



**STAFF REPORT
ZONING BOARD OF APPEALS
Meeting date: January 5th, 2026**

Date: December 29th, 2025

Prepared By: Alex Samalot, Zoning Enforcement Officer
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Application Type: Variance Application

Subject Property: 10 East Wintonbury Ave. "Property" (PID 2020)

Zone: R-15 Residential District (R-15)

Owner/Applicant: Wintonbury Owners, LLC



10 East Wintonbury Ave. Overhead View with GIS Aerial Photography– Town of Bloomfield GIS 2023

Variance Request:

10 East Wintonbury Ave—Applicant/Owner: Wintonbury Owners, LLC, for a Variance of the Zoning Regulations Section 8.1.C Nonconforming Uses of Land and Section 3.3.C (Principal Uses and Structures of the R-15 District), to expand the legal preexisting nonconforming multifamily use to 118 units according to the plans submitted.

Hardship Statement:

The Applicant shall state for the record the grounds for the variance.

Parcel Information:

10 East Wintonbury Ave is located in the R-15 Residential District (R-15). According to the official property card, the parcel is 14.90 acres. The property is developed with 19 Multifamily (apartment) buildings totaling 111 Units (according to the property card). Abutting properties to the north, east, south/southeast and west are within the R-15. An abutting property south/southwest is zoned Planned Luxury Residential District (PLR).

Historical Context

The Windsor Crossing development was approved under the Garden Apartments (GA) Zoning District, which were adopted on July 10, 1969. The site of the existing Development was rezoned from R-15 on April 23, 1970. A preliminary site plan approval was granted May 14, 1970 (Exhibit 5). The GA Zone was later repealed on April 13, 1972 and the property subsequently reverted back to the R-15 Zone. An application was received prior to the GA Zone repeal April 1, 1972 to develop in an existing GA zone. Final approval was granted for 10 East Wintonbury Ave. with 111 units September 14, 1972.

Legal:

Sec. 8-6. Powers and duties of board of appeals. (a) The zoning board of appeals shall have the following powers and duties: (1) To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the official charged with the enforcement of this chapter or any bylaw, ordinance or regulation adopted under the provisions of this chapter; (2) to hear and decide all matters including special exceptions and special exemptions under section 8-2g upon which it is required to pass by the specific terms of the zoning bylaw, ordinance or regulation; and (3) to determine and vary the application of the zoning bylaws, ordinances or regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such bylaws, ordinances or regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured, provided that the zoning regulations may specify the extent to which uses shall not be permitted by variance in districts in which such uses are not otherwise allowed. No such board shall be required to hear any application for the same variance or substantially the same variance for a period of six months after a decision by the board or by a court on an earlier such application.

(b) Any variance granted by a zoning board of appeals shall run with the land and shall not be personal in nature to the person who applied for and received the variance. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.

Staff Comments:

- The minutes of the decommissioning of the GA Zone (Screenshot from Exhibit 4.C April 13, 1972 Meeting minutes):

The Commission discussed the proposed amendment to delete Section 214 - Garden Apartment Zone - from the Zoning Regulations. It was generally agreed that a maximum ratio should be determined of apartment units to single family dwellings, and that luxury apartments have reached a desirable maximum at the present time.

SEC. 214 -
G.A. ZONE
REGS.
REPEALED
Z-3

It was noted that if the Garden Apartment regulations were repealed, housing for the elderly would still be permitted in B-3 Zones.

Following discussion, motion was made by C. Shuster and seconded by E. Sorant that "Section 214 of the Bloomfield Zoning Regulations - G. A. Zone - Garden Apartments - is hereby repealed provided, however, that this Section 214 will remain in effect for any Garden Apart-

April 13, 1972

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ment zone existing on the date of this section's repeal and will remain in effect with reference to any application for a Garden Apartment zone and/or Garden Apartment site plan approval which application has been received on or before the effective date of this amendment."

Following further discussion, the motion was unanimously carried, to become effective upon the date of publication.

- The location of the proposed units are all greater than 200 feet from any property boundaries and all existing units are rental apartments.
- If granted, the applicant shall submit application to Town Plan & Zoning Commission (TPZ), Inland Wetlands & Watercourses Commission, Building Division and any nonmunicipal organization for any approvals deemed necessary.

If the Board is inclined to grant the variance, the following language is suggested:

"I make a MOTION to GRANT the variance as requested for 10 East Wintonbury Ave, Bloomfield, CT as follows a Variance of the Zoning Regulations Section 8.1.C Nonconforming Uses of Land and Section 3.3.C (Principal Uses and Structures of the R-15 District), to expand the legal preexisting nonconforming multifamily use to 118 units according to the plans submitted.

The findings for the granting of the variance are the unique conditions and circumstances associated with this request are not the result of actions of the Applicant/Property Owners taken subsequent to the adoption of the Bloomfield Zoning Regulations and the variance would be in harmony with the general intent and purpose of the Regulations and would conserve the public health, safety, convenience, welfare and property values; and

The exceptional difficulty or unusual hardship on which the decision is based is as follows: **BOARD LISTS ITS FINDINGS HERE.**

If the Board is inclined to deny the variance, it shall state its reasons on the record.