

Application to Zoning Board of Appeals

108 Pennsylvania Avenue, Niantic, CT 06357
Telephone: (860) 691-4114 Fax: (860) 691-0351

CK#
313

APPLICATION MUST BE FILLED OUT COMPLETELY IN INK AND BE ACCOMPANIED BY NINE COPIES OF ALL ITEMS LISTED ON THE CHECKLIST BELOW AND A FEE OF \$360.00 PAYABLE TO "TOWN OF EAST LYME".

ALL PERTINENT QUESTIONS MUST BE ANSWERED. WHERE ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH A SEPARATE SHEET OF PAPER. WHERE ILLUSTRATIVE MATERIAL IS NEEDED, PLEASE ATTACH A FLOOR PLAN, SKETCHES, PHOTOS, OR OTHER ILLUSTRATIVE MATERIAL TO ENSURE COMPREHENSION OF ALL CIRCUMSTANCES.

Applicant Name: Joseph + Gina Beaudoin
Address: 14 Center Rd Niantic
Phone Number: (860) 334-5063 (J) 860-334-6085 Email: jbbeaudoin06@gmail.com

Property Owner's Name: Joseph and Gina Beaudoin
Address: 14 Center Rd Niantic

AFFECTED PROPERTY INFORMATION:

Street Address of Affected Parcel: 14 Center Rd Niantic
Zone: R10 Assessor's Map Number: _____ Lot Number: 15

Is affected property within 500 feet of Town Line? Yes No

Has any previous variance request or appeal relative to this property been filed with the Zoning board of appeals? Yes No

If Yes, was the variance request granted or denied? _____

Describe how the front, side and rear property boundaries were determined? Do you have an A-2 Survey?
A-2 SURVEY

Approved/Denied _____	Date: _____
Signed: _____	
Comments: _____	

narrative



Variance request for 14 Center Rd., Niantic, CT property of Gina and Joseph Beaudoin

According to Fuller's Land Use Law And Practice, municipalities having established zoning board of appeals have comparable provisions, section 8-6(a)(3), allowing the board to vary the application of zoning ordinance or regulations, consistent "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 affecting generally the district in which it is situated, a literal enforcement of such bylaws, ordinances or regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and and the public safety and welfare secured.*

The existence of the variance power recognizes the zoning regulations which permit some uses of land and limit or prohibit others will adversely affect individual property rights in some cases, and variances furnish elasticity in the application of the regulations so they do not operate in an arbitrary and therefore, unconstitutional manner.**

The parcel of land in question has a unique hardship. The property was parceled out in 1922 well before current zoning regulations were enacted. The lot is currently zoned R10. Strict application of this ordinance is a 10,000 sf lot, with front and back setbacks of 30 feet and side setbacks of 12 feet, with a building footprint coverage allowance of 25% or 2,500 sf. The actual lot is 5,683 sf and the 1,022 sf dwelling built in 1950 has preexisting non complying setbacks on the north side.

The municipality created the hardship by imposing R10 zoning restrictions on a preexisting non conforming parcel, therefor restricting reasonable use of property. The variance request is to increase the land use to 28.7% and extend the current non conforming setback an additional 28 feet.

Granting this variance would be consistent with the spirit, purpose and intent of the current zoning ordinance. The addition would be in harmony with the current esthetics of the community and conserving the property values. The requested land use is not excessive or gross overdevelopment of the area and there would be no significant detrimental effect on the overall zoning plan or neighborhood.

*9:1 Land Use Law and Practice, policy behind variances and limitations on granting them

** Reid v. Zoning board of appeals of Town of Lebanon 235 Conn. 850, 855, 670 A2d 1271, 1274 (1996), quoting this text. Florentine v. Town of Darien 142 Conn. 415,425,115 A.2D 328, 332 (1955).

