

PLANNING & ZONING COMMISSION
1 ELIZABETH ST., DERBY, CT 06418

APPLICATION FOR CHANGE OF ZONE OR ZONE TEXT CHANGE

The undersigned applicant hereby requests the Zoning Commission of the City of Derby to change the zone of property hereinafter described in accordance with the state and local zoning laws applicable thereto.

DATE SUBMITTED November 14, 2025 FEE _____

1. APPLICANT Johnnie Hudson

2. ADDRESS c/o Attorney Dominick Thomas, 315 Main Street, Derby, CT 06418

3. TELE. # 203-735-9521 / djt@cohen-thomas.com

4. INTEREST: () Owners () Agent N/A

5. Other persons, firms or corporations represented by applicant.
N/A

6. ADDRESS N/A

7. TELE. # _____

8. INTEREST: () Owners () Agent

9. LOCATION OF PROPOSED CHANGE: N/A - Application is for zone text amendment

10. LEGAL DESCRIPTION OF PROPERTY: LOTS() BLOCK() ADDITION()

11. AREA OF SUBJECT PROPERTY, SQ. FEET, OR ACRES N/A - Text change only

12. PRESENT ZONE: N/A

13. PROPOSED ZONE: N/A

14. Describe briefly the nature and expected effect of the change. Be sure to include an explanation of the legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed change necessary. N/A

15. Use and development proposed for the property to be re-zoned, including time schedule for such development.

16. Exhibits submitted, number & kind.
Proposed zone text change to § 195-11. Residential - 3 (R-3) Zone, Subsection D and § 195-54. Parking spaces; number and location. - new line for Bed & Breakfast

DJ Thomas Jr.
Dominick J. Thomas, Jr.

Applicant's Signature Attorney for Applicant

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§ 195-11. Residential - 3 (R-3) Zone.

A. Intent. These zones are designed to consist of single-family houses on lots of

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sufficient size only where public water supply and sewers are available. They are also designed to encourage a somewhat higher quality of suburban development. Institutions and similar uses will be necessary and appropriate in these zones but only as special exceptions upon a finding that development will be compatible with the character of the zone.

- B. Permitted uses. Permitted uses in the R-3 Zone shall be as follows:
- (1) Single-family dwellings.
 - (2) Parks and playgrounds.
 - (3) Noncommercial agriculture or horticulture.
- C. Accessory uses. Accessory uses in the R-3 Zone shall be as follows:
- (1) Home professional offices.
 - (2) Customary accessory structures.
- D. Special exceptions. Special exceptions in the R-3 Zone shall be as follows:
- (1) Nursery.
 - (2) Home occupations.
 - (3) Public places of worship.
 - (4) School.
 - (5) Library.
 - (6) Public utility building without repair facilities or outdoor storage yard.
 - (7) Public or semipublic building.
 - (8) Convalescent home (nursing home).
 - (9) Child day-care center.
 - (10) **Bed and Breakfast with no more than three (3) guest rooms**
 - (11) Educational Dormitory Residence, provided said structure meets the following minimum standards:
 - (a) Minimum lot size: 3 acres
 - (b) The number of total beds shall not exceed 45 per acre of total lot area. In no case shall the number of total beds exceed 150 per lot.
 - (c) Housing on the premises shall be provided solely to persons who meet the following criteria:
 - (i) International students, who are enrolled in a public or private secondary school in the State of Connecticut through an F-1 visa
 - (ii) Residential administration staff
 - (d) Setback and Buffer: In addition to meeting the bulk requirements of the R-3 Zone in Section 195-11(E), an educational dormitory residence building or structure shall be set back at least 65 feet from any adjacent residential property line, and a landscaped buffer area at least 25 feet in depth and located on the Educational Dormitory Residence property shall be provided and maintained by the owner and/or operator of such facility. Landscaping of such buffer shall be in accordance with Section 195-25(E) except as noted above.

In the case of adaptive reuse of existing buildings, facilities and parking areas that preclude compliance with the provisions of this Section or the landscaping provisions required in Section 195-25(E), a suitable alternative approved by the Commission, such as fencing with the maximum amount of natural and planted vegetation feasible, shall be provided and maintained to provide visual screening from adjacent properties.

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(e) No accessory recreational use, such as playing courts or fields, benches and outdoor seating areas, or other sports and leisure facilities, shall be located within the required setbacks established in Subsection (d) above.

(f) Off-street parking shall be provided only for staff (including administrative, maintenance, and office personnel), visitors, and for vehicles with the primary purpose of transporting students to and from educational facilities. Student residents shall not be permitted to possess or park private vehicles in either off-street parking spaces on the site, or on-street parking spaces in the City of Derby.

(g) Sufficient information regarding the operations of the Educational Dormitory Residence, including but not limited to, staffing, transportation, operational schedules, and facilities access, shall be provided in the Statement of Use required by Section 195-46 in order for the Commission to determine that the use is in harmony with the appropriate and orderly development of the zone, the neighborhood and the city and will not be detrimental to established properties in the area.

E. Bulk requirements. Bulk requirements in the R-3 Zone shall be as follows:

- (1) Each lot shall have an area of 15,000 square feet and a width of at least 100 feet measured at the required front yard setback.
- (2) Maximum lot coverage: 20%.
- (3) Maximum height: 30 feet.
- (4) Minimum required front yard: 30 feet.
- (5) Minimum required rear yard: 50 feet.
- (6) Minimum required side yard: 16 feet.
- (7) Accessory uses.
 - (a) Building from rear line of lot: five feet.
 - (b) Building from side line of lot: 16 feet.

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§ 195-54. Parking spaces; number and location.

Research institute; laboratory	2 spaces per 1,000 SF gross floor area
Residential: Assisted living	.75 space per dwelling unit
Residential: Housing for elderly	1 space per dwelling
Residential: One- and two-family	2 spaces per dwelling
Residential: Multi-family	2 spaces per dwelling
Residential: Rooming house, dormitory	.5 space per guest room or resident
Residential: Bed & Breakfast	1 space per guest room
Restaurant — sit down	1 space per 2 seats
Restaurant — take out	14 spaces per 1,000 SF of space utilized by public
Retail: individual stores; personal service (under 50,000 SF)	6 spaces per 1,000 SF net floor area
Retail: supermarket; shopping center (over 50,000 SF)	5 spaces per 1,000 SF net floor area
Schools: Elementary	2 spaces per classroom plus space for auditorium / gymnasium
Schools: High school	4 spaces per classroom plus space for auditorium / gymnasium
Warehouse and other enclosed storage	1 space per 1,000 SF gross floor area
Wholesale food; discount and home	5 spaces per 1,000 SF net floor area improvement center
Mixed uses	The sum of the requirement of the component uses computed separately
Other uses not listed above	See Section B.(3) below

B. Interpretation of required parking spaces.

- (1) The parking required herein is in addition to space for storage of trucks or other vehicles used in connection with a business, commercial or industrial use.