

DATE: 5-4-21 FEE: \$ 560⁰⁰ APP V# 21-07

APPEAL TO THE ZONING BOARD OF APPEALS
OF THE CITY OF NORWICH

I, Alexander Gebbie, Member of Ever Real Properties, LLC of 194 Fitchville Road, Bozrah, CT 06334
(Mailing address)

the undersigned, do hereby appeal to the Zoning Board of Appeals of the City of Norwich.

1. Nature of appeal: VARIANCE USE PARKING SITE PLAN

2. Location of property Myrtle Drive, Norwich, CT

Owner Estate of Margaret Stanley

Tax map 41 Block 1 Lot 5 Zone District BP

Recorded in Norwich land records Volume 2984 Page 103

Located within 500' of another municipality? No Yes Please Specify: _____

3. Variance requested: Please See Attached

4. Grounds for Appeal (Hardship)

Hardship: A peculiar or unique feature of a particular piece of property that prevents the landowner from making a reasonable use of the property in conformance with the existing zoning regulations. A hardship has nothing to do with the personal circumstances of the landowner. The fact that the owner might be able to make a more profitable use of the land if it were not for the zoning regulations does not equate to hardship. Proof of a true hardship is a legal requirement for a Zoning Board of Appeals to Issue a variance.
Please See Attached

Dated at Norwich, Connecticut this 30th day of April, 2021

Alexander Gebbie
Applicant or owner

[Signature]
Owner (if not applicant)
Executor

phone # _____



USE VARIANCE FOR MYRTLE DRIVE

VARIANCE REQUESTED

Request relief of ZR 4.1.1 to permit use of the subject property for development of up to 80 apartments in the Business Park Zone.

GROUNDINGS FOR APPEAL

The subject properties are the remaining parcels from the original property that was developed by William Stanley. The original parcel was subdivided and became St. Jude Common, Cambridge Estates and the Fed Ex Warehouse building. The property originally fronted on Wisconsin Avenue. Except for the Fed Ex warehouse which is directly off Wisconsin Avenue, St. Jude Commons and Cambridge Estates are set back off Dominican Drive and Oxford Drive, which were roads created as part of the subdivision. The properties which are subject of this request are set back off of Dominican Drive and Myrtle Drive and are the remaining lots from the subdivision.

When first subdivided in 1997, the land was owned by Margaret Stanley. The subdivision plan, filed as plan #344 reflected that the land was located within an IP (Industrial Park) zone. The plan further shows that uses within this subdivided land included multifamily uses including St. Jude Commons. Thus, it would appear that residential use was permitted. It further shows future multi-family development within the subdivided property. See a copy of Plan #344 attached as Exhibit A. Multi-Family is no longer permitted since the revision to the zoning ordinances and creating the Business Park Zone from what used to be the Industrial Park Zone. However, the subject properties have remained undeveloped.

In reviewing the location and topography of the property, the property is well off of Wisconsin Avenue offering limited visibility, offers little frontage onto either Myrtle Drive or Dominican Drive; and the property has a relatively steep topography. Applicant believes that, as a result of these conditions, the property has limited potential for commercial development. Further the location of the properties is within a residential development, although within the Business Park zone. Given the limitations for commercial development, the logical development of these properties is for a residential use, compatible with the existing residential communities. The applicant would propose to build a multi-family development of not more than 80 units and to comply with the requirement of the MF zone.

