

Town of Essex - Zoning Board of Appeals

**29 West Avenue
Essex, CT 06426**

Record of the Vote

May 15, 2012 – Regular Meeting

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, May 15, 2012 at 7:30 p.m. in Room A of the Essex Town Hall. Members present were Stu Ingersoll, Paul Greenberg, Tim Furgueson and Doug Demarest. Also present, Michael Wells Legal Counsel to the Board and Stella Beaudoin, Recording Secretary.

Motion made by Paul Greenberg to approve a Variance for **Application #12-10 on behalf of Mark Edwards, property located at 5 Gates Road, Essex, CT Assessor's Map 69 Lot 13 RU District**, requesting a variance of Sections 40C, 40D, 40I.1 and 61B of the Essex Zoning Regulations. This is an application to allow a storage shed to be located up to 11 feet from the front property line where 40 feet is required and to increase lot coverage to 9.68% where 7.5% is the maximum allowed. The hardship associated with this request is related to the topography, the drainage, the location of the well and the fact that the property has two front yards. The variance is granted in accordance with the drawings as submitted.

Motion seconded by Tim Furgueson and passed unanimously 4/0/0.

Motion made by Paul Greenberg to approve a Variance for **Application #12-11 on behalf of Nicolas Libert, property located at 38 Main Street, Ivoryton, CT, Assessor's Map 56 Lot 12, VR District**, requesting a variance of sections 61B of the Essex Zoning Regulations. This is an application to allow a storage shed on the property that would increase lot coverage to 8.96% where 7.55 is the maximum allowed. The proposed height and location are compliant with the zoning regulations. The applicant seeks approval to increase the proposed lot coverage to 8.96%, an increase of 0.79%. The hardship associated with this request is based on the fact that the lot pre-exists zoning and this variance request is for coverage only. The variance is granted in accordance with the plans as submitted.

Motion seconded by Doug Demarest and passed unanimously 4/0/0.

Motion made by Stu Ingersoll to deny a Variance for **Application #12-9 on behalf of Michael Peck, property located at 3 Scholes Lane, Essex, CT, Assessor's Map 47, Lot 30 EV District, requesting a variance** of section 45C.1 and 45D.3 of the Essex Zoning Regulations. This is an application to allow an accessory apartment to be located on a lot that is less than 30,000 square feet in area and to have a living area located in a below ground basement area of a principal building. All other characteristics of the house are compliant for an accessory apartment. The variance request is denied on the basis of insufficient hardship demonstrated.

Motion seconded by Doug Demarest and passed unanimously to deny this application 4/0/0.

Motion made by Paul Greenberg to approve a Variance for **Application #12-12 on behalf of Peter Gulick for Mark and Nancy McDonald at 6 Mack Lane, Essex, CT Assessor's Map 46 Lot 24, VR District, requesting a variance to Sections 40D, 40E, 40I.1, 50D and 60B of the Essex Zoning Regulations**. This is an application to add on an addition of approximately 488 square feet off the rear of the house. The addition as proposed is encroaching each side yard setback area by two feet putting the structure 28 feet from each side property line where 30 feet is the maximum allowed. The proposed addition would also increase the property's lot coverage from 6.6% to 9.9%, an increase of 3.3%. The hardship associated with this

request is based on the fact that the house is situated on a lot and both pre-date the zoning regulations. This proposal presents a minimal encroachment on the setback. The variance is approved in accordance with the plans as presented.

Motion seconded by Doug Demarest and passed unanimously 4/0/0.

Motion made by Doug Demarest to approve a variance for **Application #12-14 on behalf of Richard Riggio & Sons for Hubert and Emilie Alvarez EST at 37 Maple Avenue, Essex, CT, Assessor's Map 16 Lot 24 VR District, requesting a variance to sections 40D, 40E, 40I.1, 50D and 60B of the Essex Zoning regulations** to allow two additions onto an existing single family dwelling, each to a point 28 feet from the front property line where 40 feet is required and to allow lot coverage to increase to 11.9% where 7.5% is the maximum allowed. The applicant is proposing to add two additions, one to approximately 502 square feet off the north side of the house and a 50 square foot addition off the south side of the house. The hardship associated with this request is the location of the house which pre-exists zoning and preexists the change in the zoning regulations regarding lot coverage. The variance is approved in accordance with the plans as presented.

Motion seconded by Tim Furgueson and passed unanimously 4/0/0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary