1. 7/22/2026 ZBA Agenda

    Documents:

        ZBA AGENDA 7-22-26.PDF

2. ZBA 26-09 24 Fox Den Road

    Documents:

        ZBA 26-09 24 FOX DEN ROAD APPLICATION - REDACTED.PDF
        ZBA 26-09 24 FOX DEN ROAD SHED RENDERING.PNG
        ZBA 26-09 24 FOX DEN ROAD STAFF REPORT.PDF

3. ZBA 26-12 12 Springbrook Lane

    Documents:

        ZBA 26-12 12 SPRINGBROOK LN APPLICATION AND PLAN SET - REDACTED APPLICATION PACKET.PDF
        ZBA 26-12 12 SPRINGBROOK LN STAFF REPORT.PDF

Zoning Board of Appeals Regular Meeting
Wednesday, July 22, 2026, at 7:00 PM
Simsbury Town Hall – Main Meeting Room
933 Hopmeadow Street, Simsbury CT, 06070

AGENDA

I. CALL TO ORDER

1. Seating of Alternates

II. NEW BUSINESS

1. Public Hearings

- **ZBA #26-09**, An application of Jared and Jessica Rosenblatt, Owner, for a ± 27 sq.ft. variance from Section 3.9 of the Simsbury Zoning Regulations to reduce the front yard setback from 50' to 23' and a variance from Section 3.5 of the Simsbury Zoning Regulations to allow an accessory structure in the front yard at 24 Fox Den Road (Assessor's Map Block Lot D10 147 101) Zone R-40.

- **ZBA #26-12,** An application of Michael Gugliotti, Owner, for a ± 22' variance from Section 3.9 of the Zoning Regulations to reduce the side yard setback from 40' to 18' to install an AC unit at 12 Springbrook Lane (Assessor's Map Block Lot E14 114 008) Zone R-40.

III. APPROVAL OF MINUTES

1. May 27, 2026

IV. COMMISSION BUSINESS

V. ADJOURNMENT

ZONING BOARD OF APPEALS APPLICATION
TOWN OF SIMSBURY, 933 HOPMEADOW STREET, SIMSBURY, CT 06070

Application Number: 26-09 **Fee $** 240

RECEIVED
JUN 01 2026
TOWN OF SIMSBURY
PLANNING DEPARTMENT

Requested Action (please check appropriate box):

Variance ☑ **Appeal Decision of Zoning Official** ☐

Location of Property: 24 Fox Den Road
(number and street name)

Simsbury Assessor's Map Number _____ Block Number _____ Lot Number 101

Deed Volume Number_____Page Number_____(*property owner must supply copy of the deed*)

Applicant - Please Print the Following:

Name: Jared/Jessica Rosenblatt
Address: 24 Fox Den Road, West Simsbury CT
Email: [redacted] Telephone: [redacted]
Signature of Applicant: Jessica Rosenblatt **Date:** 5/24/26

Owner - Please Print the Following:

Name: Jared/Jessica Rosenblatt
Address: 24 Fox Den Road, West Simsbury CT
Email: [redacted] Telephone [redacted]
Signature of Owner: Jessica Rosenblatt **Date:** 5/24/26

Property is in Zone_____of (applicable section(s) Zoning Regulations _____

Describe the nature of your application, including the amount of variance requested:
requesting new shed to be placed in side yard (corner lot) outside of setback lines

Describe the specific hardship:
The reason for this request is due to the slope of our property. Properly landscaping the area to meet current requirements would involve a significant cost, including the need for a very tall retaining wall(s), along with concerr about potentially interrupting natural water flow. Additionally, the land on both sides of the property slopes inward and meets in a "V" shape, which further limits usable space and makes placement particularly challenging.

This application must be accompanied by required fee, site plan and any other information required by the Zoning Regulations, Building Code, or Rules of the Board. ***EACH APPLICATION SHALL INCLUDE A LIST OF NAMES AND ADDRESSES OF ALL ABUTTING PROPERTY OWNERS AND ALL PROPERTY OWNERS WITHIN 100 FEET OF THE SUBJECT SITE.*** ***One complete set of folded plans, supporting documents, and any correspondence must be submitted with the application. Pictures of the property and letters from the neighbors are very helpful. Applicant and/or Authorized Agent must attend meeting.***

NOTE: PICKUP YOUR PUBLIC HEARING SIGN WHEN APPLICATION IS SUBMITTED.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

06-01 2026 4270 CHECK 240.00

IMPORTANT

PLOT PLANS OR SURVEYS

ALL APPLICATIONS SHALL BE ACCOMPANIED BY A COMPREHENSIVE PLOT PLAN DRAWN TO SCALE BY A REGISTERED LAND SURVEYOR, SHOWING THE LOCATION OF ALL BUILDINGS LOCATED ON THE PREMISES. THE PLOT PLAN SHALL ALSO SHOW (DRAWN TO SCALE BY A REGISTERED LAND SURVEYOR) THE LOCATION OF ANY PROPOSED ADDITIONS TO EXISTING BUILDINGS OR THE LOCATION OF ANY PROPOSED SEPARATE BUILDINGS. ALL DETAILS PERTAINING TO THE APPLICATION, INCLUDING ALL DIMENSIONS NECESSARY TO RENDER A DECISION ON THE APPLICATION, SHOULD BE SHOWN ON THE PLOT PLAN.

