

Legal Notice: Decisions of Zoning Board of Appeals

At its January 22, 2019 meeting the Zoning Board of Appeals voted to:

1. Modify the order of the zoning enforcement officer as follows: on the basis of the undisputed evidence presented at the public hearing and credited by the Board, the Fowler Development right-of-way meets the definition of a street under Section 02.19.11 of the Middlefield Zoning regulations, as it is a private thoroughfare that affords the principal access to abutting properties; as such, that portion of the boundary line where the easterly side of the 55 Lake Road property abuts that right-of-way constitutes the "street line" pursuant to Section 02.19.12, and hence that portion of the easterly boundary line is subject to requirement of Section 04.02.01 that buildings in the HD1 Lake Beseck zone are subject to a 30 foot "setback from street line." Accordingly, the 55 Lake Road property is subject to a 30 foot setback, limited to the width of the Fowler Development right-of-way, and measured from the point at which that right-of-way abuts the easterly side of the 55 Lake Road property and extending 30 feet in a westerly direction therefrom. That portion of the Fowler Development right-of-way that transects the 55 Lake Road property, however, does not meet the definition of a street under Section 02.19.11, and therefore is not subject to the requirements of Section 04.02.01.

Dated in Middlefield, Connecticut this 30th day of January, 2019.

Zoning Board of Appeals
Town of Middlefield, Connecticut

Christopher Champagne, Chairman