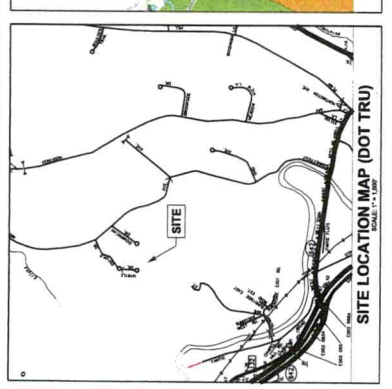
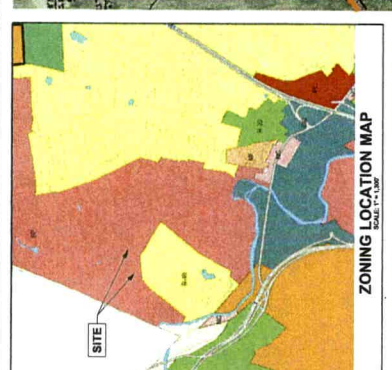
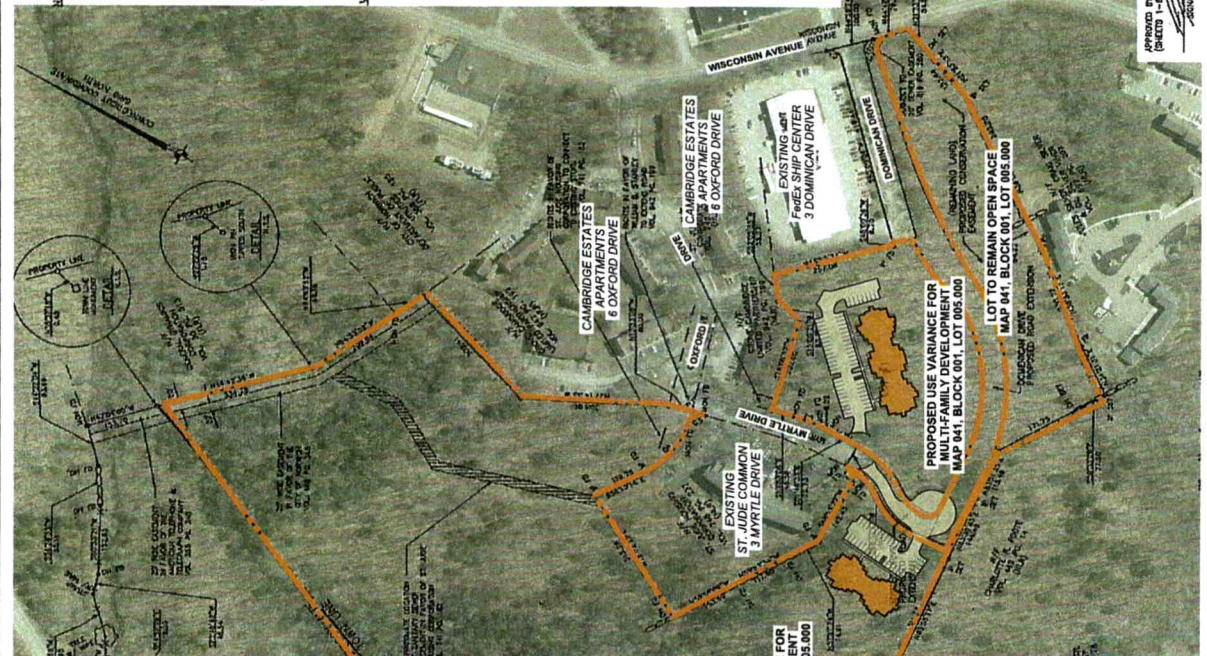
In short, the hardship present is that the properties in question are the remaining properties located within a residentially developed area, situated in the Business Park zone, which no longer permits the continued residential development, and is not reasonably developable for commercial purposes. These are conditions that are present by virtue of the circumstances of development and rezoning justifying the granting of a use variance.

NOTES:

1. SUBDIVISION: MARGARET STANLEY MORTGAGE CONVEYANCE OCCUR
2. SITE IS LOCATED IN ZONE R.
3. ON GREAT PROPERTY RECORDS IS MADE TO THE TOWN OF FRAMINGHAM LAND RECORDS VOL. 020 P. 152.
4. TOTAL AREA OF SUBDIVISION = 3.17 ± ACRES.
5. THE PROPOSED DEVELOPMENT IS TO BE CONFORMED TO THE CONTAINING SHOWN CORRECTLY WITH THE MAPPING STANDARDS.
6. ALL EXISTING UTILITIES TO BE ACCURATELY LOCATED AND DEPICTED ON THE PLAN. CALL BEFORE YOU DIG 1-800-322-4445.
7. LOT TO BE DIVIDED BY EXISTING SHANTY AND ADJACENT TO BE REDEVELOPED.
8. IF RELATING IS NECESSARY, A PRELIMINARY SURVEY WILL BE REQUIRED.
9. UTILITIES ARE TO BE INSTALLED AS REQUIRED BY THE NORTHERN DEPARTMENT OF PUBLIC UTILITIES.
10. THESE PROVISIONS PERTAIN TO APPROVED - 6/27/22.

MAP REFERENCES:

1. PLAN OF TOWN LINE BOUNDARY NORTHERN AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.
2. TOWN CHARTER, TOWNSHIP AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.
3. TOWN CHARTER, TOWNSHIP AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.
4. TOWN CHARTER, TOWNSHIP AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.
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9. TOWN CHARTER, TOWNSHIP AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.
10. TOWN CHARTER, TOWNSHIP AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.
11. TOWN CHARTER, TOWNSHIP AND TOWNLINE DRIVE AS SET BY THE TOWN CHARTER & PLANS, 1913.