12. **DECISIONS**: The applicant shall present to the Board the conditions especially affecting the land or structure for which the variance is sought. The conditions must relate to such land or structure and not to the personal or financial circumstances of the applicant. The conditions must be such that a strict enforcement of the Zoning Regulations present a hardship to such land or structure, which hardship deprives the applicant of a reasonable use of such land or structure. The applicant must show that the conditions do not generally affect the area in which such land or structure is situated and have not resulted from any act of the applicant or his predecessor in title subsequent to the enactment of the requirements of the Zoning Regulations. The applicant must show that the granting of the variance will not be detrimental to public health , safety, convenience, welfare, and property values. In approving an application, the Board may require such restrictions and conditions that the Board feels are necessary to meet the above criteria. All decisions of the Board are made at a public meeting.

13. **NOTIFICATION**: Applicants will be notified of the Board's decision by certified mail. If the Board has approved an application for a variance, the applicant will receive a Certificate of the decision signed by the Secretary of the Board.

14. **EFFECTIVE DATE**: A variance or decision of the Board will not become effective until 15 days after the decision has been published in a newspaper having a general circulation. The applicant is also required to record his Certificate in the Simsbury Land Records in the office of the Town Clerk. It is recommended that no building permit be issued by the Building Inspector until the above conditions are satisfied.

15. **RE-SUBMISSION**: The Board is not required by the Connecticut General Statutes to hear any application for the same variance or substantially the same variance for a period of six months after a decision. A resubmitted application may be heard sooner than 6 months at the Board's discretion.

16. **WAIVER OR AMENDMENT OF RULES**: These rules may be waived or amended at any regular or special meeting of the Board by affirmative votes of at least four (4) voting members. A copy of these rules any amendments shall be filed in the office of the Town Planner and copies shall be provided to applicants.

17. **APPEALS FROM RULINGS**: An appeal may be taken by any persons aggrieved by a decision of the Board in accordance with Connecticut General Statutes.

18. **CONNECTICUT GENERAL STATUTES**: All applicable Connecticut General Statutes are made part of these rules. Should any amendments or new statutes conflict with these rules, the requirements of the Connecticut General Statutes will take precedence.

ADOPTED: September 15, 1981
Revised April 25, 1990
Revised January 23, 1991
Revised November, 18, 2009
Revised May 24, 2023
Revised December 16, 2024

NOTICE TO APPLICANTS

THIS AFFIDAVIT IS REQUIRED FOR ALL APPLICATIONS REQUIRING A PUBLIC HEARING BY THE ZONING COMMISSION OR THE ZONING BOARD OF APPEALS.

NOTE: PUBLIC HEARING SIGNS MUST BE POSTED ON THE SUBJECT PROPERTY 15 DAYS PRIOR TO THE PUBLIC HEARING DATE.

THIS FORM (*SIGNED AND NOTARIZED*) MUST BE PRESENTED AT THE PUBLIC HEARING.

AFFIDAVIT

STATE OF CONNECTICUT)
Ss:
COUNTY OF HARTFORD)

I, Jessica Rosenblatt (Applicant) of West, Simsbury CT (City, State)

Being duly sworn, make oath and say that I have maintained sign(s) as required by the Simsbury Zoning Regulations, stating that either a Zoning application or a Zoning Board of Appeals application is pending for the following property:

24 Fox Den Road
(Location of Property)

DATE: 5/24/26

Jessica Rosenblatt
(Signature of Applicant)

Jessica Rosenblatt
(Type or Print Name of Applicant)

Subscribed and sworn to before me this_____day of_____, 20__

(Notary Public)

My Commission Expires on _____

HAROLD R. SANDERSON, C. E. & L. S. BLOOMFIELD, CONN.

BY R.C.B. DATE 10-10-67 SUBJECT SURVEY — LOT 101 SCALE 1" = 40'

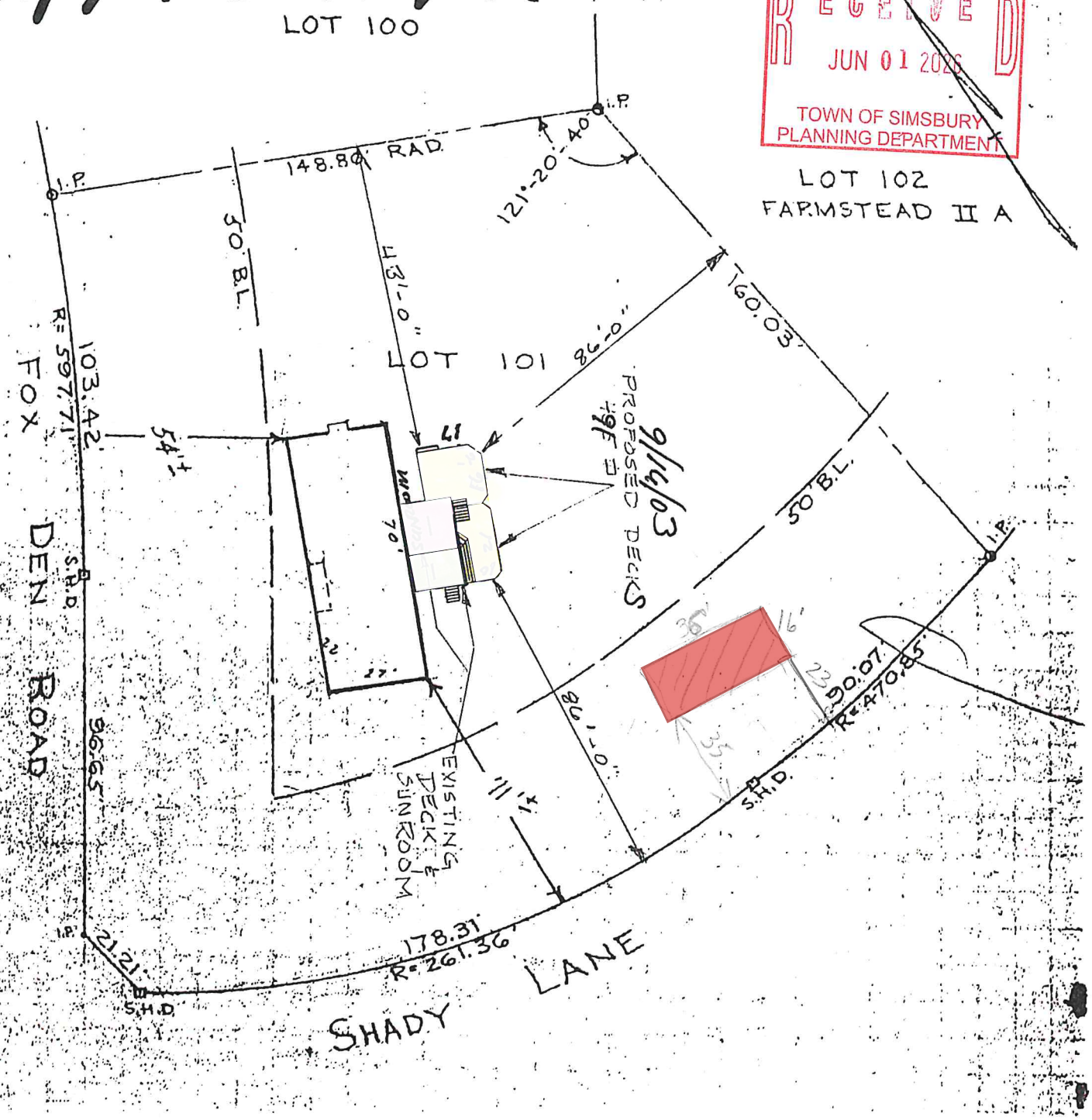
FdM CHKD. BY DFW DATE 3-5-68 FOX DEN ROAD & SHADY LANE JOB FARMSTEAD II