Return to:

Gina & Joseph Beaudoin
14 Center Rd
East Lyme, CT 06333

WARRANTY DEED - STATUTORY
SURVIVORSHIP

KNOW YE, THAT WE, BRIAN WOLF and JILL ANN WOLF, both of East Lyme,
Connecticut, for the consideration of \$200,000.00 received to our full satisfaction of JOSEPH
BEAUDOIN and GINA BEAUDOIN, both of Norwich, Connecticut, do give, grant, bargain, sell
and confirm unto the said JOSEPH BEAUDOIN and GINA BEAUDOIN

AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND WITH WARRANTY
COVENANTS, all that certain piece or parcel of land described as follows:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

**Grantors hereby reserve to themselves, or the survivor of them, a Right of First Refusal in
the event Grantees receive any offer for the purchase of the property. Grantors will have
the first right to purchase the property on the same terms and conditions as offered by a
third party.**

CONVEYANCE TAX RECEIVED
STATE \$ 1500.00
TOWN \$ 500.00
EAST LYME, CT TOWN CLERK

**Grantees will provide written notice to Grantor within 15 days from the receipt of the
offer, and Grantors will have 15 days from said notice to either terminate this Right of
First Refusal or sign a Purchase and Sale Agreement with Grantees under the same terms
and conditions of the original offer.**

Being the same premises conveyed to the Grantors herein by deed at Volume 992, Page 123.

SCHEDULE A PROPERTY DESCRIPTION 43
INST: 00002535

That certain tract or parcel of land, together with the buildings and improvements thereon in the Town of East Lyme, County of New London and State of Connecticut, known as 14 Center Road, known as Lot #14 and a westerly portion of Lot #15 on a plan entitled "Revised Plan of Building Lots owned by the Estate of George S. Smith, East Lyme, Conn., original survey and layout by Chandler and Palmer, June 1922, revised layout by Daboll and Crandall, April 1925, Scale 1 inch equals 40 feet, on file in the East Lyme Town Clerk's Office, said lot lying on the east side of Center Road, bounded and described as follows:

NORTH by Lot #17 on said plan;

EAST by Lot #15 on said plan, forty-nine (49) feet and eleven (11) inches;

SOUTH by land now or formerly of Sarah E. Fowler, one hundred twenty (120) feet and five (5) inches;

WEST by Center Road, as shown on said plan, fifty (50) feet;

Said premises consist of the original Lot #14 conveyed to Laurie Reeves and described in a warranty deed dated May 10, 1960 by Henrietta B. Gaudreau and recorded in Volume 86, Pages 15 and 16 of the East Lyme Land Records, plus a portion of Lot #15 conveyed to Laurie Reeves and described in a quit claim deed dated August 26, 1974 by Rose Wooldridge and recorded in Volume 153 Page 60 of the East Lyme Land Records.

Said premises are marked at the southeasterly, southwesterly and northwesterly corners by merestones, and at the northeasterly corner by an iron pipe set in the ground.

TOGETGER WITH beach rights as set forth in a Deed recorded May 20, 1937 in Volume 33, Page 452 and a Deed recorded October 17, 1939 in Volume 41, Page 12, both of the East Lyme Land Records.

FURTHER TOGETHER WITH a Right of Way Easement in favor of Edward J. Gaynor dated November 17, 2017 and recorded December 7, 2017 in Volume 990, Page 493 of the East Lyme Land Records.

RECEIVED FOR RECORD
Jul 22, 2021 03:16:18P
Karen Miller Galbo
TOWN CLERK
EAST LYME, CT



Town of East Lyme

Zoning Board of Appeals

PO Box 519
Niantic, CT 06357
(860) 691-4114

Account number: D20698
Vendor number: 55555

March 8, 2023

The New London Day
E-mail: legal@theday.com
52 Eugene O'Neill Drive
New London, CT 06320

Please publish this ad on March 14, 2023 and March 24, 2023

**TOWN OF EAST LYME
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

East Lyme Zoning Board of Appeals will hold a Public Hearing March 27, 2023, at 7:00 p.m. at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut to hear the following applications:

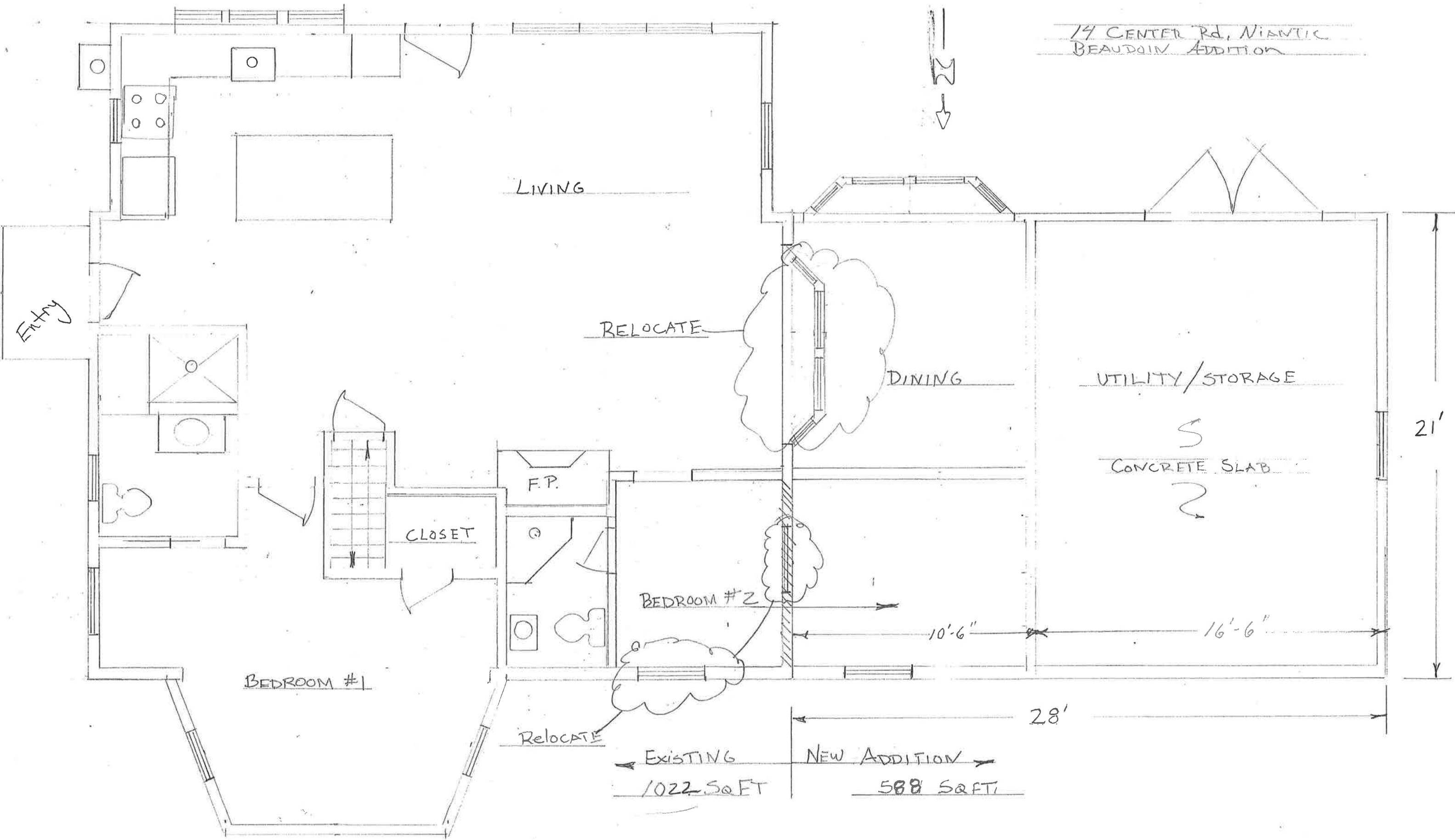
1. East Lyme Zoning Board of Appeals Case 1-2023 Application of Joseph and Gina Beaudoin, Owners, for a variance of the East Lyme Zoning Regulations Section 7.3.3 for Setback and Section 7.3.4 for Lot Coverage for property located at 14 Center Rd. Said parcel appears on the East Lyme Assessor's Map 22.18 Lot 15.

A copy of this application is available for public review in the Town Clerk and Land Use offices, as well as the Town website.

