A SIDE YARD SETBACK OF 11' ON THE WEST SIDE.
A VARIANCE OF 27' IS REQUIRED FROM SECTION 4.4.3 TO ALLOW FOR A REAR YARD SETBACK OF 23'.

10. What is the hardship claimed? See Sections 27.4 and 27.5 of the Zoning Regulations

The property is an existing residential building lot that existed since 1932, prior to the first effective Zoning Regulations in 1954. The new house is a minimal size. Strict enforcement of the current zoning setback regulations leaves less than 1 square foot of legal building area on the property. The variances requested are the minimum necessary to allow a reasonable use of the land.

11. Has/Have any previous appeal(s) been filed in connection with these premises during the past ten calendar years?

Yes ☒

No ☒

If yes, July 2024 & October 2024 and ZBA-24-3 & 24-4
Date(s) *Appeal Number(s)*

12. Coastal Area Management Boundary

Is the property within the Coastal Area Management Boundary?

Yes ☒

No ☐

Is a CAM report required?

Yes ☐

No ☒

If yes, is the report attached?

Yes ☐

No ☒

If No, note the exempt section(s) of Zoning Regulations Section 25.4.2.(5)

13. Owner, Applicant and/or Agent Acknowledgement

By signing below, the Owner and Applicant hereby grant the Waterford Zoning Board of Appeals and its authorized agents, including the Zoning Enforcement Officer, and Town Public Works Staff, the right to enter the premises, subject of the application, to inspect and verify the information contained in the variance application.

I/We hereby depose and say that all the above statements and the statements contained in any papers submitted herewith are true to the best of my knowledge and belief.

Petlit Mauke

Signature of Owner

6/21/2024

Date

James Bernardo

Signature of Applicant/Agent

6-21-2024

Date

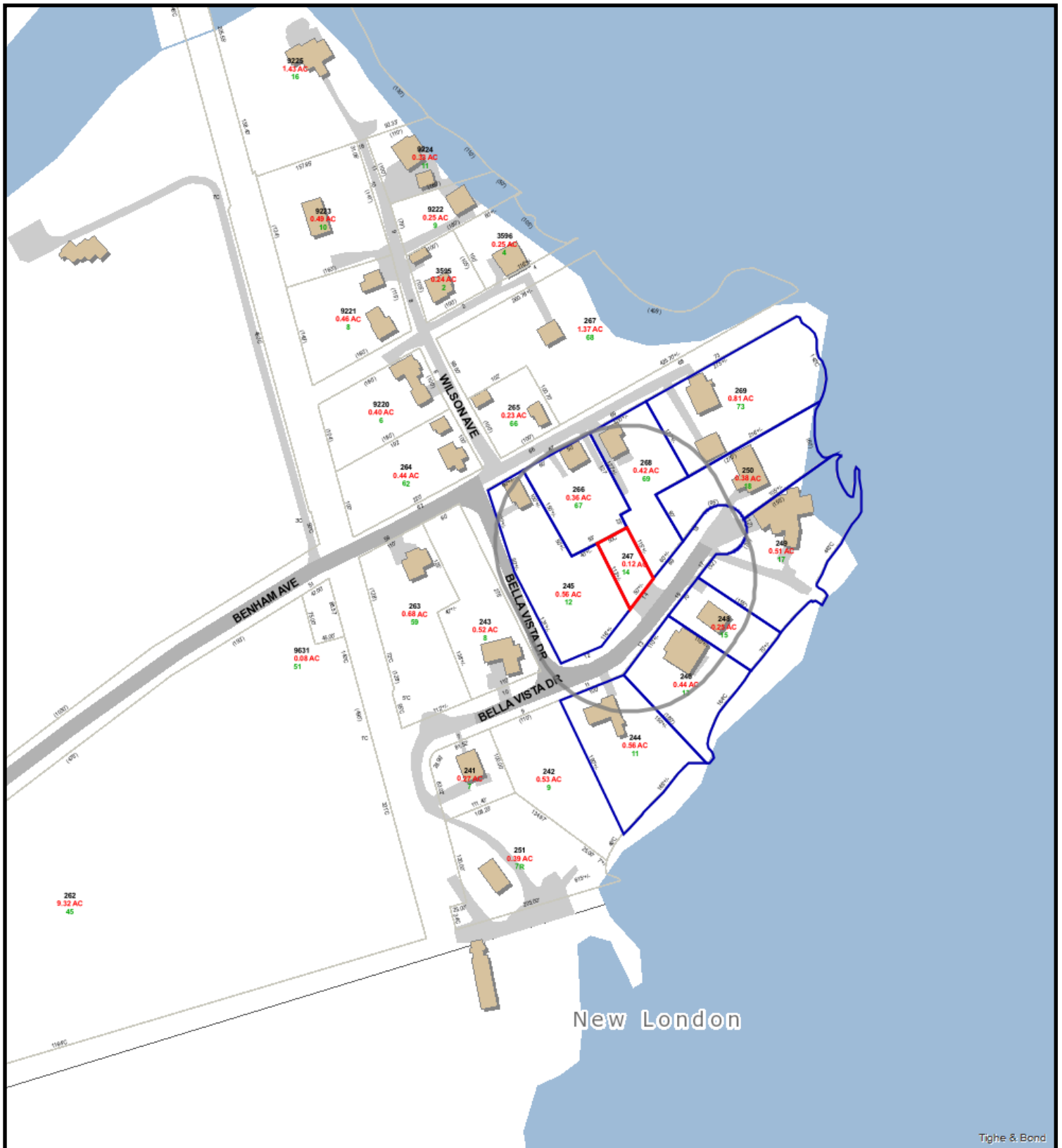


ZONING BOARD OF APPEALS APPLICATION CHECKLIST

Applications for the Zoning Board of Appeals must include the following:

- ☒ Fees
*Please note: Fees are determined by a standard process fee in addition per variances.
Cash or check is the accepted form of payment.*
- ☒ Submission of two sets of the following:
 - ☒ Application
 - ☒ Plot plans
 - ☒ Legal description (deed)
 - ☒ List of all property owners within 150 feet
 - ☒ Town of Waterford Assessor's map of property owners within 150 feet
 - ☒ Town of Waterford Assessor's street card

The Zoning Board of Appeals will require at least 10 additional copies after review of the application, depending on what variances are requested. The applicant will be notified by the Zoning Board of Appeals office on how many and when the additional copies are required.



6/3/2024 2:49:54 PM

Scale: 1"=200'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.



23300
A BEAUTIFUL REAL ESTATE
335 MAIN STREET
NIANTIC, CT 06357

23100
BOULTON ANTOINETTE J
PO BOX 12
FRENCHTOWN, NJ 08825

25500
HART CRAIG W & SARA
69 BENHAM AVENUE
QUAKER HILL, CT 06375

23200
JORDAN GILBERT F &
13A BELLA VISTA ST
QUAKER HILL, CT 06375

25600
LOGAN STEVEN J
73 BENHAM AVE
QUAKER HILL, CT 06375-1704

23000
MESSINA JANET M
11 BELLA VISTA ST
QUAKER HILL, CT 06375

23400
RECORDS WAYNE K & JOANN
15 BELLA VISTA ST
QUAKER HILL, CT 06375

25300
SAYLOR BRYAN G & ERIN N
67 BENHAM AVE
QUAKER HILL, CT 06375

23500
SECCHIAROLI CRESCENTINO
17 BELLA VISTA STREET
QUAKER HILL, CT 06375

23600
WEBSTER COREY & CORLYN
18 BELLA VISTA ST
QUAKER HILL, CT 06375

22900
RODRIGUEZ MICHAEL
8 BELLA VISTA ST
QUAKER HILL, CT 06375

14 BELLA VISTA STREET

Location 14 BELLA VISTA STREET

Mblu 76/ / 247/ /

Acct# 00023300

Owner A BEAUTIFUL REAL ESTATE LLC

Assessment \$23,490

Appraisal \$33,560

PID 247

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$0	\$33,560	\$33,560
Assessment			
Valuation Year	Improvements	Land	Total
2022	\$0	\$23,490	\$23,490

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner A BEAUTIFUL REAL ESTATE LLC
Co-Owner

Sale Price \$45,000
Certificate
Book & Page 1798/3
Sale Date 10/07/2022
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
A BEAUTIFUL REAL ESTATE LLC	\$45,000		1798/3	00	10/07/2022
GRISWOLD KAREN L	\$0		1478/0208		09/19/2016
GRISWOLD KAREN L	\$0		1392/0198		02/04/2015
LONERGAN OLGA C EST	\$0		1258/0295	25	08/01/2012
LONERGAN OLGA C	\$0		0157/0570	00	06/28/1965

Building Information

Building 1 : Section 1

Year Built:
Living Area: 0
Replacement Cost: \$0
Building Percent Good:

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Grade:	
Stories	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC %	
Total Bedrooms:	
Full Bthrms:	
Half Baths:	
Extra Fixtures	
Total Rooms:	
Bath Style:	
Kitchen Style:	
Num Kitchens	
Fireplace(s)	
Extra Opening(s)	
Gas Fireplace(s)	
% Attic Fin	
LF Dormer	
Foundation	
Bsmt Gar(s)	
Bsmt %	

Building Photo



(https://images.vgsi.com/photos/WaterfordCTPhotos//\00\00\77\63.JPG)

Building Layout

(https://images.vgsi.com/photos/WaterfordCTPhotos//Sketches/247_247.jpg)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

SF FBM	
SF Rec Rm	
Fin Bsmt Qual	
Bsmt Access	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use		Land Line Valuation	
Use Code	100	Size (Acres)	0.12
Description	Res Vacant	Frontage	50
Zone	R-20	Depth	0
Neighborhood	400	Assessed Value	\$23,490
Alt Land Appr Category	No	Appraised Value	\$33,560

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$33,560	\$33,560
2022	\$0	\$33,560	\$33,560

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$23,490	\$23,490
2022	\$0	\$23,490	\$23,490

Return to: STEVENS, HARRIS & GUERNSEY, P.C.
ATTORNEYS AND COUNSELORS AT LAW
351 MAIN STREET
NANTIC, CONNECTICUT 06357

WARRANTY DEED - STATUTORY

KNOW YE, THAT I, KAREN L. GRISWOLD, of Groton, Connecticut, for the consideration of \$45,000.00 received to my full satisfaction of A BEAUTIFUL REAL ESTATE LLC, of East Lyme, Connecticut, do give, grant, bargain, sell and confirm unto the said A BEAUTIFUL REAL ESTATE LLC

WITH WARRANTY COVENANTS, all that certain piece or parcel of land described as follows:

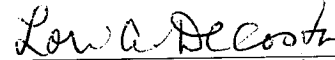
SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

Being the same premises conveyed to the Grantor herein by deed at Volume 1392, Page 198, and Volume 1478, Page 208.

CONVEYANCE TAX RECEIVED
STATE \$ 337.50
LOCAL \$ 112.50
DAVID L. CAMPO, CCTC
WATERFORD TOWN CLERK

Signed this 21st day of September, 2022.

