

July 1, 2024

To: The Zoning Board of Appeals

RE: ZBA #6694A

I am here to object to the 12 foot Side Setback Variance Jack Perry is seeking.

Being a 60 year resident of 169 Moore Hill Dr., and Jack Perry being my next door neighbor for 8+ years, I humbly request that you assess Mr. Perry's noted hardship examples stated on his application. **Please note: (State of Connecticut General Statutes Section 8-6) state that "Self-created hardship is not sufficient grounds for granting a variance."** The hardship examples as stated by Mr. Perry do not follow these guidelines. Furthermore, having 8 vehicles on an R-40 zoned building lot doesn't constitute a hardship. Having excess amounts of toys for children does not present a hardship either. As for having elderly family members residing on the premises, with the addition of 3 additional vehicles, does not constitute a hardship - rather a self-created hardship as defined.

Zoning requirements in this town were crafted to prevent misuse of property, as well as addressing more favorable living conditions; not to favor those whose influence demands recognition and special consideration. I appeal to the board to use better judgment and deny this applicant the variance he is seeking.

I am appalled by the lack of consideration on Jack Perry's part to encroach upon my property rights in extending his garage to within 12 feet of my property line. Not once over the last several months did Mr. Perry inform me of his intentions. It was not until June 15th that I discovered Mr. Perry's petition for major construction at 153 Moore Hill Dr. It was not until June 23rd - 2 days prior to the June 25th ZBA hearing - that Mr. Perry came to me with a "letter of approval" that he wrote for me to sign. Also, the ridgeline of his redesigned garage, to my understanding, would have an approx. height of 20 plus feet. This garage redesign would compromise my view, and encroach upon the 25 foot setback he is required to maintain. Furthermore, my bedrooms are within view of his garage and driveway. His garage redesign plan would extend to the 12 foot property setback line if granted.

Additionally, the support of the neighbors he solicited had little understanding of his intentions, as no site plans or illustrations were presented. The neighbors who wrote in with their support, I believe, did not fully understand how this side yard variance would affect me. Not one of them showed any concern for my rights under the protection of zoning regulations pertaining to side yard setbacks. None of his supportive neighbors were concerned, because the variance approval would not affect them or their property.

Mr. Perry has, in my opinion, compromised his status as a town official by not being forthright and open with me, assuming that I would approve and sign his pre-written approval letter to the Zoning Board that he presented to me to sign. A subsequent meeting with Mr. Perry to discuss the setback distance that I objected to resulted in him ignoring the issue and his willingness to compromise.

Mr. Perry, in my opinion, is claiming a hardship to which he is not entitled, simply because of his disregard of my property rights and his lack of adherence to the zoning regulations. I therefore, dispute his claim of hardship and encourage the board to deny his application for a side yard variance.

In conclusion, I see no reason to grant Mr. Perry a variance. However, should his application be approved, I will vehemently appeal the decision to the Superior court.

Thank you for your consideration and attention to this matter.

Sincerely,
Arlene Basarab
169 Moore Hill Dr.
Southington, CT 06489

Attachments: Copy of ZBA Definition of Hardship
 Copy of Applicants Application