

APPLICATION FOR APPEAL OR VARIANCE
MONTVILLE ZONING BOARD OF APPEALS

Name of Owner(s) Ryan Dehler Application # 220 ZBA 2

Name of Applicant(s) Ryan Dehler Date Submitted 9/11/2020

CK # 39383
570.00

Mailing Address P.O. Box 652, Baltic, Connecticut 06330

Tel # (860) 608-0846 Cell # (860) 608-0846 Business # (860) 608-0846 Zone LI

Street Address of Property 1384 Hartford-New London Turnpike (Route 85)

Assessor's Map # 006 Lot # 021-000 Email Address ryan@centerlinect.com

Is Property in question within **500 feet** of the Town Line? Yes No

Please List The **Names And Addresses** of the Adjacent, Abutting, etc. Property Owners below (attach an additional sheet if needed):
SEE ATTACHED LIST

The Applicant's **Reason** for Submitting This Application (Check One):

- _____ (1) There is an Error in an Order, Requirement, or Decision made by the Zoning Enforcement Officer.
- X (2) The Applicant seeks a Variance in the Application of the Zoning Regulations.
- _____ (3) Other, Describe _____

The **Decision** which is being Appealed, or the Section(s) of the **Zoning Regulations** from which a Variance is Requested:
Section 11.6.2

The Applicant **Requests** the Board to take the following action:

Grant a 25' side yard setback variance to allow the construction of a proposed industrial building within 5' of the westerly side lot line of the property located at 1384 Connecticut Route 85.

The Nature of the Unusual Hardship or Exceptional Difficulty existing with regard to the property is The property to the west was reserved for access from Lakewood Drive for the property to the north with the anticipation of the development of a shared driveway which was never memorialized by Village Development. The property was originally located in a manufacturing district at the time the lot was created which had a smaller side yard setback requirement.

Has any previous Appeal been filed in connection with these premises? No If so, when? _____

If the Applicant has Designated an Agent:

Name of Agent: Harry B. Heller Relationship: Attorney

Address: 736 Norwich-New London Turnpike, Uncasville, CT 06382 Phone No.: (860) 848-1248

I Certify that the information contained in this Application is true and correct and hereby authorize the Montville Zoning Board of Appeals and/or Zoning Enforcement Officer to enter upon the property in question for the purpose of inspecting the conditions described in this Application.

Date September 1, 2020 Applicant(s) _____

Ryan Dehler

This Space Reserved For the Board

Date Officially Received _____ Date of Public Hearing _____

Action by Board _____ Date _____



**APPLICATION OF RYAN DEHLER TO MONTVILLE ZONING BOARD OF
APPEALS
1384 HARTFORD-NEW LONDON TURNPIKE (ROUTE 85),
MONTVILLE, CONNECTICUT**

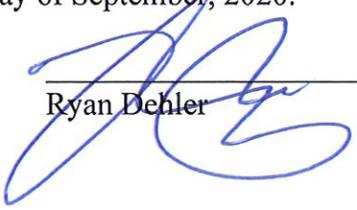
LIST OF ABUTTING PROPERTY OWNERS

Parcel Number	Property Address	Name and Mailing Address
002-005-000	1370 Route 85	State of Connecticut Capital Avenue Hartford, CT 06105
002-005-00B	2 Enterprise Lane	Topdog Enterprises LLC 87 Halls Hill Danielson, CT 06239
002-006-00B	15 Lakewood Drive	Lakewood Drive LLC 183 Quarry Road Milford, CT 06460
006-020-000	Route 85	City of New London Water Department 15 Masonic Street New London, CT 06320
006-022-000	1364 Route 85	Mr. Martin G. Gohn Mrs. Lara Gohn 1394 Route 85 Oakdale, CT 06370

AUTHORIZATION

I, Ryan Dehler, owner of property located at 1384 Hartford-New London Turnpike (Route 85) in Montville, Connecticut hereby authorize the law firm of Heller, Heller & McCoy to act as my agent in all proceedings before the Town of Montville Zoning Board of Appeals in conjunction with an application for a twenty-five (25') foot side yard setback variance to enable the development of a new industrial building on said premises in accordance with a plan entitled "Plan Showing Proposed Building and Driveway Improvements Property of Ryan Dehler 1384 Connecticut Route 85 Montville, Connecticut Scale: 1" = 20' July 2020" prepared by Dieter & Gardner Land Surveyors – Planners.

Dated at Montville, Connecticut this 1st day of September, 2020.



Ryan Dehler

HELLER, HELLER & McCOY

Attorneys at Law

736 Norwich-New London Turnpike

Uncasville, Connecticut 06382

Sidney F. Heller (1903-1986)
Harry B. Heller (hellermccoy@sbcglobal.net)
William E. McCoy (hhm-bill@sbcglobal.net)

Mary Gagne O'Donal (hhm-mary@sbcglobal.net)

Telephone: (860) 848-1248
Facsimile: (860) 848-4003

September 9, 2020

Town of Montville Zoning Board of Appeals
Attn: Mrs. Colleen Bezanson, Assistant
Planner
310 Norwich-New London Turnpike
Uncasville, CT 06382

Dear Colleen:

Please be advised that this office represents Ryan Dehler, the owner of property located at 1384 Connecticut Route 85, Montville, Connecticut. The property is located in the light industrial zoning district and is currently improved with an existing light industrial building. In order to facilitate our client's business, he needs to construct a second building to house manufactured siding which is a critical component of his business. His distributorship agreement requires that this material be stored in a building.

This lot was created prior to the comprehensive revision of the Montville Zoning Regulations which occurred circa 1986. The property was originally located in the manufacturing district, as defined by the original Montville Zoning Regulations and only required a 15' side yard setback. At the time that the lot was created, the adjacent lot to the north was provided with frontage on Lakewood Drive in order to promote access from Lakewood Drive to both lots. It was anticipated that both lots would share this driveway; however, a joint driveway easement agreement was never memorialized between the lot owners.

Our client is seeking a variance of the side yard setback requirement thereby reducing the side yard setback requirement from 30 feet to 5 feet along the westerly property line. In furtherance thereof, we hereby submit a variance application to the Town of Montville Zoning Board of Appeals. Submitted herewith and constituting the application for a variance of the requirements of Section 11.6.2 of the Montville Zoning Regulations are the following:

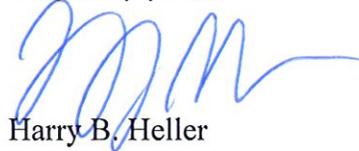
1. Original and nine (9) copies of the variance application.
2. Original and nine (9) copies of the list of abutting property owners, including property owners located directly across the street on Lakewood Drive and Connecticut Route 85.

3. Ten (10) prints of the site development plan entitled "Plan Showing Proposed Building and Driveway Improvements Property of Ryan Dehler 1384 Connecticut Route 85 Montville, Connecticut Scale: 1" = 20' July 2020 Dieter & Gardner Land Surveyors – Planners P.O. Box 335 1641 Connecticut Route 12 Gales Ferry, CT. (860) 464-7455 Fax (860) 464-5028 Email: dieter.gardner@yahoo.com".
4. Authorization signed by the applicant and the property owner authorizing the law firm of Heller, Heller & McCoy to represent his interests in all proceedings before the Town of Montville Zoning Board of Appeals with respect to the variance application.
5. A copy of our letter of even date herewith to the City of New London Department of Public Utilities.
6. A copy of our letter being forwarded contemporaneously herewith to the State of Connecticut Department of Public Health.
7. A check in the amount of \$510.00 payable to "Town of Montville" representing payment of the application fee in the amount of \$450.00 together with the State surcharge in the amount of \$60.00.

Request is hereby made that the Town of Montville Zoning Board of Appeals hold a public hearing on the variance application at its regularly scheduled meeting of Wednesday, October 7, 2020. Please forward to us, at your earliest convenience, the legal notice for the public hearing so that we may timely notify the abutting property owners.

Should you have any questions concerning the application, please feel free to contact the undersigned.

Very truly yours,



Harry B. Heller

HBH/rmb
enclosures