

Killingworth Zoning Board of Appeals
Regular Meeting, January 23, 2017
Page 1 of 2

1. Call to Order and Seating of Members

The Killingworth Zoning Board of Appeals held its regular meeting on Monday, January 23, 2017, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut. In attendance were Bruce Dodson, Charles Martens, Les Riblet, Brian Young, Matthew Young and John Himmelmann (non-seated alternate). Craig McBurney, applicant, was also present. Chairman Dodson called the meeting to order at 7:00 PM.

2. Public Hearing and Consideration of Application -

Craig M. McBurney (owner/applicant) seeking variance of Killingworth Zoning Regulation Section 500-44D(5) Side Setback for change of use in pre-existing legal nonconforming structure, having to do with property located at 19 Green Hill Road, Killingworth, Connecticut (Map 33, Parcel No. 12). Secretary Martens read the Legal Notice of Public Hearing into the record, said notice having been published in the Hartford Courant on January 10 and 17, 2017. Recording Secretary Brown noted the Certificates of Mailing to neighbors had also been received. Chairman Dodson introduced Board members and reviewed public hearing procedures.

Craig McBurney noted this was a distressed property which was for sale in March. They pulled all Town Hall records that were available and they couldn't find anything wrong with it. They put in an offer and it was accepted. Subsequently they found out the house was not worth saving so decided to convert the existing garage into a house. There was no septic or well information available at Town Hall.

Mr. McBurney noted they got a surveyor to update the map and discovered a corner of the garage was closer to the setback. Their plans included adding 8' to the north side of the slab and build 1½ stories. They will remove the existing house and move the shed off the front lawn.

Mr. McBurney indicated this property was neglected for a number of years and vacant for about 3 years. They are hoping to convert the garage into a horse barn style house and extend on to it. They would clean up the rest of the property and bring it into conformance.

There was nothing on the original building permit for the garage about the side setback. They couldn't find any records. The original owner intended to put the garage 31' from the property line as shown on the original plan, but they couldn't find any inspection reports that anyone ever checked on it.

Mr. McBurney noted the original surveyor was Hendricks and the 2002 survey was on file at Town Hall. They engaged the same surveyor to update the 2002 map to 2016. At that time, they advised the Land Use Department there was a problem with the setback. The corner of the garage was 29.2' from the side line.

McBurney also noted the neighbors garage was actually on his property. 19 and 21 Green Hill

Killingworth Zoning Board of Appeals
Regular Meeting, January 23, 2017
Page 2 of 2

Road were sold as one lot back in 1948 and then split later. Charlie Martens asked what happens with the driveway that goes through the McBurney property. McBurney noted they are working on that. The neighbor will relocate his driveway. There is plenty of room.

Mr. McBurney noted the property has a septic system, although not shown on the plan. That will be inspected tomorrow and brought up to code if necessary. The well location was reviewed.

Brian Young asked if there was any objection from the neighbor. Recording Secretary Brown noted nothing had been received.

McBurney noted the existing driveway will eventually be removed. The existing shed will be relocated.

There were no other questions from Board members so the public hearing was closed.

Brian Young noted this application seems pretty straight forward. Its about a 9' request. One building will be removed and the rest of the property cleaned up.

Matt Young noted there will be better road frontage view. This is also a better use of the land.

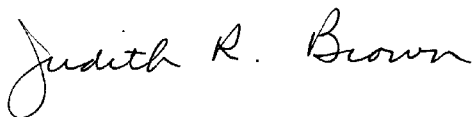
Motion by Martens, second by B. Young, to approve the variance for Craig McBurney, Killingworth Zoning Regulation Section 500-44D(5) Side Setback for change of use in pre-existing legal nonconforming structure, having to do with property located at 19 Green Hill Road, as the variance does not create any new hardship. It's a minor infraction of the side setback of less than one foot. Unanimously Approved.

3. Any Other Business – none.

4. Adjournment

Motion by Martens, second by Riblet, to adjourn at 7:25 PM. Unanimously Approved.

Respectfully submitted,



Judith R. Brown, Recording Secretary