Steve Carpenteri
Chairman

RECEIVED FOR RECORD
EAST LYME, CT
2023 MAR -9 A 10:28
Karyn Miller
TOWN CLERK

14 CENTER Rd, Niantic
BEAUDOIN ADDITION



LIVING

RELOCATE

DINING

UTILITY/STORAGE

CONCRETE SLAB

F.P.

CLOSET

BEDROOM #2

BEDROOM #1

Relocate

EXISTING

NEW ADDITION

1022 SQ FT

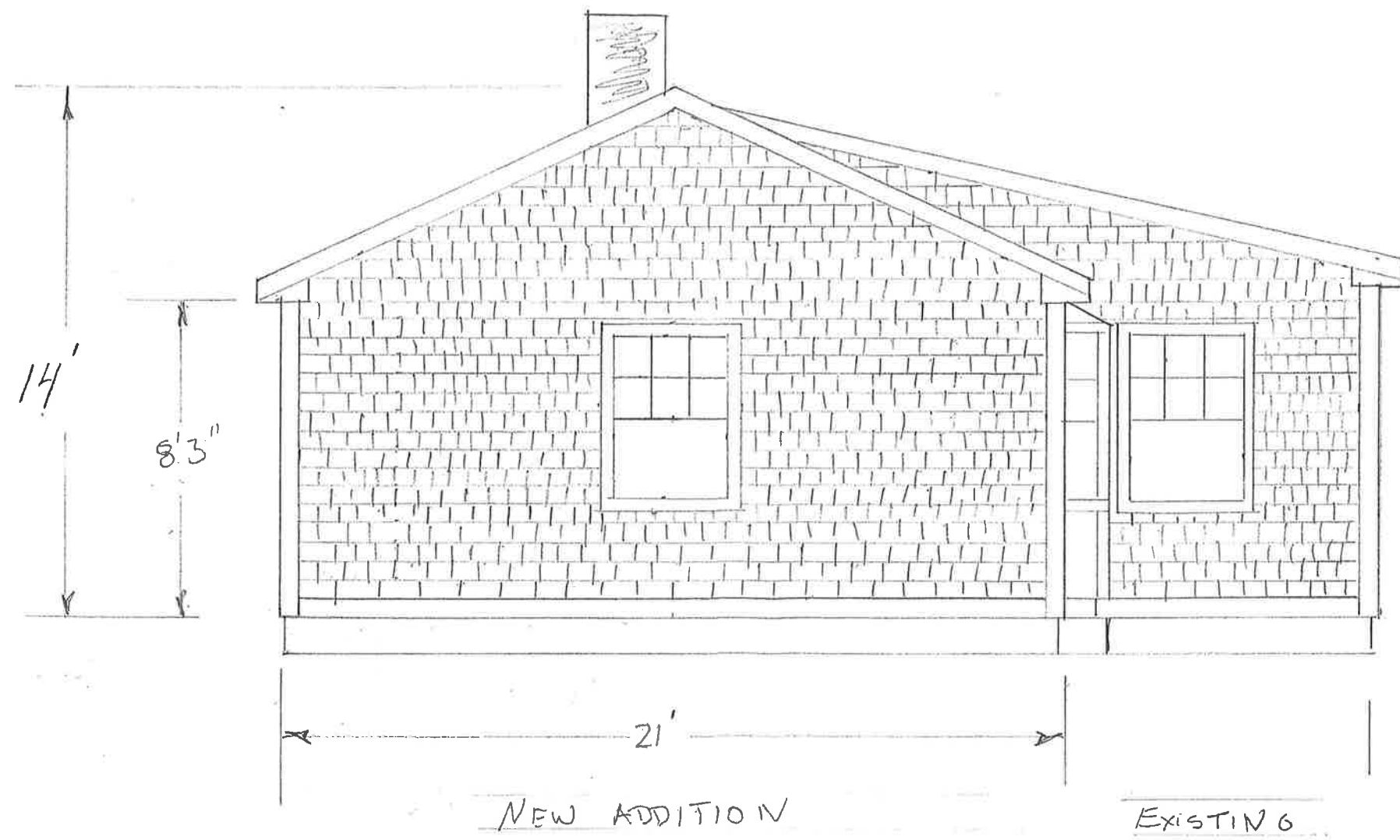
588 SQ FT

28'