SIMSBURY, CONN.

Fleming #2815 C.O.

21 Fox Den Rd

RECEIVED
JUN 01 2026
TOWN OF SIMSBURY
PLANNING DEPARTMENT



THIS SURVEY IS CERTIFIED TO BE SUBSTANTIALLY CORRECT. NO ZONING REGULATIONS ARE VIOLATED.

STATE OF CONNECTICUT
CLIFFORD A. WASHBURN, JR.
No. 5735
REGISTERED LAND SURVEYOR

RECEIVED
JUN 01 2026
TOWN OF SIMSBURY
PLANNING DEPARTMENT

To the town of Simsbury,

We are neighbors of Jessie Rosenblatt who live next door at 5 Shady Lane.

Their proposal of a new shed in their side yard is perfectly fine with us; we don't mind in the slightest and wish them luck in the construction process.

Sincerely,

Josh and Jackie Jones

m[redacted]







Marc S. Nelson, MPA
Town Manager

George K. McGregor, AICP
Director

Office of Planning and Community Development

STAFF REPORT MEMORANDUM

To: Simsbury Zoning Board of Appeals

Date: June 24, 2026

From: Joseph Hollis, Code Compliance Officer

RE: **Application ZBA #26-09** of Jared and Jessica Rosenblatt, Owner, for a ± 27 sq.ft. variance from Section 3.9 of the Simsbury Zoning Regulations to reduce the front yard setback from 50' to 23' and a variance from Section 3.5 of the Simsbury Zoning Regulations to allow an accessory structure in the front yard at 24 Fox Den Road (Assessor's Map Block Lot D10 147 101) Zone R-40.

I. SUMMARY

The applicant is requesting a ± 27-foot variance to install a 576 sq.ft. shed in the front yard of the home at 24 Fox Den Road. The regulations require the shed to be no closer to the road than the house on the lot while meeting the 50' front yard setback. However, due to difficult topography and corner lot restrictions the applicants are applying for a variance for the proposed location. While the size and height of the shed meet the requirements under the regulations, the location requires a variance to allow the shed in the front yard and a 27-foot variance to reduce the front yard setback.

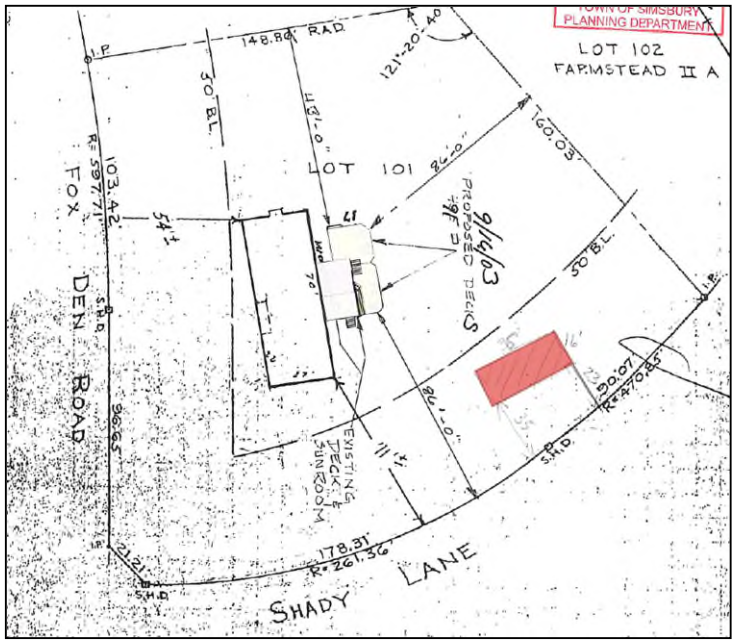


Figure 1 Proposed Site Plan

According to the application, the description of the hardship(s) is as follows:

The reason for this request is due to the slope of our property. Properly landscaping the area to meet current requirements involve a significant cost, including the need for a very tall retaining wall(s), along with concerns about potentially interrupting natural water flow. Additionally, the land on both side of the property slopes inward and meets in a "V" shape, which further limits usable space and makes placement particularly challenging.