Signed and delivered in the presence of:

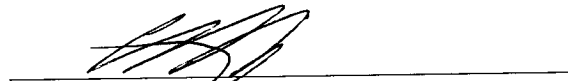

Lora A. DeCosta


KAREN L. GRISWOLD


Brendan P. McKeever

STATE OF CONNECTICUT :
: ss: East Lyme September 21, 2022
COUNTY OF NEW LONDON :

Personally appeared KAREN L. GRISWOLD, Signer of the foregoing instrument, and acknowledged the same to be her free act and deed, before me.


BRENDAN P. MCKEEVER
COMMISSIONER OF THE SUPERIOR COURT

Grantees' Mailing Address:
335 Main Street
Niantic, CT 06357

SCHEDULE A

The land referred to herein below is situated in the County of New London, State of Connecticut, and described as follows:

All that certain piece or parcel of land situated on the northerly side of Bella Vista Drive, known as 14 Bella Vista Drive, Waterford, Ct 06385, and shown as Lot #13 on a map entitled "Boundary Survey Property of Karen Griswold Location: 14 Bella Vista Drive Waterford Ct, Sheet Number 1 of 1, Scale 1"= 90' J. Robert Pfanner & Associates, P.C. Civil Engineers & Land Surveyors, 10/28/15", which map is filed in the Office of the Waterford Town Clerk and being more particularly bounded as follows:

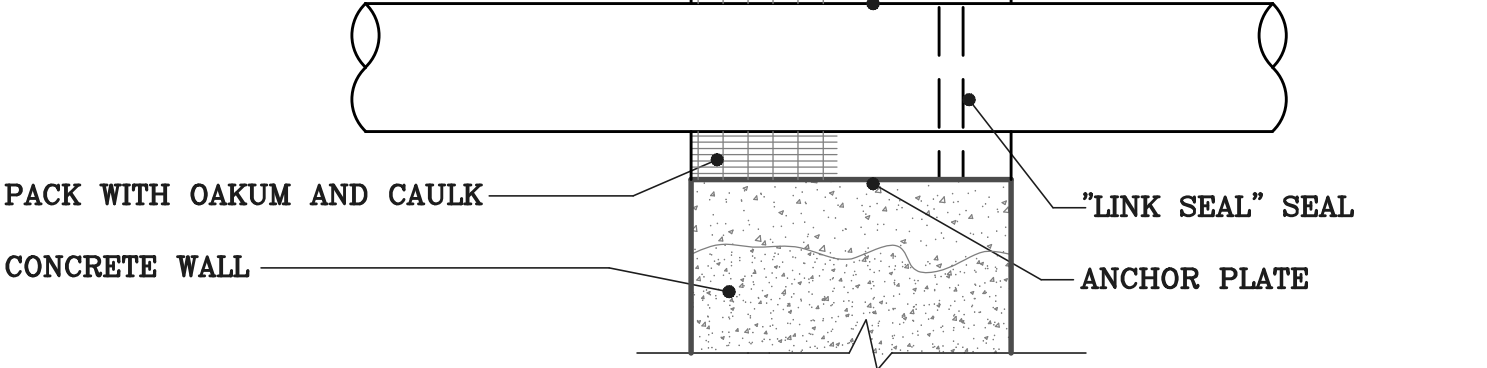
Beginning at an iron pin set at the southeasterly corner of said Lot #13 and the southwesterly corner of land N/F of Craig W. & Sara Hart, as shown on said map; thence S 54°59'58" W, 54.27 feet along the northerly line of Bella Vista Drive to an iron pin set at land N/F of Antoinette J. Boulton as shown on said map; thence N 13°56'45" W, 112.37 feet to an iron pin set at land N/F of Bryan G. & Erin N. Saylor as shown on said map; thence N 78°14'16" E, 50.68 feet to an iron pin set in the westerly line of said Hart land; thence S 13°56'45" E, 90.94 feet along said Hart land to the iron pin set in the northerly line of Bella Vista Drive which marks the point or place of beginning.

RECEIVED FOR RECORD
Oct 07, 2022 11:09A
DAVID L. CAMPO
TOWN CLERK
WATERFORD, CT

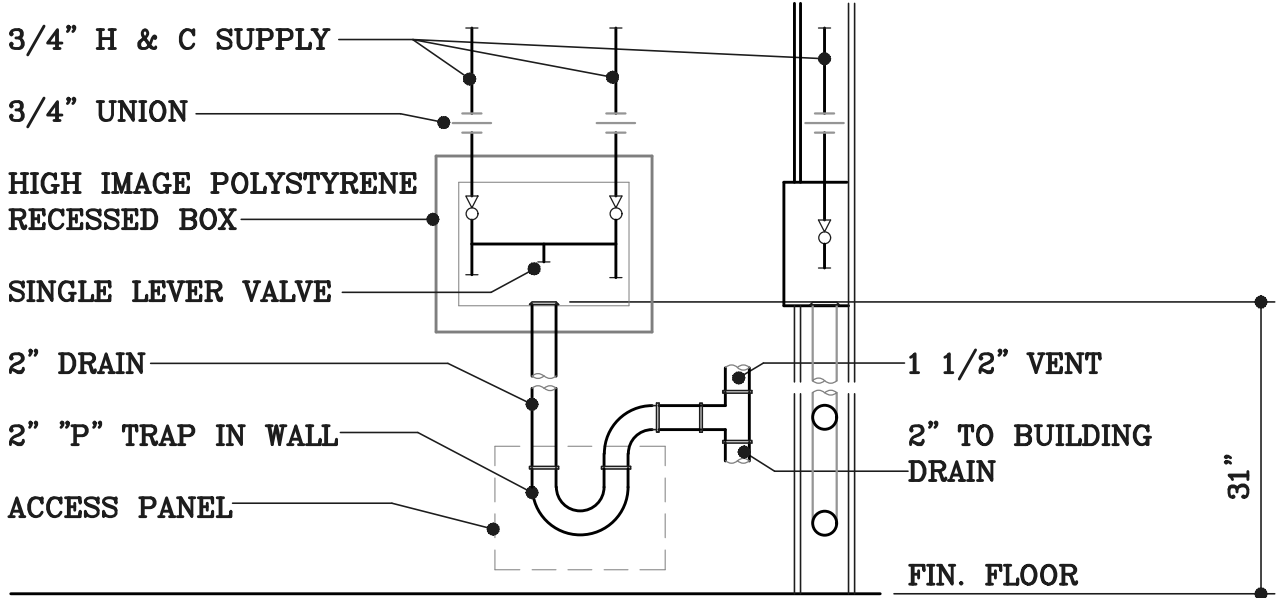
GENERAL NOTES :

1. DO NOT SCALE DRAWINGS
2. ALL DIMENSIONS TO FACE OF STUD UNLESS OTHERWISE NOTED.
3. ALL INTERIOR PARTITIONS SHALL BE 3-1/2" WOOD STUDS AT 16" O.C.
5/8" GYPSUM BOARD AT BOTH SIDES, UNLESS OTHERWISE NOTED.
4. PROVIDE BLOCKING AS REQUIRED FOR THE INSTALLATION OF BATHROOM ACCESSORIES ETC.
5. ALL ELECTRIC OUTLETS SHALL BE 16" AFF. UNLESS OTHERWISE NOTED.
6. VERIFY WINDOW R.O. AFTER FINAL SELECTION ACCORDING TO MANUFACTURER SPECIFICATIONS.
7. ALL EXTERIOR WALLS TO BE 2 X 6 STUDS @ 16" O.C. TYPICALLY UNLESS OTHERWISE NOTED.
8. EXTERIOR FINISHES TO BE DETERMINED BY OWNER AND CONTRACTOR

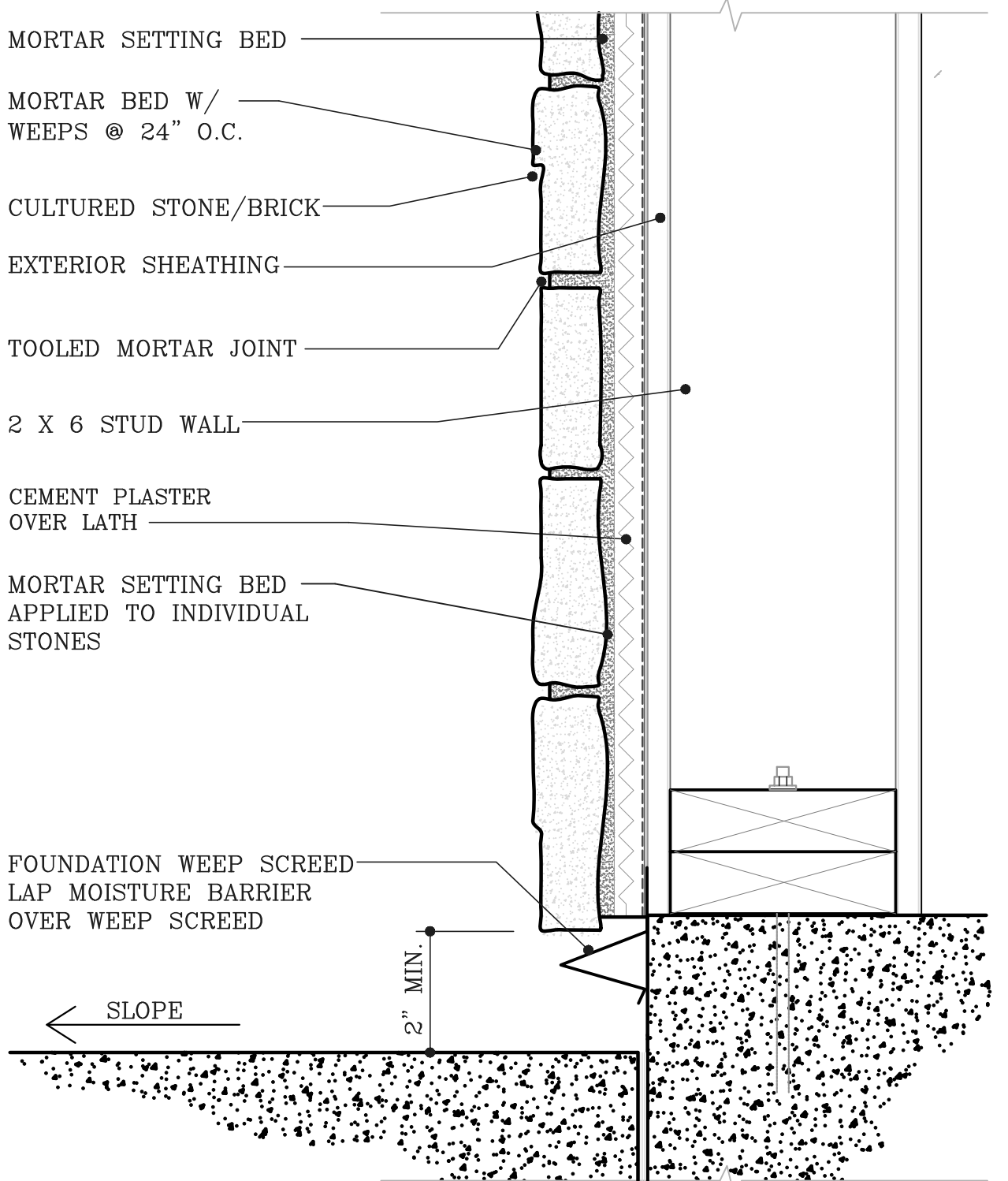
CUT ONLY THOSE REBAR TO ADMIT SLEEVE. ADJUST ADJUST FINAL SLEEVE LOCATION SO THAT A MIN. NUMBER OF REBAR ARE CUT
SEE NOTE 14 ON P.1