21'

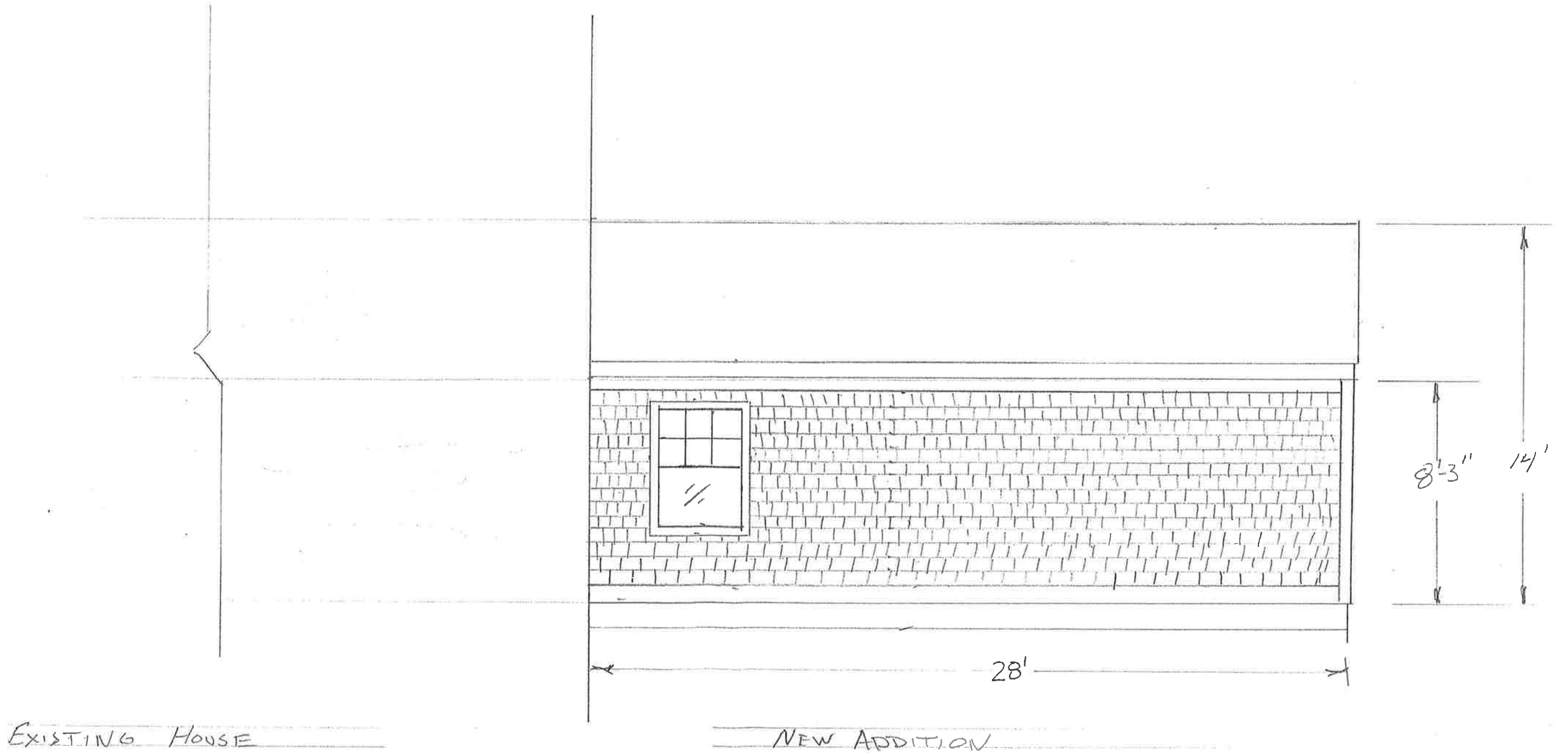
SCALE 1/4" = 1'

14 CENTER ROAD, NANTIC
BEAUDOIN ADDITION
WEST ELEVATION



SCALE 1/4" = 1'