SCALE: 1" = 100'
 PROJECT NUMBER: 0000 - 010
 CONTACT INFORMATION:
 YRC CONSULTANTS, LLC
 100 WINDSOR AVENUE
 LEBANON, CONNECTICUT 06240
 Phone: (860) 881-1111
 Fax: (860) 881-1112
 Email: info@yrcconsultants.com

EXHIBIT

Sub 344

MARGARET STANLEY
 ZONING DISTRICT R - PREPARED FOR
 SUBDIVISION PLAN #344
 WISCONSIN AVENUE, DOMINICAN DRIVE & MYRTLE DRIVE
 NORWICH, CONNECTICUT

BOUNDARY

RECEIVED
 PLANNING DEPARTMENT
 FEB 11 2022
 RECEIVED FOR FILE
 SHARON M. DEW
 TOWN CLERK
 NORWICH, CT

APPROVED BY THE COMMISSIONER OF THE CITY PLAN
 (SHEETS 1-5 OF 6)
 DATE: 6/27/22
 SIGNATURE: [Signature]

MAP INFORMATION
 SHEET: 7 OF 07
 CITY OF CT
 DATE: 6/27/22
 REVISION: 01

REVISION SUMMARY

MYRTLE DRIVE MULTI-FAMILY DEVELOPMENT
 EVER REAL PROPERTIES, LLC - APPLICANT
 ZONING USE VARIANCE - CONCEPT LAYOUT
 MYRTLE DRIVE NORWICH, CT

Exhibit A

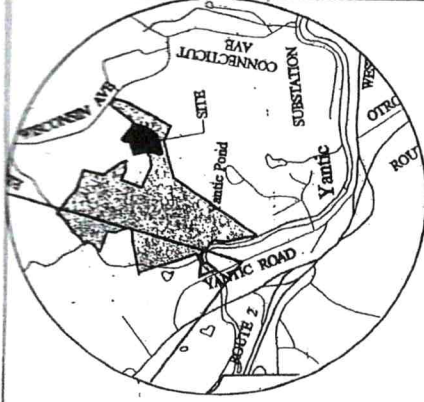
REVISIONS
1/1/97
CPK
CHANDLER, PALMER & KING
110 BROADWAY, NEW YORK, NY 10038
Architects, Engineers and Surveyors

TOPOGRAPHY
WISCONSIN AVENUE, DOMINICAN DRIVE & MYRTLE DRIVE
MARGARET STANLEY
ZONING DISTRICT IP - PREPARED FOR
SUBMISSION PLAN #344

344

DATE: 7/9/97
SCALE: 1"=40'