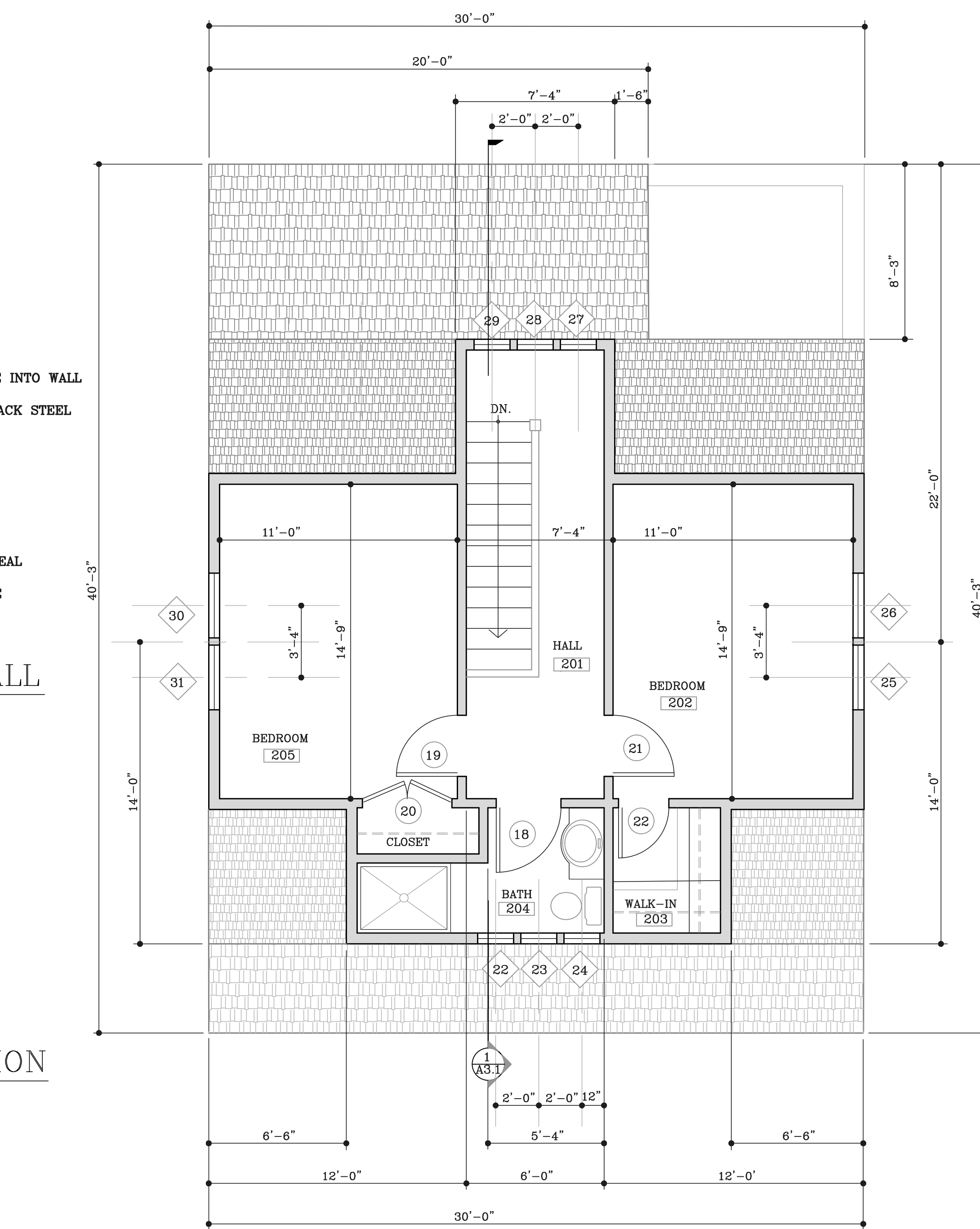
A PIPE SLEEVE IN CONC. WALL
NO SCALE



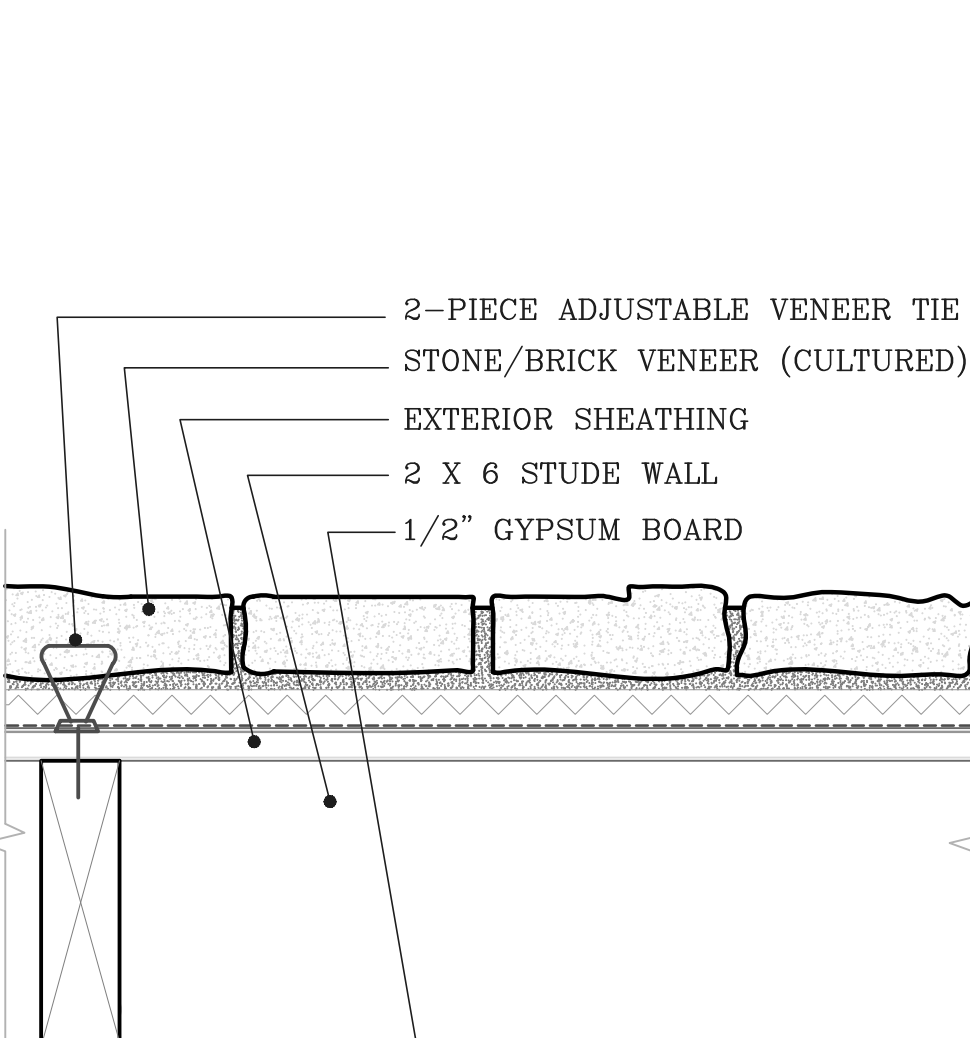
B WASHING MACHINE CONNECTION
NO SCALE



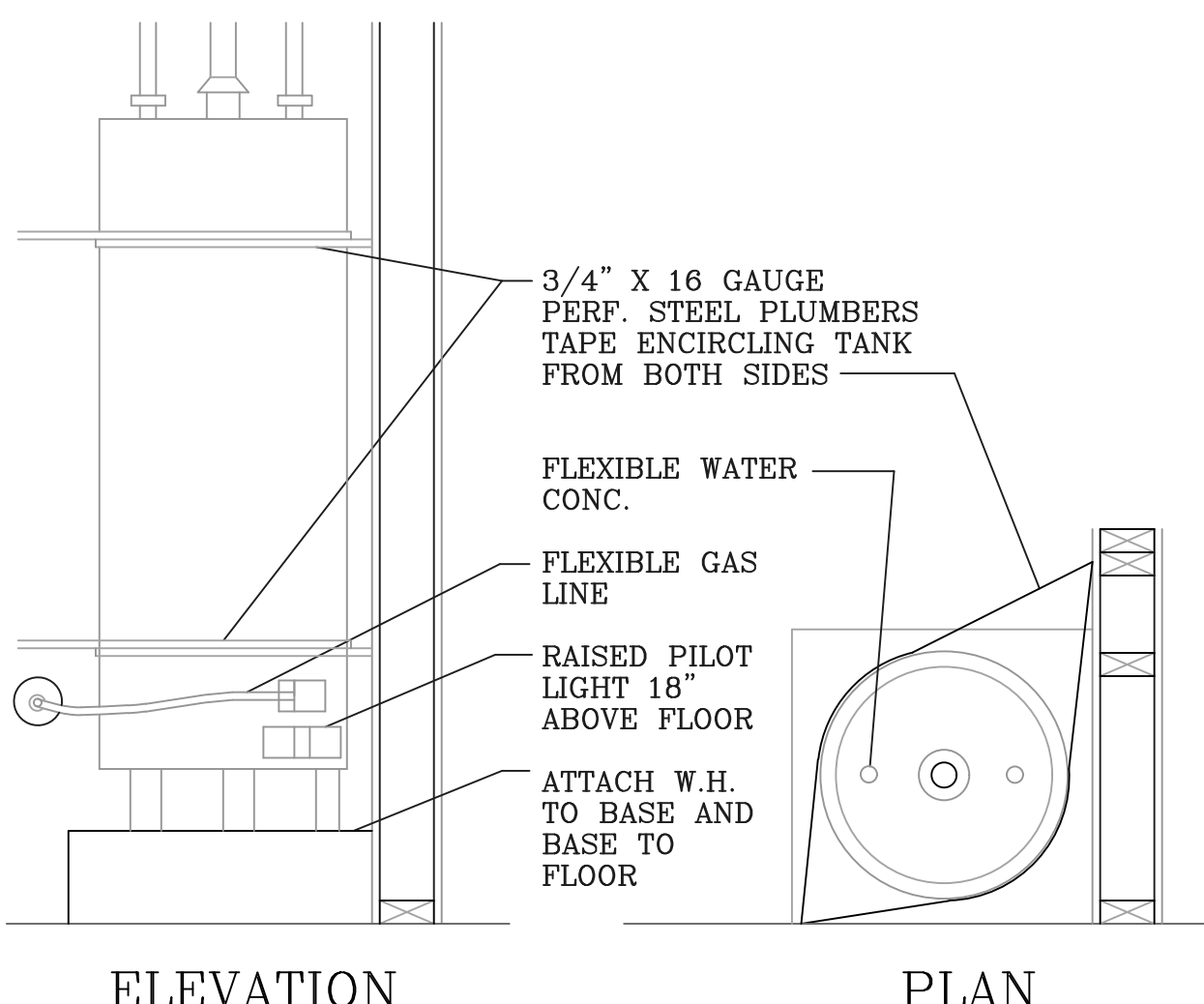
C SECTION DETAIL
NOT TO SCALE:



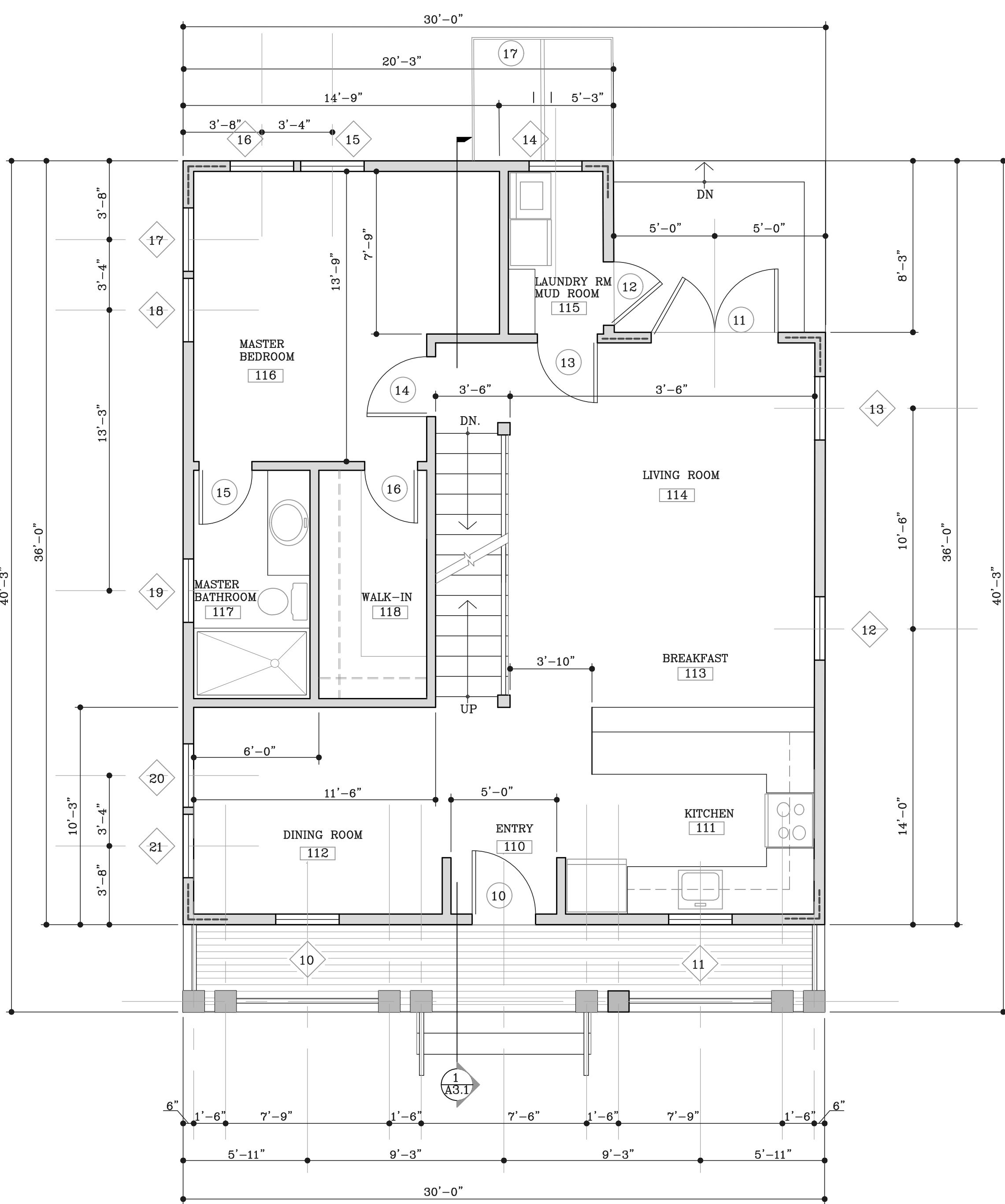
2 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



D SECTION DETAIL
NOT TO SCALE: WINDOW JAMB



E WATER HEATER SUPPORT
SCALE: 1" = 1'-0"



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

R O O M F I N I S H S C H E D U L E										
ROOM#	ROOM NAME	FLOOR	BASE	WALLS				CEILING	C. HEIGHT	REMARKS
				NORTH	SOUTH	EAST	WEST			
110	ENTRY	ST	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
111	KITCHEN	ST	CCB	GWB P	CT	GWB P	CT	GWB P	8'-0"	
112	DINING ROOM	HW	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
113	BREAKFAST RM	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
114	LIVING ROOM	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
115	LAUNDRY	CT	CCB	CT	CT	CT	CT	GWB P	8'-0"	
116	MASTER BEDROOM	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
117	MASTER BATHROOM	KD	PINE	CT	CT	CT	CT	GWB P	8'-0"	
118	WALK-IN	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
201	HALL	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
202	BEDROOM	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
203	WALK-IN	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
204	BATHROOM	HD	CCB	CT	CT	CT	CT	GWB P	8'-0"	
205	BEDROOM	HD	PINE	GWB P	GWB P	GWB P	GWB P	GWB P	8'-0"	
L E G E N D										
FLOOR		BASE		WALLS		CEILING		CEILING HEIGHT		
VCT	VINYL COMPOSITE TILE	NOB	NO BASE	GWB	GYPSUM WALLBOARD	GB	GYPSUM WALLBOARD	F	FLATT CEILING	
CON	CONCRETE W/SEALER	OAK	6" OAK	CT	CERAMIC TILE	EC	EXPOSED CONSTRUCTION	V	VULTED CEILING	
ST	SPECIAL TILE	PINE	3 3/4" PINE (W/FIN.)	P	PAINTED FIN.	PS	PAINTED SURFACE	SC	SLOPING CEILING	
CT	CERAMIC TILE	RB	4" RUBBER BASE	ES	EXPOSED STRUCTURE			V	VARIES (SEE SECTIONS)	
C	CARPET	CCB	CERAMIC COVE BASE	PAN	PANELING					
HW	HARDWOOD FLOOR	M	MARBLE	L	LIMESTONE					
EF	EXPOSED FLOOR	S	SPECIAL	GL	GLASS					

REVISIONS:		
NO.	DATE	DESC.

02 - 29 - 2024

A BEUTIFUL
REAL ESTATE LLC

14 BELLA VISTA DRIVE
WATERFORD, CT

FLOOR PLANS

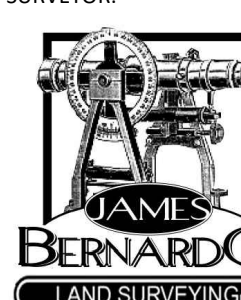
ARCHITECT:



ARCHITECTURE
PLANNING
DEVELOPMENT

Stephan Nousiopoulos, AIA
381 West Main Street • Norwalk, CT 06860
Office/Fax: 860.466.1383
email: snousiopoulos@gmail.com

SURVEYOR:



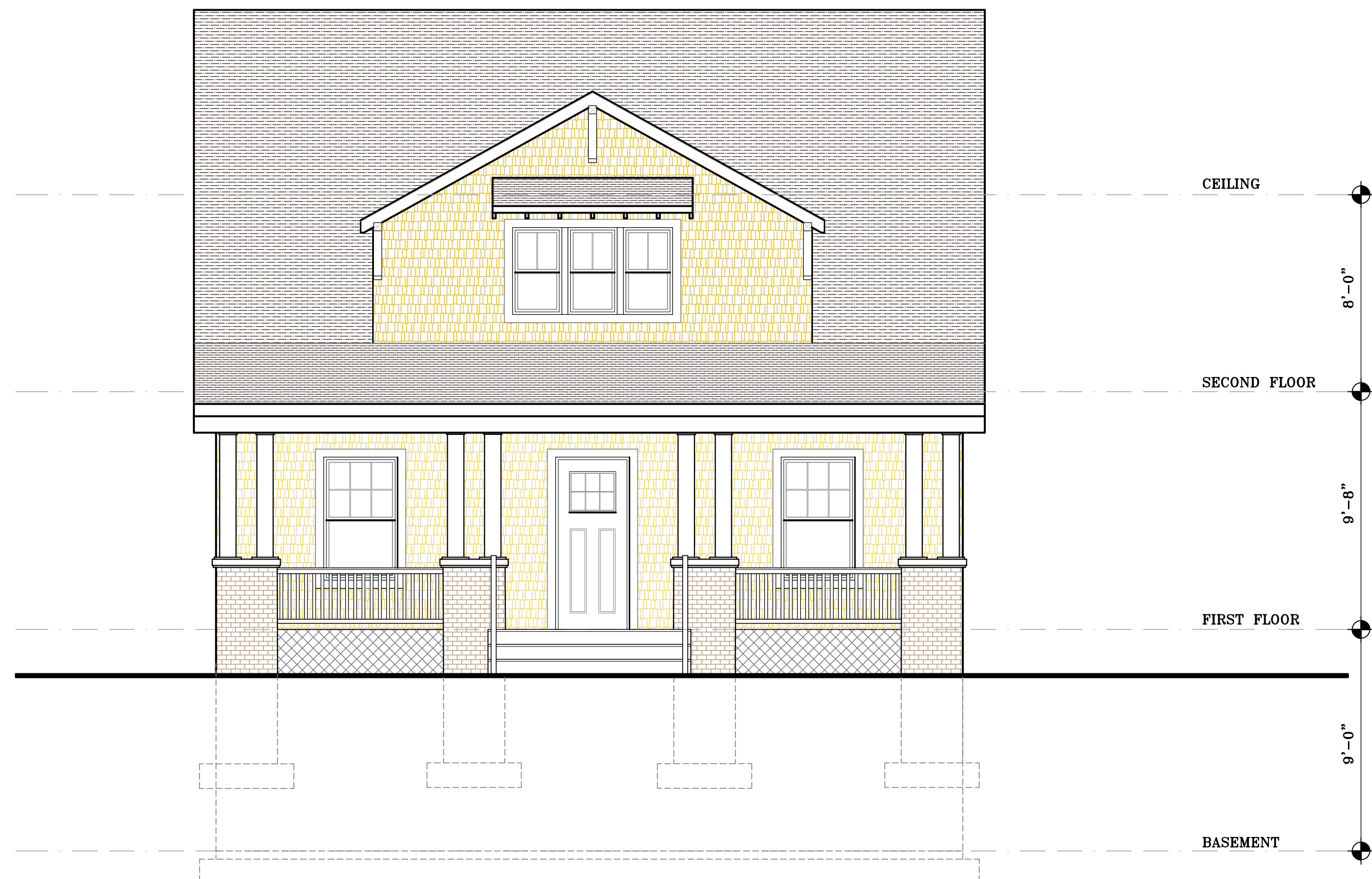
LAND SURVEYING, LLC
102 A SPITHEAD ROAD
WATERFORD, CT 06385
(860)447-0236
WWW.JBSURVEY.COM

CIVIL ENGINEER:

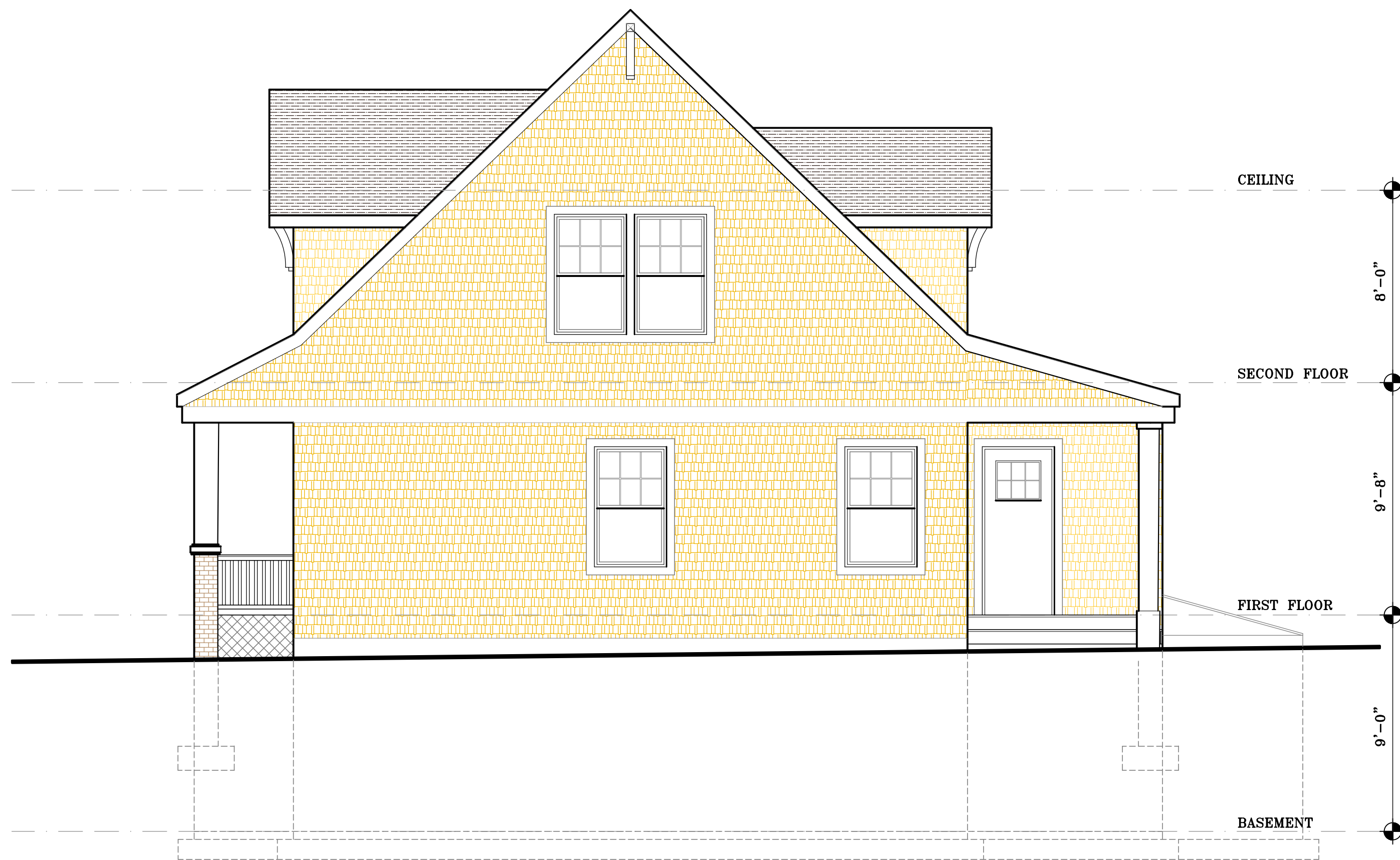
SCALE:		AS SHOWN
FILE:		
DWG.:	A1.100	SHEET x OF x
JOB. NO:	BE0224	



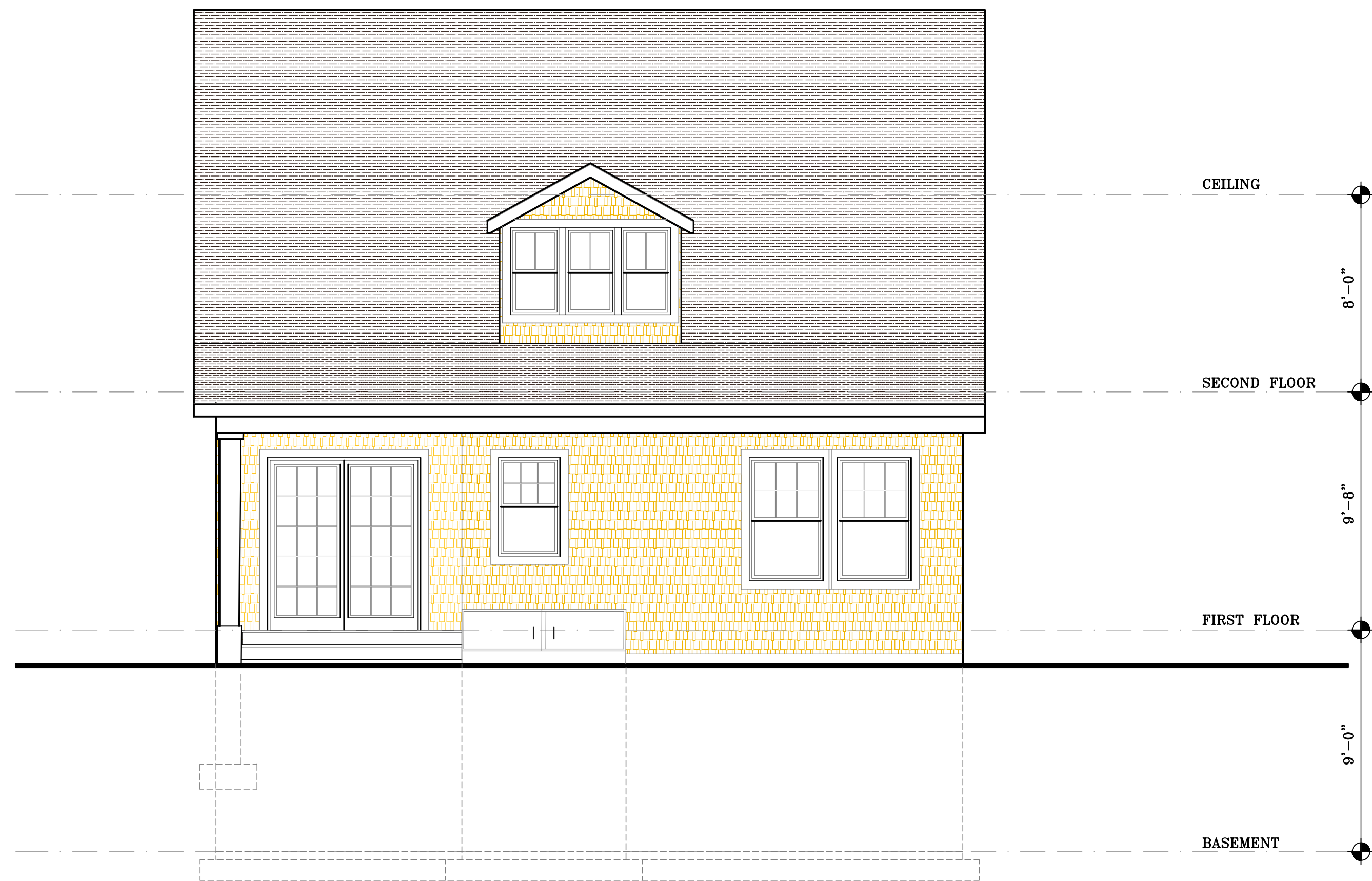
3 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



2 EAST ELEVATION
SCALE: 1/4" = 1'-0"

REVISIONS:		
NO.	DATE	DESC.

02 - 29 - 2024

A BEUTIFUL
REAL ESTATE LLC

14 BELLA VISTA DRIVE
WATERFORD, CT

ELEVATIONS

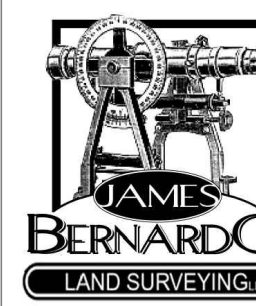
ARCHITECT:



ARCHITECTURE
PLANNING
DEVELOPMENT

Stephan Nousiopoulos, AIA
381 West Main Street • Norwich, CT 06360
Office/Fax 860.466.1383
e-mail: snousiopoulos@gmail.com

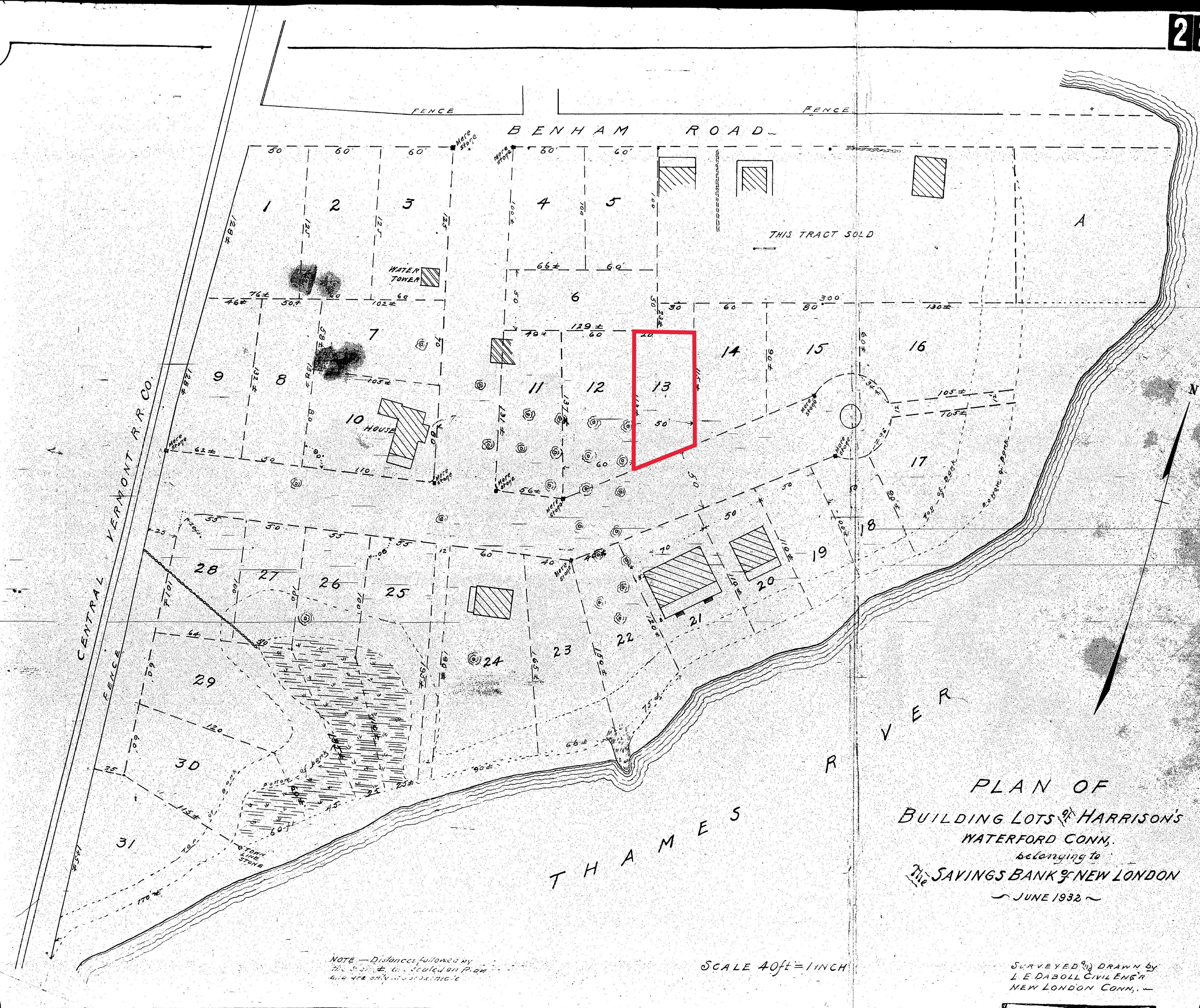
SURVEYOR:



LAND SURVEYING, LLC
102 A SPITHEAD ROAD
WATERFORD, CT 06385
(860)447-0236
WWW.JBSURVEY.COM

CIVIL ENGINEER:

SCALE:	
AS SHOWN	
FILE:	
DWG.: A2.100	
JOB. NO: BE0224	SHEET x OF x



PLAN OF
BUILDING LOTS OF HARRISON'S
WATERFORD CONN.,
belonging to
The SAVINGS BANK OF NEW LONDON
~ JUNE 1932 ~

NOTE — Distances followed by
the 50± are scaled on plan
and are only approximate

SCALE 40ft = 1 INCH

SURVEYED AND DRAWN by
L E DABOLL CIVIL ENGINEER
NEW LONDON CONN.,

1	2
---	---

Exhibit to Accompany Application ZBA-24-4

14 Bella Vista Street

Parcel ID	Owner	Address	Parcel Acreage (SF)	Living Area (SF)	Gross Area (SF)
	23300 A BEAUTIFUL REAL ESTATE LLC	14 BELLA VISTA STREET	0.12	1612	2418
319400	ALLARD MARY G L/U	4 JAMES STREET	0.25	1567	3678
23100	BOULTON ANTOINETTE J	12 BELLA VISTA STREET	0.56	1168	2564
863400	FIRST FAMILY INVESTMENTS LLC	8 WILSON AVENUE	0.46	1944	4012
25500	HART CRAIG W & SARA	69 BENHAM AVENUE	0.42	1958	4896
23200	JORDAN GILBERT F & BARBARA J	13 BELLA VISTA STREET	0.44	3050	6316
22800	JORDAN ROBERT	9 BELLA VISTA STREET	0.53	Vacant	
319300	LAMPHERE ROBERT WILLIAM ETAL	2 JAMES STREET	0.24	1017	2067
25600	LOGAN STEVEN J	73 BENHAM AVENUE	0.81	3212	5372
23700	MALLOY JANET C	7R BELLA VISTA STREET	0.39	902	2020
863700	MALLOY JANET C	11 WILSON AVENUE	0.33	2352	3886
863900	MARIANI ELEANOR C & MURALLO RONALDO G	16 WILSON AVENUE	1.43	3264	5921
23000	MESSINA JANET M	11 BELLA VISTA STREET	0.56	2706	5957
25000	MOLLOY ANGELA C	59 BENHAM AVENUE	0.68	959	2373
22600	MONIZ STEPHEN P	7 BELLA VISTA STREET	0.27	1800	3824
863500	MORELL WILLIAM A & SHARON J	9 WILSON AVENUE	0.25	2263	4330
23400	RECORDS WAYNE K & JOANN C	15 BELLA VISTA STREET	0.25	1606	3032
22900	RODRIGUEZ MICHAEL	8 BELLA VISTA STREET	0.52	2440	4604
25300	SAYLOR BRYAN G & ERIN N	67 BENHAM AVENUE	0.36	1365	2780
23500	SECCHIAROLI CRESCENTINO A	17 BELLA VISTA STREET	0.51	2183	6455
863300	SILVA RUFINO MONTERO + AGUILAR MONICA	6 WILSON AVENUE	0.4	1520	3723
25400	SINCALI ANDREW J & DEEDY SINCALI ELAINE	68 BENHAM AVENUE	1.37	2197	3763
25200	SINCALI ANDREW J & SAMANTHA J &	66 BENHAM AVENUE	0.23	1006	2077
863600	THIBAUT BARBARA EST (CRANDALL)	10 WILSON AVENUE	0.49	1404	1404
25100	VEAZIE CINDY A	62 BENHAM AVENUE	0.44	1582	2892
23600	WEBSTER COREY & CORLYN	18 BELLA VISTA STREET	0.38	2180	4892
Averages			0.49	1890.28	3810.24

Data obtained from Town tax records



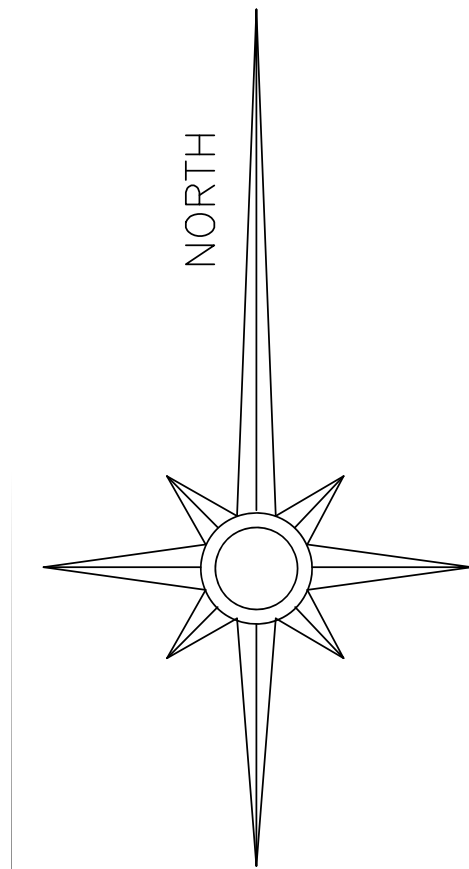
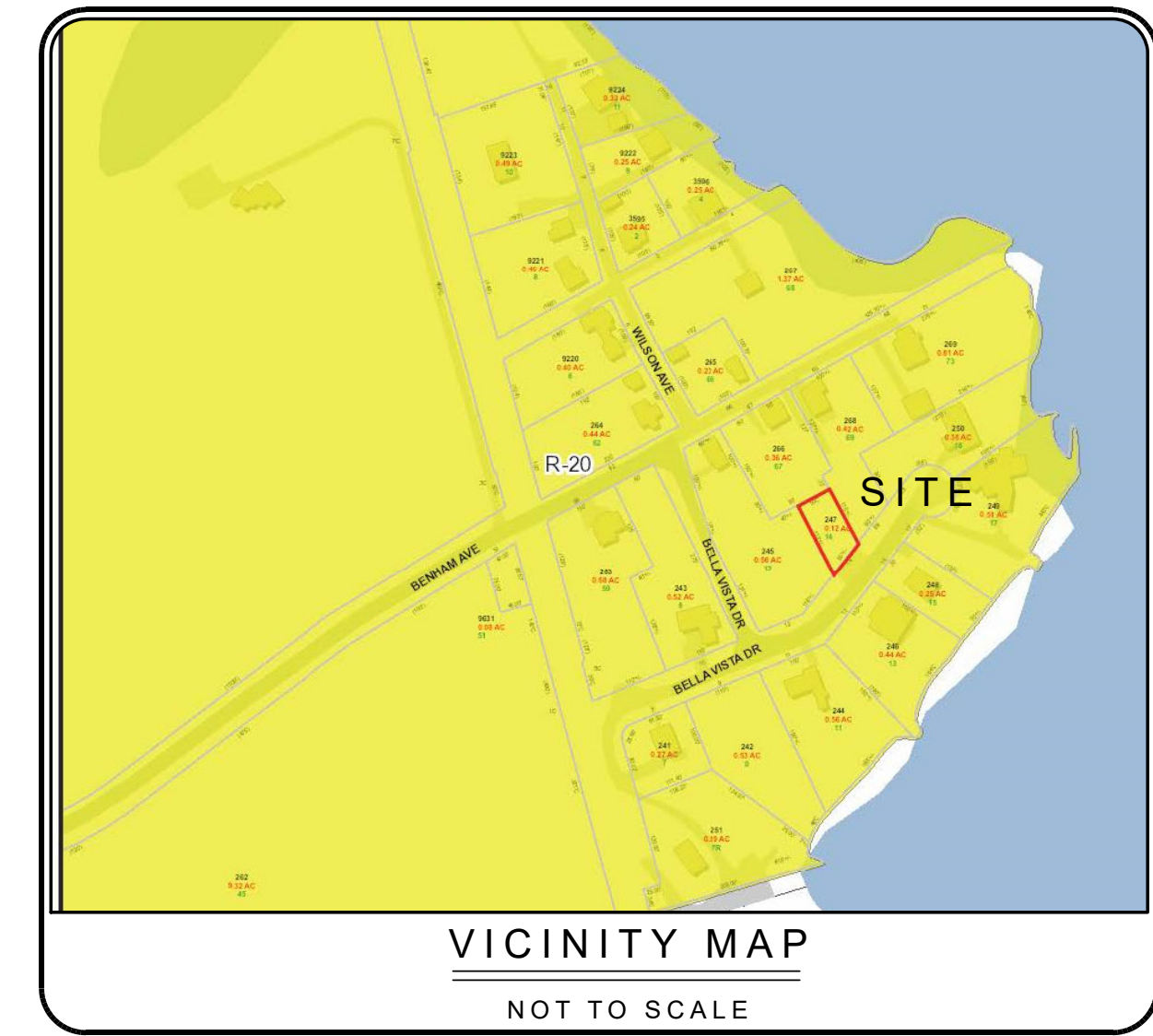
8/13/2024 8:01:28 AM

Scale: 1"=200'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.