14 CENTER Rd, Niantic
BEAUDOIN ADDITION
NORTH ELEVATION

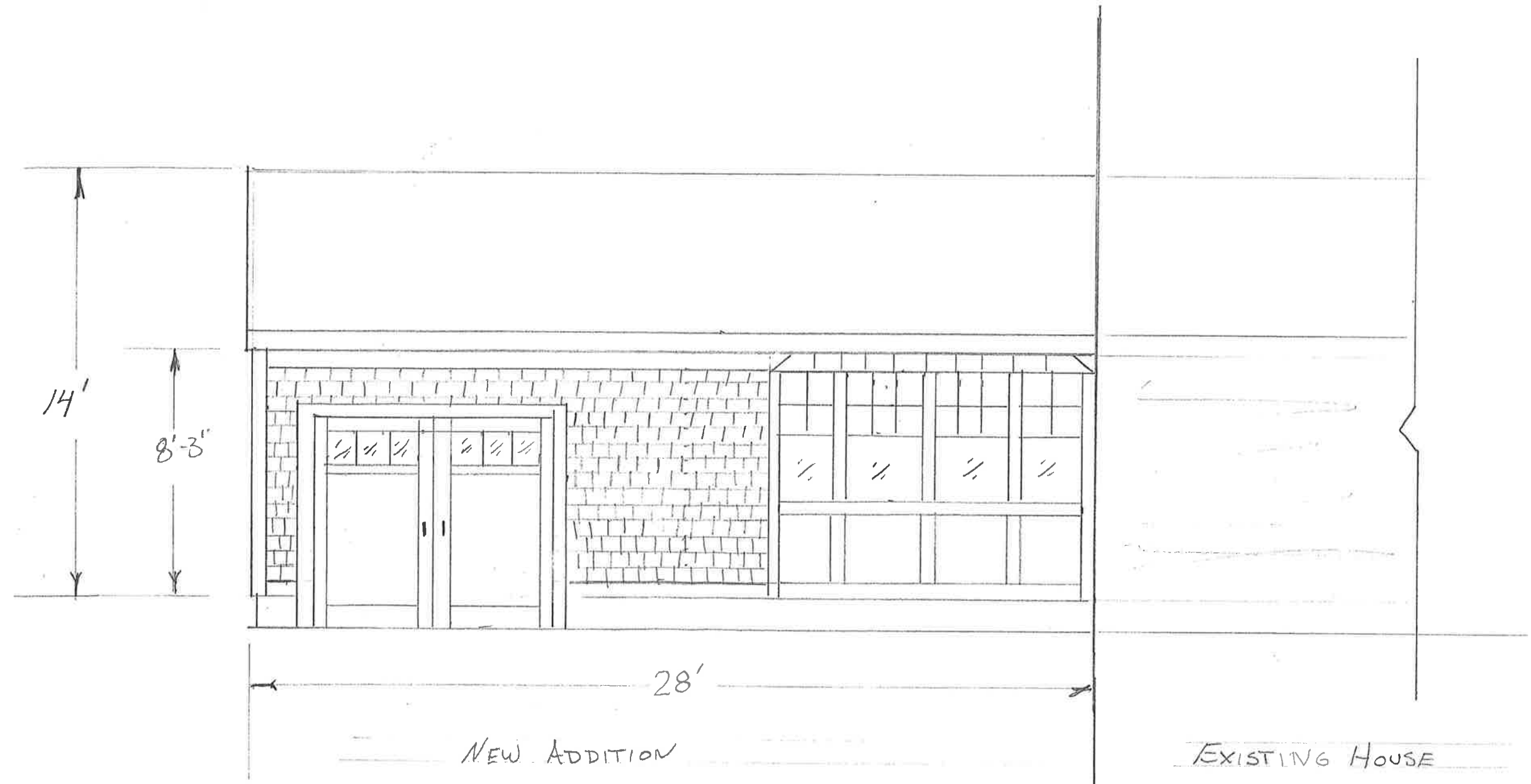


EXISTING HOUSE

NEW ADDITION

SCALE 1/4" = 1'

14 CENTER RD, NANTIC
BEAUDOIN ADDITION
SOUTH ELEVATION



NEW ADDITION

EXISTING HOUSE

SCALE 1/4" = 1'