II. HARDSHIP(S) CLAIMED

- Cost of Landscaping

The applicant is stating placing the shed in the allowed buildable area according to the regulations would require the need to install retaining walls and supporting landscaping.

Staff Finding: More information is needed to determine how the financial impact of complying with the regulations constitutes a legal hardship.

- Topography

According to the application, development of the area behind the home is limited by difficult topography.

Staff Finding: The applicant's claims of sloping land are supported by topographical mapping that shows the property slopes toward the center of the lot away from the home. The path of the slope is illustrated by the blue arrow in Figure 2. The applicant has also provided photos of the backyard included in the application materials.



Figure 2 Topographic Map

III. APPLICABLE STANDARDS

Simsbury Zoning Regulations:

- Dimensional Requirements

Section 3.9: Zone: R-40 Front Yard Setback: 50' Side Yard Setback: 40' Rear Yard Setback 50'. The applicant is requesting to reduce the front yard setback by 27'. The corner lot regulations also limit accessory structures to no closer to the road than the home which creates difficulty for development. These regulations will be addressed during the ongoing comprehensive zoning regulation rewrite with the Zoning Commission.

- Variance Criteria

Pursuant to Section 16.C, Variances, a variance from the terms of these regulations shall not be granted by the Board of Appeals unless and until the Board shall make a written finding in its minutes as to all of the following:

1. That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the area;
2. That these special circumstances relate to the condition of the land or parcel;
3. That the special conditions and circumstances are not related to the circumstances of the applicant and have not resulted from the actions of the applicant or the predecessor in title;
4. That the special circumstances constitute an exceptional difficulty or unusual hardship not of the applicant's making and are not solely a financial detriment;
5. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district;
6. That granting the variance requested will not confer upon the applicant any special privilege or use that is denied by these Regulations to other lands, structures, or buildings in the same district:
7. That these circumstances justify the granting of the variance;
8. That the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
9. That the granting of the variance will be in harmony with the general purpose and intent of these Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

IV. CONCLUSION

The Board should evaluate the application in accordance to Section 16.C of the Zoning Regulations.

Draft Motion for Approval

MOVED, The Zoning Board of Appeals **approves Application ZBA #26-09** of Jared and Jessica Rosenblatt, Owner, for a ± 27 sq.ft. variance from Section 3.9 of the Simsbury Zoning Regulations to reduce the front yard setback from 50' to 23' and a variance from Section 3.5 of the Simsbury Zoning Regulations to allow an accessory structure in the front yard at 24 Fox Den Road (Assessor's Map Block Lot D10 147 101) Zone R-40.

The project shall be developed in substantial conformance with the plans stamped received by the Simsbury Planning Department June 1, 2026.

The applicant has met all criteria pursuant to Section 16.C based on the following findings: [state findings]

Draft Motion for Denial

MOVED, The Zoning Board of Appeals **denies Application ZBA #26-09** of Jared and Jessica Rosenblatt, Owner, for a ± 27 sq.ft. variance from Section 3.9 of the Simsbury Zoning Regulations to reduce the front yard setback from 50' to 23' and a variance from Section 3.5 of the Simsbury Zoning Regulations to allow an accessory structure in the front yard at 24 Fox Den Road (Assessor's Map Block Lot D10 147 101) Zone R-40.

The applicant has failed to meet all criteria pursuant to Section 16.C based on the following findings: [state reasons for denial]

ZONING BOARD OF APPEALS APPLICATION
TOWN OF SIMSBURY, 933 HOPMEADOW STREET, SIMSBURY, CT 06070

RECEIVED
JUN 15 2026
TOWN OF SIMSBURY
PLANNING DEPARTMENT

Application Number: 26-12 **Fee $** 240

Requested Action (please check appropriate box):

Variance [X] **Appeal Decision of Zoning Official** [ ]

Location of Property: 12 SPRINGBROOK LN.
(number and street name)

Simsbury Assessor's Map Number _____ Block Number _____ Lot Number _____

Deed Volume Number _____ Page Number _____ (*property owner must supply copy of the deed*)

Applicant - Please Print the Following:

Name: MICHAEL GUGLIOTTI
Address: 12 SPRINGBROOK LN
Email: _____ JM Telephone: _____
Signature of Applicant: _____ **Date:** 6/15/26

Owner - Please Print the Following:

Name: MICHAEL GUGLIOTTI
Address: 12 SPRINGBROOK LN
Email: _____ Telephone: _____
Signature of Owner: _____ **Date:** 6/15/26

Property is in Zone R-40 of (applicable section(s) Zoning Regulations _____

Describe the nature of your application, including the amount of variance requested:
VARIANCE FOR INSTALLATION OF AC UNIT WITHIN SIDE YARD SETBACK REDUCTION OF 22FT. SIDE YARD SETBACK

Describe the specific hardship:
LIMITED ACCESSIBLE LOCATION FOR UNIT PLACEMENT HOME ORIENTATION ON LONG & NARROW LOT MAKES PLACEMENT OF UNIT DIFFICULT TO PLACE IN CONFORMING LOCATION

