CITY OF DERBY
BUILDING DEPARTMENT
1 ELIZABETH STREET
DERBY, CONNECTICUT 06418
Telephone 203-736-1481
Facsimile 203-736-1480

File No._____ Ward No._____
Date of:_____Hearing_____Decision_____

APPEAL TO THE ZONING BOARD OF APPEALS FOR A VARIANCE

I. **Location of Property** 130 Division (Spring St.) St./Ave. Zoning District H/C (Hospital/Campus)
Building Line _____

North East
Side between Seymour Avenue St./Ave and Division St. & Maple Ave
South West

II. **Name of Owner** The Griffin Hospital Address 130 Division St.

Date of Purchase 1909

Name of present proposed tenant N/A
or proposed purchaser_____

Name and Signature
Of Appellant _____ Address 315 Main St.,
Dominick J. Thomas, Jr. Derby, CT 06418
Attorney for Owner / Applicant djt@cohen-thomas.com
203-736-9621

III. THIS APPEAL relates to:

[ ] PRINICPAL BUILDING(S) AND ITS OR THEIR:	[ ] ACCESSORY BUILDING(S)	[ ] LAND
[ ] USE	[ ] LOT AREA	[ ] DISTANCE BETWEEN BUILDINGS
[ ] NO. OF DWELLINGS	[ ] AVERAGE LOT WIDTH	[ ] AMOUNT OF PARKING OR LOADING
[ ] FLOOR AREA	[ ] BUILDING COVERAGE	[ ] LOCATION OF PARKING/LOADING
[ ] YARDS	[ ] BUILDING HEIGHT	[ ] SIGNS
[ ] SIZE OF COURTS	[ ] USABLE OPEN SPACE	[X] OTHER – Variance to permit into rear yard

IV. **Section(s)** of zoning ordinance appeal from:
195-19(E)((5)&(6)

V. **Precise Variance(s)** sought:
Setback from 20' to 0' for a modular building housing the Magnetic Resonance Imaging (MRI) equipment and area. Currently the MRI area is a trailer parked in the area where the building is proposed.

VI. **Lot** Dimensions (width x depth): **See Attached GIS** Lot Area **223,898.4+/- SF**

List all existing Building(s) and Use(s) on this lot, giving symbol for legal basis of each. (PR – permitted as of right; PS – permitted by special exception; PV – previous variance; NCU – nonconforming use existing at effective date of ordinance or amendment, CAL – previous certificate of approval of location – motor vehicle uses):
(1)
(2)
The entire area of the lot is occupied by Griffin Hospital and provides community health services

VII. Describe in detail the **difficulty and unreasonable hardship** asserted to be in the way of carrying out the strict letter of the zoning ordinance:

Griffin Hospital was founded in 1909. It has expanded over the last 115 years to provide the most up-to-date health and hospital services to Derby, the Valley and the surrounding towns. The main building in which the MRI services are provided occupies the area of the lot right up to Seymour Avenue, Spring Street and Maple Avenue. Currently MRI services are in a trailer up against the rear of the main hospital building. Due to the the configuration of the main hospital building on the lot which predates zoning, it would be impossible to upgrade the necessary MRI services in the proposed modular building without the variance.

VIII. What circumstances concerning this property are **peculiar** to it and not applicable to the area as a whole? Explain:

Gruffin Hospital was established in 1909 on a lot bordering on Division Street, Seymour Avenue, Spring Street and Maple Avenue. The is no unused land onto which to expand to provide the best medical services to the community.

IX. Would the requested variance be subject to appropriate **conditions** and **safeguards**? Explain:

The current MRI services are provided in a trailer that is periodically removed and returned. With the modular building, this operation will cease and no trucks will be entering off Spring Street to the modular buikding.

X. Would the requested variance be in **harmony** with the general purpose and intent of the Ordinance? Explain:

Yes. Griffin Hospital is located in the Hospital Campus Zone. The entire area of the main campus and surrounding properties are devoted to providing community medical services. This variance will allow an enhancement of those services.