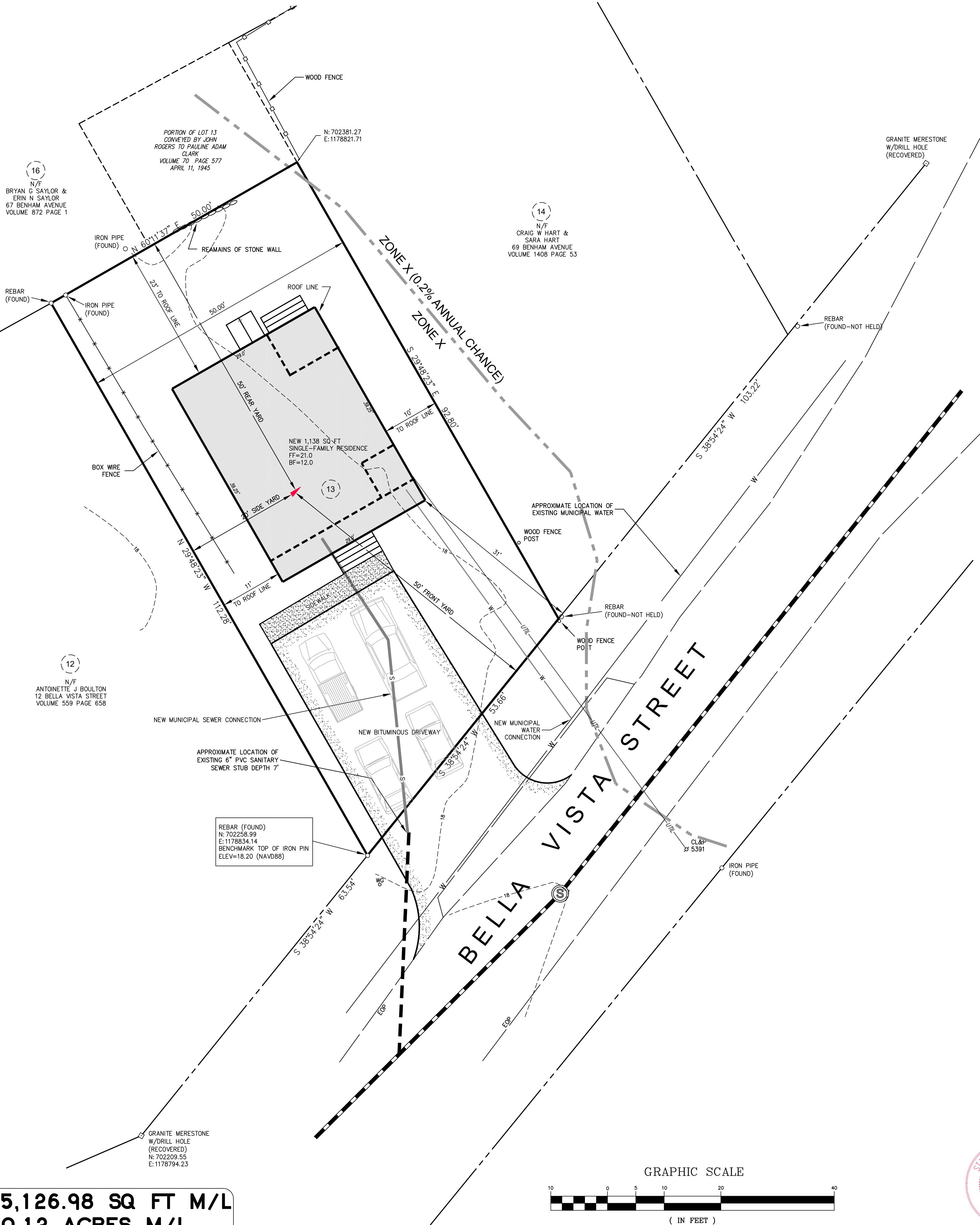




LEGEND
THE FOLLOWING SYMBOLS/ABBREVIATIONS
MAY APPEAR ON THIS DRAWING

AC BF BCLC CONC DIA DB EOP ELEV FF LF (MIN) M/L N/F PVC SCH40 SF TH HTB SP SA TR TH TW VF P-5	ACRES BASEMENT FLOOR BITUMINOUS BITUMINOUS CONCRETE UP CURBING CONCRETE DIAMETER DISTRIBUTION BOX EDGE OF PAVEMENT ELEVATION FINISHED FIRST FLOOR LINEAR FOOT MINIMUM MORE OR LESS NOW OR FORMERLY POLY VINYL CHLORIDE SCHEDULE 40 SPOT ELEVATION SQUARE FEET TO REMAIN HIGH TIDE BUSH SPARTINA PATENS SPARTINA ALTERNIFLORA TO BE REMOVED THRESHOLD ELEVATION TYPICAL TOP OF WALL ELEVATION VERIFY IN FIELD SOIL PERC TEST LOCATION	THB WELL HYDRANT TREE BUILDING SETBACK LINE CLEARING LIMIT LINE EXISTING TREELINE EXISTING CONTOUR NEW CONTOUR SEDIMENT FENCE STORM DRAIN PIPE STONE WALL SANITARY SEWER WATER	SOIL DEEP TEST LOCATION WELL HYDRANT TREE BUILDING SETBACK LINE CLEARING LIMIT LINE EXISTING TREELINE EXISTING CONTOUR NEW CONTOUR SEDIMENT FENCE STORM DRAIN PIPE STONE WALL SANITARY SEWER WATER
---	---	---	---

AREA=5,126.98 SQ FT M/L
0.12 ACRES M/L



- NOTES:
- THIS PLAN AND THE SURVEY IT IS BASED ON HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300B MINIMUM STANDARDS OF ACCURACY, CONTENT AND CERTIFICATION FOR SURVEYS AND MAPS. THE TYPE OF SURVEY IS AN IMPROVEMENT LOCATION SURVEY. THE BOUNDARY DETERMINATION CATEGORY IS DEPENDENT RESURVEY AND THE HORIZONTAL ACCURACY CONFORMS TO CLASS A-2. TOPOGRAPHIC SURVEY IS CLASS T-2 AND THE VERTICAL ACCURACY CONFORMS TO CLASS V-2.
 - NO DECLARATION IS EXPRESSED OR IMPLIED BY THIS MAP OR COPIES THEREOF UNLESS THE PRINT BEARS THE IMPRESSION TYPE SEAL AND ORIGINAL LIVE SIGNATURE OF THE SURVEYOR WHOSE NAME AND REGISTRATION NUMBER APPEARS BELOW OR THEREON.
 - REFERENCE IS MADE TO WATERFORD LAND EVIDENCE RECORDS VOLUME 1798 AT PAGE 3 FOR A WARRANTY DEED DATED SEPTEMBER 21, 2022 REGARDING RECORD TITLE TO THE SUBJECT PROPERTY.
 - THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN THE R-20 ZONE DISTRICT.
 - BY GRAPHICAL DEPICTION ONLY, THIS PARCEL LIES WITHIN FLOOD HAZARD ZONES X (0.2% ANNUAL CHANCE) & X AS SHOWN ON "NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NEW LONDON COUNTY, CONNECTICUT, COMMUNITY: TOWN OF WATERFORD 09010707 MAP NUMBER: 09011003633 MAP EFFECTIVE: 8-5-2013, FEDERAL EMERGENCY MANAGEMENT AGENCY".
 - THE SUBJECT PROPERTY IS SHOWN ON THE WATERFORD TAX ASSESSOR MAP 76 AS LOT 247 AND HAS AN ASSIGNED STREET ADDRESS OF 14 BELLA VISTA STREET.
 - THE BASES FOR BEARINGS AND COORDINATES IS CONNECTICUT GRID NORTH NAD83. ELEVATIONS ARE BASED ON NAVD88 DATUM CONVERTED FROM MSL. BASED ON THE FOLLOWING TOWN OF WATERFORD SURVEY STATIONS:

323-W X=1176907.197 Y=701728.772 ELEVATION 149.145 (MSL)	324-W X=117768.825 Y=701858.427 ELEVATION=59.469 (MSL)
---	---
 - THIS PLAN REPRESENTS THE LOCATION OF THE BOUNDS AND SITE CONDITIONS DETERMINED BY FIELD SURVEY ON APRIL 4, 2023. RECORD TITLE AND ADJONER INFORMATION WAS OBTAINED FROM TAX ASSESSOR AND LAND EVIDENCE RECORDS ON OCTOBER 1, 2023.
 - UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO JAMES BERNARDO LAND SURVEYING, LLC. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

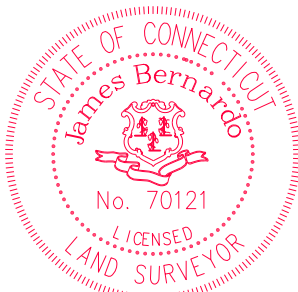
- MAP REFERENCES:
- PLAN OF BUILDING LOTS AT HARRISON'S WATERFORD CONN, BELONGING TO THE SAVINGS BANK OF NEW LONDON JUNE 1932 SCALE 1"=40' SURVEYED AND DRAWN BY L.E. DABOLL CIVIL ENGR NEW LONDON.
 - ZONING LOCATION SURVEY 69 BENHAM AVENUE QUAKER HILL, CT PROPERTY OF CRAIG & SARAH HART DATE: MARCH 4, 2012 SCALE: 1"=20' BY JAMES BERNARDO LAND SURVEYING, LLC
 - BOUNDARY SURVEY PROPERTY OF KAREN GRISWOLD LOCATION: 14 BELLA VISTA DRIVE WATERFORD CT SHEET NUMBER 1 OF 1 SCALE: 1"=10' BY J. ROBERT PFANNER & ASSOCIATES P.C.

- SITE DEVELOPMENT NOTES:
- AN EXCAVATION PERMIT WILL BE REQUIRED PRIOR TO PERFORMING ANY WORK WITHIN THE SET-SITE. TEMPORARY STOCKPILES MAY BE PLACED WITHIN HOUSE FOOTPRINT.
 - VARIANCES ARE REQUIRED FROM THE FOLLOWING TOWN OF WATERFORD ZONING REGULATIONS:
A VARIANCE OF 19' IS REQUIRED FROM SECTION 4.4.1 TO ALLOW FOR A FRONT YARD SETBACK OF 31'.
A VARIANCE OF 10' IS REQUIRED FROM SECTION 4.4.2 TO ALLOW FOR A SIDE YARD SETBACK OF 10' ON THE EAST SIDE.
A VARIANCE OF 9' IS REQUIRED FROM SECTION 4.4.2 TO ALLOW FOR A SIDE YARD SETBACK OF 11' ON THE WEST SIDE.
A VARIANCE OF 27' IS REQUIRED FROM SECTION 4.4.3 TO ALLOW FOR A REAR YARD SETBACK OF 23'.
 - THIS PROJECT IS EXEMPT FROM COASTAL SITE PLAN IN ACCORDANCE WITH SECTION 24.4.2.5 OF THE WATERFORD ZONING REGULATIONS.

ZONE R-20 ZONING COMPLIANCE CHART		
	REQUIRED	PROVIDED
MINIMUM LOT AREA	20,000 SQ FT	5,127 SQ FT
MINIMUM FRONTAGE	85'	53.66'
MINIMUM WIDTH	100'	50'
MAXIMUM LOT COVERAGE	25%	23.5%
MINIMUM FRONT YARD	50'	31'
MINIMUM SIDE YARD	20'	10' EAST 11' WEST
MINIMUM REAR YARD	50'	23'
MAXIMUM HEIGHT	35'	22±'

ALL SETBACKS ARE MEASURED TO THE ROOF OVERHANG, CHIMNEY, CORNICE, OR OTHER SIMILAR ARCHITECTURAL FEATURE.

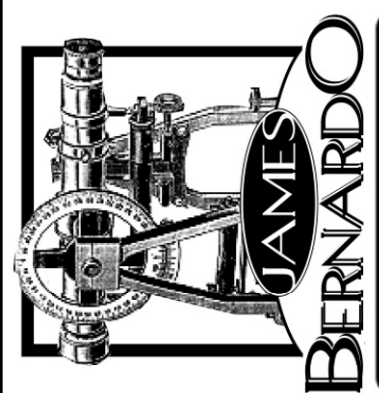
○ VARIANCE REQUIRED. SEE SITE DEVELOPMENT NOTE #3.



TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

James Bernardo
JAMES BERNARDO LICENSE #70121
2-3-2025
DATE

JAMES BERNARDO
LAND SURVEYING, LLC
102A SPITHEAD ROAD
WATERFORD, CONNECTICUT 06385
(860) 447-0236
WWW.JBSURVEY.COM



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LTR	DESCRIPTION	DATE
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REVISIONS

ZONING LOCATION SURVEY
PROPERTY OF
A BEAUTIFUL REAL ESTATE LLC
FOR PROPERTY LOCATED AT
14 BELLA VISTA STREET
TOWN OF WATERFORD - COUNTY OF NEW LONDON - CONNECTICUT

Sheet No.

S-01

SHEET 1 OF 1

Scale:
1" = 10'

Date
FEBRUARY 3, 2025

Project No.
23017-4



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Zoning Board of Appeals

FROM: Wayne Scott, Zoning Official

DATE: March 5, 2025

TITLE: Staff Report: Application #ZBA-25-1
 Single Family Residential
 Front, Side(s) and Rear yard Setback Variances
 14 Bella Vista Street

SUMMARY

The applicant has previously filed two appeals in connection with the premises during the past year.

- ZBA-24-3 July 2024 The applicant withdrew the application.
- ZBA-24-4 October 2024 The appeal was denied by the ZBA.

The applicant is proposing to construct a 1,138 square foot two-story single-family house on the existing parcel identified as 14 Bella Vista Street. The existing parcel is nonconforming in respect to lot size. The minimum lot size in the R-20 Zone District is 20,000 square feet. The subject lot is 5,127 square feet. The proposal requires the variance from the Zoning Regulations: Section 4.4.1 – front yard setback, 4.4.2 – side yard setback and 4.4.3 – rear yard setback.

Pertinent Regulations

CGS §8-6

Zoning Regulations

Sec. 4.4 MINIMUM SETBACKS

	Required	Existing	Proposed	Variance required
Sec. 4.4.1 Front Yard	50'		31'	19'
Sec. 4.4.2 Side Yard (On the East side)	20'		10'	10'
Sec. 4.4.2 Side Yard (On the West side)	20'		11'	9'
Sec. 4.4.3 Rear Yard	50'		23'	27'

Permitted Use within the District:

Section 4.1.1 – One family dwellings

Sec. 25.3 – Development in Flood Hazard Areas

Sec. 25.4 – Coastal Area Management

Sec. 27 - Zoning Board of Appeals

DISCUSSION

The application states the following statement of hardship:

“The property is an existing residential building lot that existed since 1932 prior to the first effective Zoning Regulations in 1954. The new house is a minimal size. Strict enforcement of the current zoning setback regulations leaves less than 1 square foot of legal building area on the property. The variances requested are the minimum necessary to allow a reasonable use of the lot.”

The parcel was created as Lot 13 identified on a plan entitled “Plan of Building Lots at Harrison’s Landing Belonging to the Savings Bank of New London, Dated June 1932”. The creation of the lots predates the Town of Waterford’s adoption of subdivision regulations in 1948. Subsequent to the creation of the parcel in 1932, a 23’ X 30’ portion of the lot was deeded to an abutting property owner to the north in 1945 as referenced in deed Vol 70 page 577. (Exhibit 5) This transfer was also prior to the enactment of subdivision regulations. The remaining configuration of lot 13 (14 Bella Vista Drive) has not changed since the 1945 partial transfer. The lot is considered a pre-existing nonconforming lot. This lot has remained vacant since 1932.

The parcel is located within the R-20 (Medium Density Residential) Zone District. One family dwellings are a permitted use in accordance with Section 4.1.1 of the Zoning Regulations.

The minimum lot size for any newly created parcel in the R-20 Zoning District is 20,000 sq ft. The applicants parcel is 5,127 sq ft. The applicant is requesting setback variances to the front, rear and sides yards of the property. The applicant’s plan indicates the area of the parcel that conforms to the existing setback requirements as a small red triangle within the proposed building footprint. The proposed size of the house, including overhangs, is 1,138 square feet. The maximum lot coverage within then R-20 Zone District of 25%.

A portion of the parcel is located within the FEMA designated Flood Hazard Zone X (0.2% Annual Chance) which is outside of the Special Flood Hazard Area (SFHA) as designated by FEMA. Construction outside of the (SFHA) is not subject to Flood Hazard Construction requirements.

The parcel is located within the Coastal Management Zone as designated by CT DEEP. The construction of a single family home is exempt from compliance with coastal Site Plan Review if the structure is located farther than 100 feet from a coastal resource. This parcel is not within 100 feet of a coastal resource.

In order to justify the granting of a variance, The Board must determine whether a legal hardship exists. Per CT State Statute §8-6 and Section 27.5 of the Town of Waterford Regulations, one of the powers of the ZBA is:

27.2.3 *To determine and vary the application of provisions of these Regulations, in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not generally affecting the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship, so that substantial justice will be done and the public safety and welfare secured.*

Once the board has determined a legal hardship exists the following criteria for decisions from the Town of Waterford Zoning Regulations Section 27.5 must be applied and included in the board's discussion and findings:

27.5 CRITERIA FOR DECISIONS

In addition to other requirements established within these Regulations, the Zoning Board of Appeals, prior to making its decision regarding any application for a variance or any other matter requiring Board action in accordance with the provisions of these Regulations, shall consider, at a minimum, the following factors:

- a. The size and intensity of the proposal under consideration and its potential impact on the surrounding neighborhood including consideration of past ownership patterns involving the property in question and adjacent properties and changes in the Zoning Regulations which have occurred since the lot in question was created.*
- b. The existence of conditions of the same kind and/or character on other properties within the surrounding neighborhood.*
- c. The impact the proposed request will have on the capacity of adjacent streets to handle peak traffic loads without causing congestion and without creating any traffic hazards.*
- d. The possible obstruction of light or air, or the emission of noise, light, smoke, odor, gas, dust, or vibration in noxious or offensive quantities which might be caused by the proposal under consideration and the impact such conditions might have on adjacent properties.*
- e. The resultant effect the proposal under consideration would have on the value and utilization of other properties within the surrounding neighborhood.*
- f. The existence of unusual topography on the property in question and the nature, location and height of all existing and proposed buildings, walls, fences, and landscaping on the site in question.*
- g. The extent, nature and arrangement of all existing and proposed parking facilities, driveways and roadways on the site in question.*

h. Any problems which might be created with regard to providing fire and/or police protection to the site in question or to adjacent properties.

i. The preservation of the character of the neighborhood.

j. The location of existing water and sewerage systems serving the subject site and the adequacy of such systems to support any additional construction on the property.

k. All other standards prescribed by these Regulations.

SECTION 4 - MEDIUM DENSITY RESIDENTIAL DISTRICT (R-20)

- 4.1 GENERAL** The minimum lot size in this district shall be 20,000 square feet subject to conformance with the lot design standards of Section 3.34 of these regulations. **The following shall be permitted uses within this district. (Amended 7/2/90, Effective 7/13/90)**

4.1.1 One-family dwellings.

- 4.1.2** Farming, except piggeries and the raising of animals for the production of pelts, provided that no farming shall be permitted on any lot which is less than 120,000 square feet in size.

Roadside stands not over 200 square feet in size, only when used for the sale of farm products, shall be permitted only if such stand is accessory to a farm use existing on the lot on which said stand is located. All such stands shall be set back 15 feet from the front property line and shall be provided with at least three off-street parking spaces in addition to those parking spaces required to serve the other uses of the property. All of the products offered for sale at any stand established under this provision shall have been grown or produced on said property.

- 4.1.3** Public libraries, public schools, and places of worship, subject to the approval of a site plan under the provisions of Section 22 of these regulations.
- 4.1.4** Public or private parks and playgrounds, subject to the approval of a site plan under the provisions of Section 22 of these regulations.
- 4.1.5 CUSTOMARY HOME OCCUPATIONS**, as defined in Section 1 herein and subject to the provisions of Section 3.11 of these regulations.
- 4.1.6 ACCESSORY USES** as defined in Section 1 herein and subject to the provisions of Sections 3.9 and 3.10 of these regulations.
- 4.1.7** Accessory Dwelling Units in accordance with Section 3.36 of these Regulations.

4.2 USES PERMITTED IN THE R-20 DISTRICT SUBJECT TO THE APPROVAL OF A SPECIAL PERMIT

The following uses may be permitted in the R-20 District, if approved by the Commission in accordance with the provisions of Section 23 of these regulations.

- 4.2.1** Radio or television antennae, flagpoles, towers, chimneys, water tanks or standpipes, any of which extend more than 40 feet above the ground or private antennae more than 20 feet above the residential structure on which they are to be erected or more than 40 feet above the ground.
- 4.2.2** Cemeteries.
- 4.2.3** Buildings and structures and sub-stations operated by utility companies, but excluding service yards and outside storage areas.
- 4.2.4** Municipal facilities including firehouses and parking lots serving firehouses.
- 4.2.5** Convalescent nursing home, places for assisted living, hospitals, medical clinics, or medical service laboratories. (Amended 8/19/08)
- 4.2.6** Private educational institutions (Amended 8/19/08)
- 4.2.7** Age Restricted Housing, subject to the provisions of Section 3.17 of these Regulations. (Adopted 10/01/2000)

4.2.8 Adaptive Reuse Development subject to the provisions of Section 18a of these Regulations.
(Effective Date 9/1/14)

4.3 MINIMUM LOT FRONTAGE AND WIDTH

No lot in this district shall have less than 85 feet frontage on a public street, and each lot shall be at least 100 feet in width at the building line

4.4 MINIMUM SETBACKS

4.4.1 Front Yard - 50 feet, except when lots front a State Highway, the minimum setback shall be 75 feet.

4.4.2 Side Yard - 20 feet.

4.4.3 Rear Yard - 50 feet.

4.5 BUILDING COVERAGE (amended 6/15/03)

The aggregate building coverage on any lot in this district shall not exceed 25% of the total area of said lot, except that the Commission may, by special permit, allow an increase in coverage for existing Nursing Homes up to 35% where such expansion is for the purpose of creating private rooms, there is no increase in beds, and all patient beds are accessible at ground level. Section 23.9.1 shall not apply in the case of an application for a building coverage exception.

4.6 MAXIMUM BUILDING HEIGHT

No building in this district shall be constructed, reconstructed, extended, enlarged, moved, or altered in any way so as to have a maximum building height in excess of 35 feet, except as provided in Section 3.6 of these regulations.

4.7 OFF-STREET PARKING

Off-street parking spaces shall be provided for each lot within this district in accordance with the provisions of Section 20 of these regulations.

4.8 SIGNS

All signs erected within this district shall conform to the requirements of Section 21 of these regulations.

4.9 ENVIRONMENTAL PROTECTION

No development shall be undertaken on any lot within this district nor shall the existing character, including vegetation and topography, be disturbed from its natural state except in accordance with the provisions of Section 25 of these regulations.