This application must be accompanied by required fee, site plan and any other information required by the Zoning Regulations, Building Code, or Rules of the Board. ***EACH APPLICATION SHALL INCLUDE A LIST OF NAMES AND ADDRESSES OF ALL ABUTTING PROPERTY OWNERS AND ALL PROPERTY OWNERS WITHIN 100 FEET OF THE SUBJECT SITE.*** *One complete set of folded plans, supporting documents, and any correspondence must be submitted with the application. Pictures of the property and letters from the neighbors are very helpful. Applicant and/or Authorized Agent must attend meeting.*

NOTE: PICKUP YOUR PUBLIC HEARING SIGN WHEN APPLICATION IS SUBMITTED.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

IMPORTANT

PLOT PLANS OR SURVEYS

ALL APPLICATIONS SHALL BE ACCOMPANIED BY A COMPREHENSIVE PLOT PLAN DRAWN TO SCALE BY A REGISTERED LAND SURVEYOR, SHOWING THE LOCATION OF ALL BUILDINGS LOCATED ON THE PREMISES. THE PLOT PLAN SHALL ALSO SHOW (DRAWN TO SCALE BY A REGISTERED LAND SURVEYOR) THE LOCATION OF ANY PROPOSED ADDITIONS TO EXISTING BUILDINGS OR THE LOCATION OF ANY PROPOSED SEPARATE BUILDINGS. ALL DETAILS PERTAINING TO THE APPLICATION, INCLUDING ALL DIMENSIONS NECESSARY TO RENDER A DECISION ON THE APPLICATION, SHOULD BE SHOWN ON THE PLOT PLAN.

NOTICE TO APPLICANTS

THIS AFFIDAVIT IS REQUIRED FOR ALL APPLICATIONS REQUIRING A PUBLIC HEARING BY THE ZONING COMMISSION OR THE ZONING BOARD OF APPEALS.

NOTE: PUBLIC HEARING SIGNS MUST BE POSTED ON THE SUBJECT PROPERTY 15 DAYS PRIOR TO THE PUBLIC HEARING DATE.

THIS FORM (*SIGNED AND NOTARIZED*) MUST BE PRESENTED AT THE PUBLIC HEARING.

AFFIDAVIT

STATE OF CONNECTICUT)
Ss:
COUNTY OF HARTFORD)

I,_____of_____
(Applicant) (City, State)

Being duly sworn, make oath and say that I have maintained sign(s) as required by the Simsbury Zoning Regulations, stating that either a Zoning application or a Zoning Board of Appeals application is pending for the following property:

_____
(Location of Property)

DATE: _____ _____
(Signature of Applicant)

_____
(Type or Print Name of Applicant)

Subscribed and sworn to before me this_____day of_____, 20__

_____
(Notary Public)

My Commission Expires on _____

12. **DECISIONS**: The applicant shall present to the Board the conditions especially affecting the land or structure for which the variance is sought. The conditions must relate to such land or structure and not to the personal or financial circumstances of the applicant. The conditions must be such that a strict enforcement of the Zoning Regulations present a hardship to such land or structure, which hardship deprives the applicant of a reasonable use of such land or structure. The applicant must show that the conditions do not generally affect the area in which such land or structure is situated and have not resulted from any act of the applicant or his predecessor in title subsequent to the enactment of the requirements of the Zoning Regulations. The applicant must show that the granting of the variance will not be detrimental to public health , safety, convenience, welfare, and property values. In approving an application, the Board may require such restrictions and conditions that the Board feels are necessary to meet the above criteria. All decisions of the Board are made at a public meeting.

13. **NOTIFICATION**: Applicants will be notified of the Board's decision by certified mail. If the Board has approved an application for a variance, the applicant will receive a Certificate of the decision signed by the Secretary of the Board.

14. **EFFECTIVE DATE**: A variance or decision of the Board will not become effective until 15 days after the decision has been published in a newspaper having a general circulation. The applicant is also required to record his Certificate in the Simsbury Land Records in the office of the Town Clerk. It is recommended that no building permit be issued by the Building Inspector until the above conditions are satisfied.

15. **RE-SUBMISSION**: The Board is not required by the Connecticut General Statutes to hear any application for the same variance or substantially the same variance for a period of six months after a decision. A resubmitted application may be heard sooner than 6 months at the Board's discretion.

16. **WAIVER OR AMENDMENT OF RULES**: These rules may be waived or amended at any regular or special meeting of the Board by affirmative votes of at least four (4) voting members. A copy of these rules any amendments shall be filed in the office of the Town Planner and copies shall be provided to applicants.

