

**TOWN OF SOUTH WINDSOR
ZONING BOARD OF APPEALS APPLICATION**

☒ VARIANCE

Application # 2863-23

☐ APPEAL OF ZONING ENFORCEMENT/DECISION Date Rec'd 3/16/23

Applicant: RICHARD NIKLARZ

Address: 6 OLD FARM ROAD SOUTH WINDSOR CT. 06074

Telephone #: 860-985-3794

Property Owner: RICHARD NIKLARZ

Address: 6 OLD FARM ROAD SOUTH WINDSOR CT. 06074

Telephone #: 860-985-3794

Location of Subject Property in Question: 6 OLD FARM ROAD
SOUTH WINDSOR CT 06074

Zone R205

1. Are there wetlands on the property?

☐ YES

☒ NO

2. Is any part of the premises within 500' of town line?

☐ YES

☒ NO

3. Is this property within the CT Water Aquifer area?

☐ YES

☒ NO

(If yes, the applicant must file an application with the CT Water Company and submit copy with their application.)

Requesting a Variance to Zoning Regulation Section(s): 11.1

Written Description of the variance request or Appeal of Zoning Enforcement Order/Decision:
(Attach additional sheets if needed)

Request that the minimum Building Line of 50' Along the
NEVER'S ROAD SIDE OF the property, be Adjusted to 20' IN ORDER
to Utilize the FLATTEST section of LAND to Accomodate placing A
12' x 24' Utility SHED

For Variance request only:

1. Strict application of the regulations would produce UNDUE HARDSHIP because

BOTH REAR AND OPPOSITE SIDES OF THE PROPERTY ARE EITHER
SLOPED OR RAISED TO ANOTHER LEVEL - AND WOULD REQUIRE
SIGNIFICANT LEVELING OR PLACEMENT OF THE UTILITY SHED INTO
THE MAIN PORTION OF THE BACKYARD - thus REDUCING ITS USAGE

2. The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because

6 OLD FARM IS LOCATED ON A CORNER LOT. BOTH THE REAR SECTION
AND SIDE HAVE VARYING DEGREES OF ELEVATION. OTHER PROPERTIES WHICH
ARE NOT ON THE CORNER HAVE MOSTLY FLAT AREAS OF LAND, ALL THE WAY
TO THEIR PROPERTY LINES, LEAVING THE TYPICAL 10' OF SET BACK ACCEPTABLE

3. The variance would not adversely impact neighboring property; i.e. public health, safety, convenience, welfare and property value, because

THE AREA IN QUESTION IS ELEVATED BEHIND A LINE OF TREES ALONG THE
NEVON ROAD LINE - THIS AREA IS OVER 20' FROM THE ROAD AND SIDEWALK
AND IS PARTIALLY SECLUDED FROM VIEW. IT DOES NOT INTERFERE WITH ANY UTILITIES
OR OTHER USAGE, ACTUAL OR VISUAL, TO THE PUBLIC - IT WOULD BE A TYPICAL INSTALLATION
IF THIS PROPERTY WAS LOCATED ON ANY OF THE ADJACENT PROPERTIES

Applicant's Name (please print) RICHARD NIKLANZ

Applicant's Signature [Signature]

Date 3-16-23

Property Owner's Name (please print) RICHARD NIKLANZ

Property Owner's Signature [Signature]

Date 3-16-22

DO NOT WRITE BELOW

Action of the Board: ☐ Approved

Date _____

☐ Denied

Date _____

Approved:

Denied:

Effective 5/1/07

Town GIS Pin # _____

VOL. 817 PAGE 28

WARRANTY DEED

6061

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, THAT MARY ELLEN M. LOOS, of the Town of South Windsor, County of Hartford and State of Connecticut for the consideration of ONE HUNDRED FORTY-FIVE THOUSAND (\$145,000.00) dollars received to her full satisfaction of RICHARD J. NIKLARZ, of the Town of Newington, County of Hartford and State of Connecticut do give, grant, bargain, sell and confirm unto the said RICHARD J. NIKLARZ

