

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING**

The Planning and Zoning Commission will hold a public hearing on March 1, 2023, at 6:30 p.m. via Zoom and in-person at the Brooklyn Middle School Auditorium, 119 Gorman Road Brooklyn, CT on the following:

- **ZRC 23-001:** Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4.

**\*Please publish February 15<sup>th</sup> and 22<sup>nd</sup>\***

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR CHANGE  
IN  
ZONING REGULATIONS**

Date 1/26/23 Check # \_\_\_\_\_ Application #ZRC 23-001

Application Fee: \$250 \_\_\_\_\_ State Fee: \$60 \_\_\_\_\_ Publication Fee: \$600 \_\_\_\_\_

Public Hearing Date \_\_\_\_\_ Commission Action \_\_\_\_\_ Effective Date \_\_\_\_\_

Name of Applicant PLANNING + ZONING COMMISSION Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

REQUEST TO AMEND ARTICLE(S) \_\_\_\_\_ SECTION(S) 2. B - DEFINITIONS

If more than one Article is requested please attach separate sheet for each one

3. A. 5. 2,  
3. B. 5. 2,  
3. C. 5. 2,

PARAGRAPH TO CHANGE \_\_\_\_\_ OF THE ZONING REGULATIONS

REQUEST TO CHANGE:

4. B. 4. 2,  
4. C. 4. 2,  
8. A. 4

REASON FOR REQUEST:

Note: A petition may be filed at the Hearing by 20% or more of the area lots included in such a change within 500 ft of the property under Section 16.5 of the Zoning Regulations

**ZRC 23-001 – 1/24/2023**

Changes are **highlighted**/Additions in **CAPS AND BOLD**/ Deletions ~~struckthrough~~

**Section 2.B – Definitions**

- 1) *Explanation: The purpose of this change is to clarify existing language concerning setbacks and exceptions thereto that has been subject to differing interpretations and confusion. The definition of structure is proposed to be revised. The existing definition of building is provided for reference only.*

**STRUCTURE** - Anything constructed or erected, including a building, which has a permanent location on the ground, or anything attached to something having a permanent location on the ground, but excluding fences, flagpoles, ornamental walls under five (5) feet, mailboxes, and patios. Satellite dishes, antenna towers, emergency generators, **DECKS**, swimming pools, and solar energy systems are considered to be structures and shall comply with **SETBACKS AND OTHER** dimensional requirements, **AS EXCEPTED**.

**BUILDING** - A structure, whether temporary or permanent, having a roof supported by columns or walls used or intended for the shelter, housing, or enclosure of any person, animal, process, equipment, goods, tangible personal property or other materials.



**Sections 3.A.5.2, 3.B.5.2, 3.C.5.2, 4.B.4.2, 4.C.4.2**

- 2) *Explanation: The proposal is to clarify that non-building structures must be comply with the same setbacks as principal structures.*

**AREA AND DIMENSIONAL STANDARDS**

**LOT STANDARDS**

- 1. Minimum Lot area **10,000 SF**
- 2. Minimum Lot frontage **75 feet**

**SETBACK STANDARDS**

	<b>Principal Buildings AND STRUCTURES</b>	<b>Accessory Buildings</b>
1. Minimum Front Yard Setback	<b>35 feet</b>	<b>35 feet</b>
2. Minimum Side Yard Setback	<b>15 feet</b>	<b>Half the height of the accessory building or 10 feet, whichever is greater</b>
3. Minimum Rear Yard Setback	<b>15 feet</b>	<b>Half the height of the accessory building or 10 feet, whichever is greater</b>

**BUILDING STANDARDS**

- 1. Maximum Building Height **35 feet**

**POSSIBLE EXCEPTIONS**

See Section 8.A for possible exceptions to these dimensional requirements.

## ZRC 23-001 – 1/24/2023

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### Section 8.A.4 – Exceptions to Setback Requirements

3) *Explanation: The setback exception for accessory buildings is extended to include sideyards and a new exception for above-ground swimming pools is introduced.*

#### 8.A.4 EXCEPTIONS TO SETBACK REQUIREMENTS

1. Eaves, pilasters, columns, belt-courses, sills, cornices, or similar architectural features may project up to one foot into a required yard setback.
2. Steps, terraces, fences, walls, fence/wall combinations, and similar structures less than six (6) feet in height may be erected in required setbacks.
3. Propane tanks, generators, condensers, and similar mechanical equipment may be located within a required side yard setback provided such equipment is located closer to the principal structure on the subject property than to the principal structure on any abutting property and, if such equipment is located six (6) feet or less from a property line, then such equipment shall be visually shielded from abutting property.
4. Entry stairs and access ramps for the handicapped may extend into any required yard setback provided the extent of encroachment is minimized while still allowing for a reasonable accommodation to meet the needs of the resident(s).
5. Sheds, garages, and similar accessory buildings may be located **up to** ten (10) feet from a property line provided they are located in a rear **OR SIDE** yard. Otherwise, an accessory building shall comply with **standard** setbacks.
6. **ABOVE-GROUND SWIMMING POOLS THAT CAN BE FULLY DISASSEMBLED MAY BE LOCATED TEN (10) FEET FROM A PROPERTY LINE PROVIDED THEY ARE LOCATED IN A REAR OR A SIDE YARD. OTHERWISE, AN ABOVE-GROUND SWIMMING POOL SHALL COMPLY WITH SETBACKS. WHEN ASSOCIATED WITH AN ABOVE-GROUND POOL THAT CAN BE FULLY DISASSEMBLED, THIS EXCEPTION SHALL EXTEND TO THE FOLLOWING ANCILLARY STRUCTURES: DECKS NOT TO EXCEED 200 SQUARE FEET, STAIRS, PREFABICATED LADDERS, POOL PUMPS, AND OTHER SWIMMING POOL EQUIPMENT. STRUCTURES NOT ASSOCIATED WITH AN ABOVE-GROUND POOL THAT CAN BE FULLY DISASSEMBLED SHALL NOT BE ELIGIBLE FOR THIS EXCEPTION.**