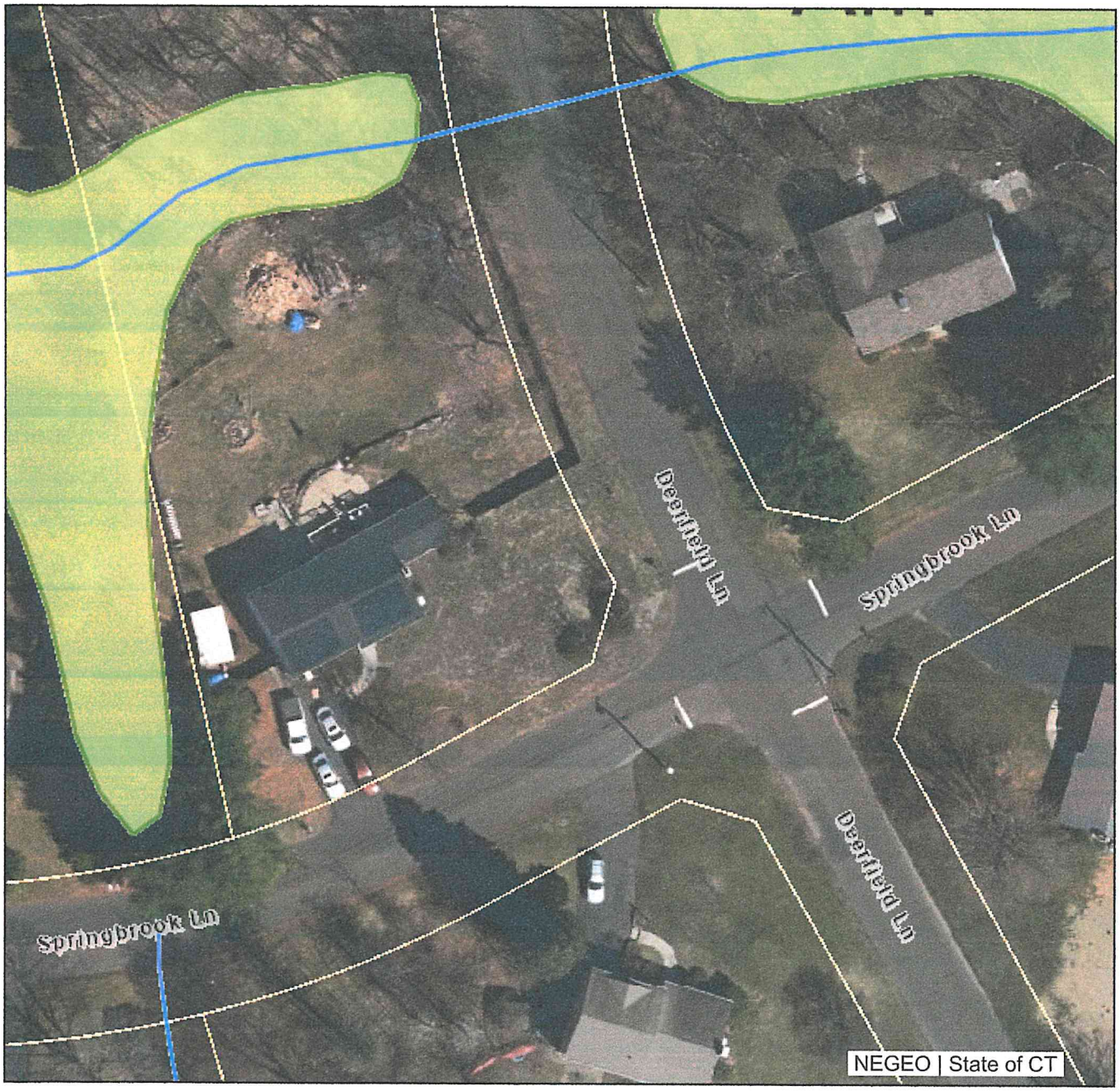
17. **APPEALS FROM RULINGS**: An appeal may be taken by any persons aggrieved by a decision of the Board in accordance with Connecticut General Statutes.

18. **CONNECTICUT GENERAL STATUTES**: All applicable Connecticut General Statutes are made part of these rules. Should any amendments or new statutes conflict with these rules, the requirements of the Connecticut General Statutes will take precedence.

ADOPTED: September 15, 1981
Revised April 25, 1990
Revised January 23, 1991
Revised November, 18, 2009
Revised May 24, 2023
Revised December 16, 2024

Town of Simsbury
Geographic Information System (GIS)

Date Printed: 6/11/2026



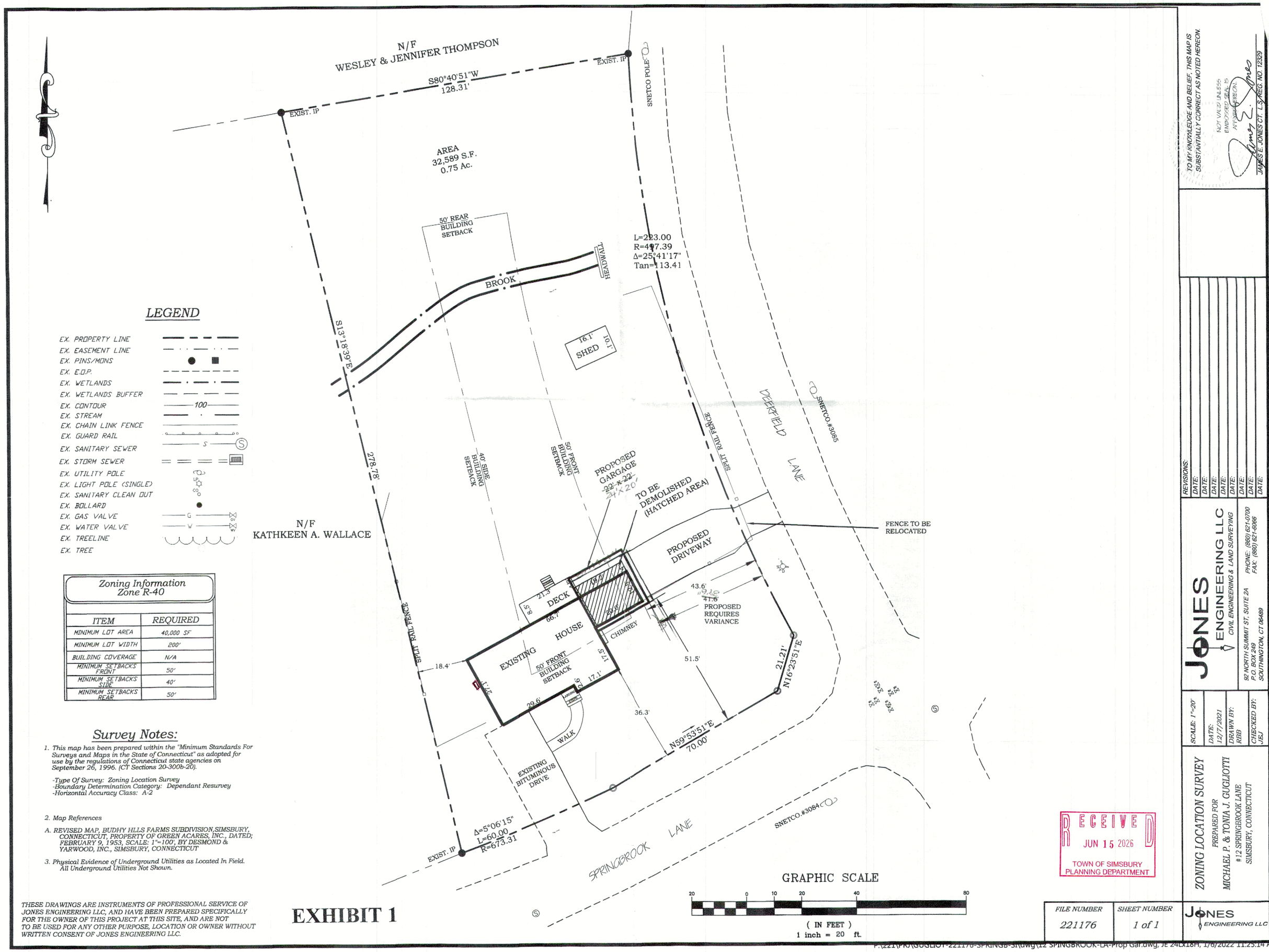
MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 50 feet

0 50 Feet

N
W E
S



LEGEND

- EX. PROPERTY LINE
- EX. EASEMENT LINE
- EX. PINS/MONS
- EX. E.O.P.
- EX. WETLANDS
- EX. WETLANDS BUFFER
- EX. CONTOUR 100
- EX. STREAM
- EX. CHAIN LINK FENCE
- EX. GUARD RAIL
- EX. SANITARY SEWER S
- EX. STORM SEWER
- EX. UTILITY POLE
- EX. LIGHT POLE (SINGLE) LP
- EX. SANITARY CLEAN OUT CO
- EX. BOLLARD
- EX. GAS VALVE G GV
- EX. WATER VALVE W WV
- EX. TREELINE
- EX. TREE

Zoning Information
Zone R-40

ITEM	REQUIRED
MINIMUM LOT AREA	40,000 SF
MINIMUM LOT WIDTH	200'
BUILDING COVERAGE	N/A
MINIMUM SETBACKS FRONT	50'
MINIMUM SETBACKS SIDE	40'
MINIMUM SETBACKS REAR	50'

Survey Notes:

1. This map has been prepared within the "Minimum Standards For Surveys and Maps in the State of Connecticut" as adopted for use by the regulations of Connecticut state agencies on September 26, 1996. (CT Sections 20-300b-20).

   -Type Of Survey: Zoning Location Survey
   -Boundary Determination Category: Dependant Resurvey
   -Horizontal Accuracy Class: A-2

2. Map References

   A. REVISED MAP, BUDHY HLLS FARMS SUBDIVISION,SIMSBURY, CONNECTICUT, PROPERTY OF GREEN ACARES, INC., DATED; FEBRUARY 9, 1953, SCALE: 1"=100', BY DESMOND & YARWOOD, INC., SIMSBURY, CONNECTICUT

3. Physical Evidence of Underground Utilities as Located In Field. All Underground Utilities Not Shown.

THESE DRAWINGS ARE INSTRUMENTS OF PROFESSIONAL SERVICE OF JONES ENGINEERING LLC, AND HAVE BEEN PREPARED SPECIFICALLY FOR THE OWNER OF THIS PROJECT AT THIS SITE, AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE, LOCATION OR OWNER WITHOUT WRITTEN CONSENT OF JONES ENGINEERING LLC.

EXHIBIT 1

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

NOT VALID UNLESS EMBOSSED SEAL IS AFFIXED HEREON.

JAMES E. JONES CT. L.S. REG. NO. 12329

RECEIVED
JUN 15 2026
TOWN OF SIMSBURY
PLANNING DEPARTMENT

REVISIONS:
DATE:
DATE:
DATE:
DATE:
DATE:
DATE:
DATE:
DATE:

JONES ENGINEERING LLC
CIVIL ENGINEERING & LAND SURVEYING
92 NORTH SUMMIT ST, SUITE 2A
P.O. BOX 249
SOUTHINGTON, CT 06489
PHONE: (860) 621-0700
FAX: (860) 621-6666

SCALE: 1"=20'
DATE: 12/17/2021
DRAWN BY: RBB
CHECKED BY: JEJ

ZONING LOCATION SURVEY
PREPARED FOR
MICHAEL P. & TONIA J. GUGLIOTTI
#12 SPRINGBROOK LANE
SIMSBURY, CONNECTICUT

FILE NUMBER	SHEET NUMBER
221176	1 of 1

JONES ENGINEERING LLC

P:\221\PRJ\GUGLIOT-221176-SPRINGB-St\dwg\12 SPINGBROOK-LA-Prop Gar.dwg, JE 24Lx18H, 1/6/2022 11:25:14 AM

Marc S. Nelson, MPA
Town Manager

George K. McGregor, AICP
Director

Office of Planning and Community Development

STAFF REPORT MEMORANDUM

To: Simsbury Zoning Board of Appeals

Date: July 22, 2026

From: Joseph Hollis, Code Compliance Officer

RE: **ZBA #26-12**, An application of Michael Gugliotti, Owner, for a ± 22' variance from Section 3.9 of the Zoning Regulations to reduce the side yard setback from 40' to 18' to install an AC unit at 12 Springbrook Lane (Assessor's Map Block Lot E14 114 008) Zone R-40.

