

CityOfTorrington

LAND USE DEPARTMENT
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MEMORANDUM

TO: Torrington Zoning Board of Appeals

CC: Jeremy Leifert – City Planner
Baris Kara - Applicant

FROM: Nate Nardi-Cyrus – Asst. City Planner *NNC*

DATE: MARCH 13, 2023

RE: Application for Location Approval – 37 Migeon Avenue

URGENT FOR REVIEW PLEASE COMMENT FOR YOUR USE PLEASE RECYCLE

NOTES/COMMENTS:

The latest state statute language governing location approvals in CGS 14-54, last amended under Public Act 16-55, placed the review of applications for location approval of automotive dealers and repairers with the local Zoning Board of Appeals, and also removed the requirement for the Board to hold public hearings on these types of applications. See the attached Section 4 of Public Act No. 16-55 for reference.

The Zoning Board of Appeals is acting as an arm of the state and must review the location in which the motor vehicle dealer or repair's license is proposed to determine if this is a suitable location for the facility. There are no standards set forth in the statute to guide this decision, however, the historic standards read as follows:

*"No such certificate shall be issued until the application has been approved and such location has been found suitable for the business intended, with due consideration to its location in reference to **schools, churches, theaters, traffic conditions, width of highway and effect on public travel.**"*

If the proposed location is determined to be a suitable location, the applicant must then apply to the Planning and Zoning Commission for site plan review and approval. The last location approval for an automotive use of this portion of 37 Migeon Avenue was granted on January 22, 1996.

A plan titled "Site Development Plan Prepared for Baris Cem Kara – ECK Motorsports, LLC 37 Migeon Avenue Torrington, Connecticut" prepared by William G. Colby, Professional Engineer, Goshen, CT has been submitted for your review and consideration.

The applicant, Baris Kara, will be leasing this location for his business. The applicant proposes to occupy the rear portion of the existing gas station building with an automotive repair facility and associated office space. Per the Table of Uses in Section 3.1 of the City of Torrington Zoning Regulations, this is a permitted use in this Downtown District zone. This property has 100 linear feet of frontage on a street, which is short of the minimum 150-foot requirement in section 6.2.1 of the Regulations. The property has already received a variance to allow automotive uses with 100' of frontage.

An application for site plan approval has also been submitted to the Planning and Zoning Commission and will be reviewed at the upcoming PZC meeting for compliance with all Zoning Requirements.

It is my recommendation that the Board find that the proposed location is suitable for the proposed use as an automotive repair facility and grant the approval of location.

END OF MESSAGE