SHEET
2 OF 6

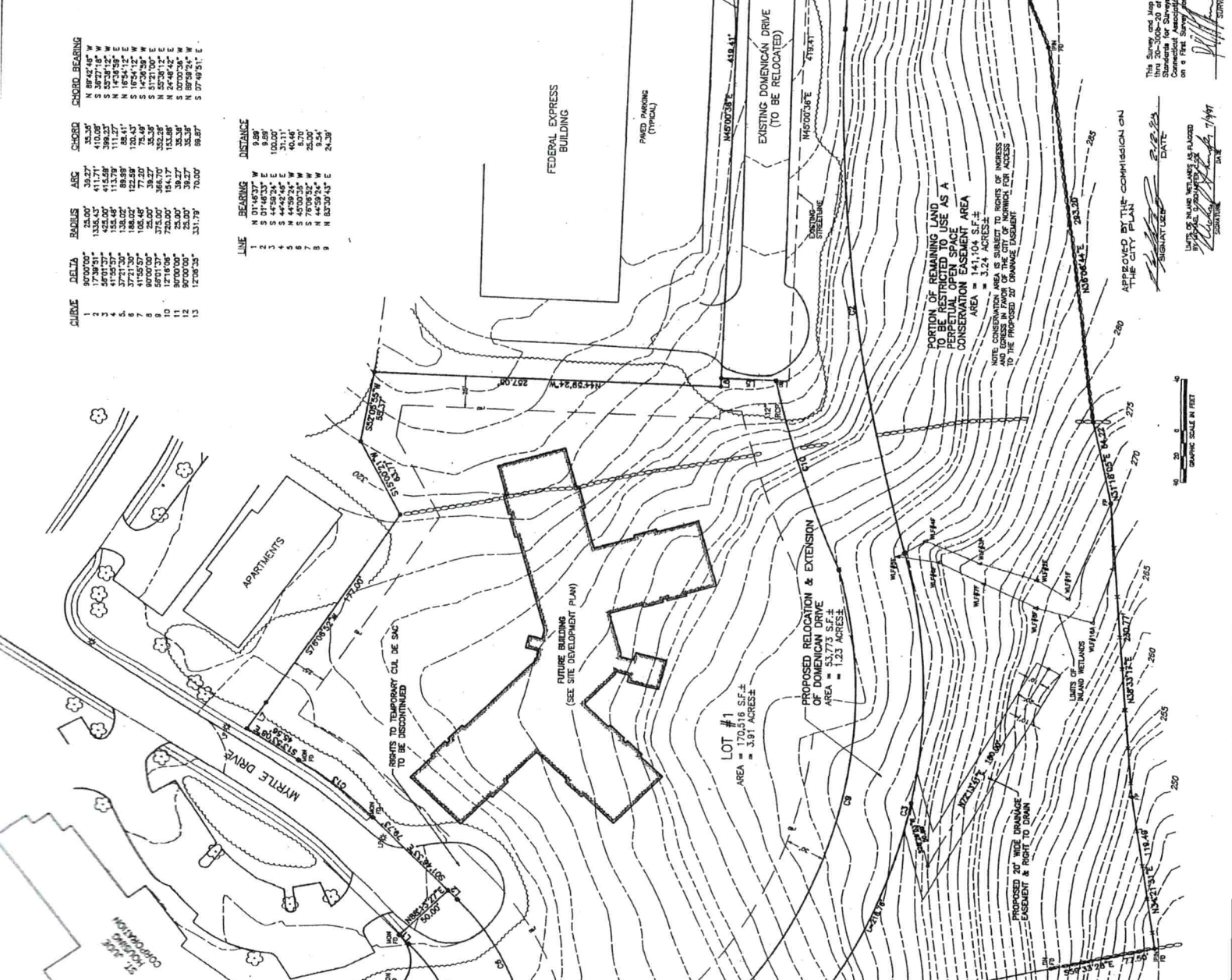


LOCATION MAP
GRAPHIC SCALE IN FEET



CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEARING
1	90°00'00"	25.00'	39.27'	39.27'	N 89°42'46" W
2	17°11'35"	135.53'	411.27'	410.08'	S 39°27'18" W
3	47°50'37"	153.45'	113.79'	111.27'	N 14°33'55" E
4	41°35'37"	138.02'	88.89'	88.41'	N 16°54'12" E
5	37°21'30"	108.46'	72.50'	72.45'	S 19°54'12" W
6	41°45'37"	138.02'	88.89'	88.41'	S 19°54'12" W
7	90°00'00"	25.00'	39.27'	39.27'	S 51°31'00" E
8	17°11'35"	135.53'	411.27'	410.08'	N 59°26'12" E
9	47°50'37"	153.45'	113.79'	111.27'	S 29°46'52" E
10	41°35'37"	138.02'	88.89'	88.41'	N 59°26'12" E
11	37°21'30"	108.46'	72.50'	72.45'	S 29°46'52" E
12	90°00'00"	25.00'	39.27'	39.27'	N 59°26'12" E
13	12°08'35"	331.79'	70.00'	69.87'	S 27°48'51" E

LINE	BEARING	DISTANCE
1	N 31°45'33" W	9.88'
2	S 01°45'33" E	100.00'
3	S 44°59'24" E	21.11'
4	N 44°59'24" W	8.70'
5	S 45°00'38" W	8.70'
6	S 78°58'32" W	25.00'
7	N 11°51'12" E	1.41'
8	N 83°30'43" E	24.38'



RECEIVED
FEB 11 1998
PLANNING DEPARTMENT
The Survey and Map has been prepared in accordance with Sections 36-250a-1 thru 20-300b-20 of the Regulations of Connecticut State Agencies. Minimum Accuracy for Survey and Maps in the State of Connecticut as endorsed by the Connecticut State Survey Commission. This Survey is based on a First Survey conforming to Horizontal Accuracy Class 40.

APPROVED BY THE COMMISSION ON THE CITY PLAN
SUBMITTER
DATE: 7/9/97
REGISTERED T.O.

GRAPHIC SCALE IN FEET