I. SUMMARY

The applicant is requesting for a ± 22' variance to reduce the side yard setback from 40' to 18' to install an AC unit on the side of the home at 12 Springbrook Lane. The regulations require AC units on the side of the house to meet the 40' side yard setback, however if the unit is behind the home, it can be 10' from the property line. Due to limited accessible locations for the unit, the lot shape and the location of the home on the lot, the applicant is applying for a variance to place the unit on the left side of the home.

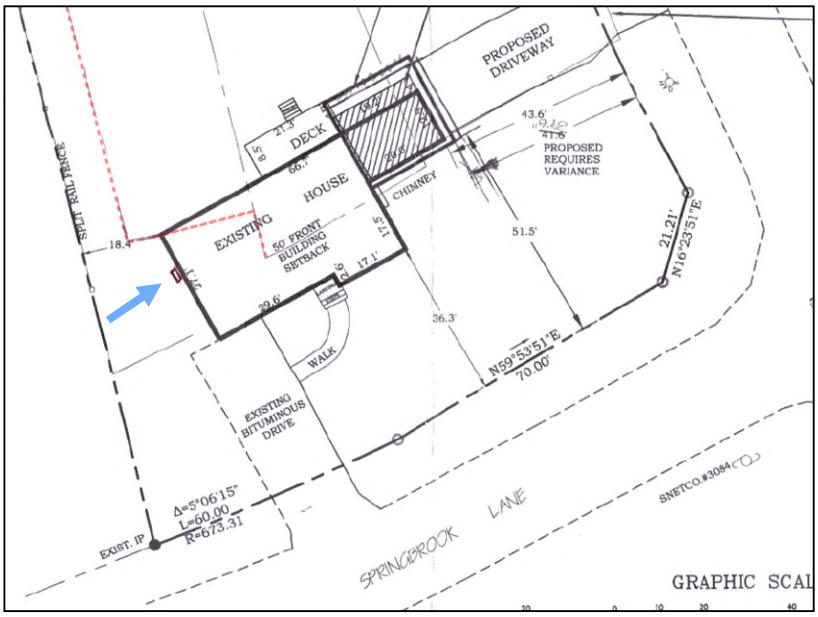


Figure 1 Proposed Site Plan

According to the application, the description of the hardship(s) is as follows:

Limited accessible location for unit placement, home orientation on long & narrow lot makes placement of unit difficult to place in conforming location

II. HARDSHIP(S) CLAIMED

- Limited Accessible Locations for Unit Placement

The applicant states placing the AC unit in a location that complies with the zoning regulations is difficult.

Staff Finding: The regulations allow the unit to be 10' from the side property line provided it is located to the rear of the home as shown by the red dashed setback lines in Figure 1. Once the unit location moves to the side of the home it must meet the full 40' setback. The regulations allow placement behind the home without the need for a variance.

- Home Orientation and Lot Shape

According to the application, development of the area on the side of the home is limited by the location of the home on the lot and the long and narrow configuration of the property.

Staff Finding: While the home on the lot is existing non-conforming, there are alternative locations for the unit location that should be evaluated by the Board as previously described.

III. APPLICABLE STANDARDS

Simsbury Zoning Regulations:

- Dimensional Requirements

Section 3.9: Zone: R-40 Front Yard Setback: 50' Side Yard Setback: 40' Rear Yard Setback 50'. The applicant is requesting to reduce the side yard setback by 22'.

- Variance Criteria

Pursuant to Section 16.C, Variances, a variance from the terms of these regulations shall not be granted by the Board of Appeals unless and until the Board shall make a written finding in its minutes as to all of the following:

1. That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the area;
2. That these special circumstances relate to the condition of the land or parcel;
3. That the special conditions and circumstances are not related to the circumstances of the applicant and have not resulted from the actions of the applicant or the predecessor in title;
4. That the special circumstances constitute an exceptional difficulty or unusual hardship not of the applicant's making and are not solely a financial detriment;
5. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district;
6. That granting the variance requested will not confer upon the applicant any special privilege or use that is denied by these Regulations to other lands, structures, or buildings in the same district:
7. That these circumstances justify the granting of the variance;
8. That the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
9. That the granting of the variance will be in harmony with the general purpose and intent of these Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

IV. CONCLUSION

The Board should evaluate the application in accordance to Section 16.C of the Zoning Regulations. Draft motions have been provided on the following page.

Draft Motion for Approval

MOVED, The Zoning Board of Appeals **approves ZBA #26-12**, An application of Michael Gugliotti, Owner, for a ± 22' variance from Section 3.9 of the Zoning Regulations to reduce the side yard setback from 40' to 18' to install an AC unit at 12 Springbrook Lane (Assessor's Map Block Lot E14 114 008) Zone R-40. The project shall be developed in substantial conformance with the plans stamped received by the Simsbury Planning Department June 1, 2026.

The applicant has met all criteria pursuant to Section 16.C based on the following findings: [state findings]

Draft Motion for Denial

MOVED, The Zoning Board of Appeals **denies ZBA #26-12**, An application of Michael Gugliotti, Owner, for a ± 22' variance from Section 3.9 of the Zoning Regulations to reduce the side yard setback from 40' to 18' to install an AC unit at 12 Springbrook Lane (Assessor's Map Block Lot E14 114 008) Zone R-40.

The applicant has failed to meet all criteria pursuant to Section 16.C based on the following findings: [state reasons for denial]