a certain piece or parcel of land with the buildings and improvements thereon, situated in the Town of South Windsor, County of Hartford and State of Connecticut known as 6 Old Farm Road, and located on the southerly side of Old Farm Road, shown and designated as Lot No. 3 on a certain map or plan entitled, "Property of South Ridge Estates Abby Road & Nevers Road South Windsor, Conn. EMIL W. LUCER ASSOCIATES Scale 1" = 40' Date 12-27-78 Revisions No. 1 Section 1 - Parcel A Date 8-27-79 No. 2 General 9-20-79 Drawn A.V.H. Checked E.W.L. Project 78-68 Sheet 3 of 15 Certified Substantially Correct - Degree of Accuracy - A-2 Emanuel W. Lucek; which map or plan is on file in the South Windsor Town Clerk's Office, reference to which may be had. Said premises are more particularly bounded and described as follows:

NORTHERLY: By Old Farm Road, 100.00 feet;
 EASTERLY: By Lot No. 3, as shown on said map, 163.76 feet;
 SOUTHERLY: By Lot No. 1, as shown on said map, 124.99 feet;
 WESTERLY: By Nevers Road, 145.68 feet; and
 NORTHWESTERLY: By an arc of a curve connecting Nevers Road and Old Farm Road, 39.27 feet.

Being the same premises conveyed to Mary Ellen M. Loos and Barry R. Loos by warranty deed of Rene Veilleux dated 2/18/83 and recorded in Volume 331 at Page 2 of the South Windsor Land Records.

Said premises are conveyed subject to any and all provisions of any ordinance, municipal regulation, or public or private law. Said premises are further subject to any and all easements and restrictions as of record may appear. Said premises are further subject to the second installment of taxes on the Grand List of October 1, 1993, which are not yet due and payable, and all further tax payments, which the Grantee herein assumes and agrees to pay as part consideration for this deed. Said premises are further subject to a fifty (50') foot building line as shown on said map. Said premises are further subject to an easement in favor of The Connecticut Light & Power Company dated 11/09/79 and recorded in Volume 271 at Page 29 of the South Windsor Land Records. Said premises are further subject to an easement in favor of The Southern New England Telephone Company dated 10/29/79 and recorded in Volume 269 at Page 175 of the South Windsor Land Records. Said premises are further subject to sewer caveats in favor of the Town of South Windsor recorded on 04/14/93 in Volume 164 at Page 113 and recorded on 03/11/76 in Volume 206 at Page 5 of the South Windsor Land Records. Said premises are further subject to a water caveat in favor of The Connecticut Water Company dated 09/24/64 and recorded in Volume 104 at Page 191 of the South Windsor Land Records.

TO HAVE AND TO HOLD, the above granted and bargained premises, with the appurtenances thereof, unto him the said grantee, his heirs, successors and assigns forever, to him and their own proper use and behoof.

AND ALSO, I, the said grantor, do for myself, my heirs, executors and administrators, covenant with the said grantee, his successors, heirs and assigns, that at and until the ensueing of these presents, I am well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE, I, the said grantor, to by these presents bind my self and my heirs, executors and administrators forever to WARRANT AND DEFEND the above granted and bargained premises to him, the said grantee, his successors, heirs and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, I, have hereunto set my hand and seal this 7th day of October, 1994.

Signed, Sealed and Delivered in the presence of:

Sophie A. King
 Sophie A. King
Debbie A. Lappen
 Debbie A. Lappen

Mary Ellen M. Loos
 MARY ELLEN M. LOOS

STATE OF CONNECTICUT
 : SS : VERNON
 COUNTY OF TOLLAND)

OCTOBER 7, 1994

Personally appeared, MARY ELLEN M. LOOS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for purposes therein contained, as her free act and deed.

Debbie A. Lappen
 Debbie A. Lappen, Notary Public
 My Commission Expires 8/31/96

Latest Address of the Grantee:

6 Old Farm Road
 South Windsor, CT 06074

RECEIVED FOR RECORD:

DATE 10/7/94 TIME 11:00 AM

TOWN CLERK, SOUTH WINDSOR, CT

CONVEYANCE TAX RECEIVED

725.00 159.50

TOWN CLERK OF SOUTH WINDSOR