XI. If the requested variance is a **use** variance, answer each of the following: N/A

1. Do the zoning regulations allow **no reasonable use** of the property in question for reasons **peculiar** to the property and not applicable to the area as a whole? Explain

2. Is the use proposed the **minimum** variance necessary I order to allow a reasonable use of the property? Explain:

3. Will the use impair the essential **character** of the area or the **objectives** of the **comprehensive plan** of the City? Explain:

4. If any attempts bave been made to **Sell** the property for use in accordance with the purposes for which it is zoned supply the following information:

   a. Period(s) in which placed on market and agent(s) in each period:
   b. Period(s) listed with Real Estate Board:
   c. Period(s) advertised in newspaper (attach copy of one or more of such ads, if any):
   d. Other sales efforts during each period:
   e. Asking price during each period:

XII. Value Date: N/A

a. Date owner purchased the property:
b. Purchase price:
c. Date and declared value of subsequent building permits:
d. Current assessment:
e. Use(s) to which owner has put the property since purchase:
f. Gross and net income of each of the last 3 years:

XIII. **State of Connecticut**
City of Derby

January 16, 2025
Date

Personally appeared Dominick J. Thomas, Jr.

Authorized Agent for The Griffin Hospital **Owner, who made oath that the statements herein were true and correct before me.**

Andrea C. Rein
Notary Public-Connecticut
My Commission Expires
01-31-2028

Notary Public
~~**Commissioner of the Superior Court**~~

XIV. **[X] Hearing Fee to be paid upon filing of this application** – see Fee List attached.

[ ] Bulk Variances
[ ] Use Variance
[ ] Use and Bulk Variance

[ ] Required plans filed with Appeal as follows:

a) **8 Copies of a scaled Plot Plan,** with North arrow, showing the lot in question and the following (if any):

1. Existing building,
2. Proposed construction and use outdoor areas,
3. Existing and proposed curb cut, driveways, and parking and loading facilities,
4. Existing and proposed fences, walls, landscaping and signs,
5. That part of any building on adjoining lots that are located within 20 feet of the lot in question and
6. Such other information as may be required to define clearly the question involved.

b) **7 Copies of scaled Floor Plans and Elevations:** N/A
For each floor and each side of proposed construction, including use of all floor areas.

BELOW THIS LINE FOR BOARD USE ONLY

XV. Communication with regard to this Appeal received from:

[ ]	[ ] Health Dept.	[ ] Engineering
[ ] Traffic Commission	[ ] Police Dept.	[ ]
[ ]	[ ] Fire Dept.	[ ]

XVI. **Previous Zoning Board of Appeals cases at this location (file number, year, proposed construction and/or Board Decisions and Court decisions where applicable.)**

2.25–4" PVC
1.95–8" Iron Pipe
18.8–Unknown Pipe
Drain

N

54.41'

Retaining Wall

Stone Retaining Wall

Wall

Ex. Conc. Walk

Ex. 4" Conc. Wall

28.00'

Ex. Conc. Pad

PROPOSED BUILDING

Ex. Bit. Drive

Ex. Conc. Drive

Ex. Bit. Drive

Ex. Bit. Drive

PROPERTY LINE

11.00'
N66°01'44"E

Δ=62°40'45"
R=50.00'
L=54.70'
C=N63°16'08"E
C L= 52.01'

Ex. Trench Drain

Ex. Conc. Drive

Ex. Conc. Curb

Ex. Conc. Walk

Ex. Conc. Curb

ADA

SPRING STREET RIGHT-OF-WAY

SPRING STREET

127 128 129 130 131 132 133 134 135 136

0 10' 20'

SCALE: 1" = 10'

GRIFFIN HEALTH SERVICES
DERBY, CT

MODULAR MRI BUILDING PROPOSED CONDITIONS

DATE: 01/16/2025
SCALE: AS SHOWN
FIGURE: 01

Tighe&Bond

Plotted On:Jan 16, 2025-12:50pm By: EGoldberg
Tighe & Bond:F:\Projects\G\G5104 Griffin Health Services\001\Drawings\AutoCAD\Xref\G-5104-001-C-Base-ALT 1.dwg


SEYMOUR AVE
Existing MRI Trailer - to be replaced by Modular addition.