

# **Town of Essex - Zoning Board of Appeals**

## **RECORD OF THE VOTE**

**May 17, 2011**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, May 17, 2011 at 8:00 p.m. in Room A of the Essex Town Hall. Members present were Stu Ingersoll, Al Daddona, Doug Demarest, Alix Walmsley Paul Greenberg and Lynn Faulstick. Also present was Attorney John Bennet, legal counsel for the Board and Stella Beaudoin, Recording Secretary.:

**Motion** made by Al Daddona to approve a Variance for Application #11-5 on behalf of Patrick M. Callahan, property located at 16 Grove Street, Essex, CT, Assessor's Map 32 Lot 24-1 VR District, requesting a Variance of Sections 40C, 40D, 40I and 50F.3 and 60B of the Essex of the Essex zoning regulations. This is an application to add 120 square feet to an existing non-conforming accessory structure that is located entirely within the rear setback area. Variance granted based on the fact that the existing barn is situated in the setback. The new structure will present similar intrusions on the setback as was that of the previous barn. There is a minimal increase in coverage and any modification to the footprint will be a hardship because it is not in accordance with the zoning regulations. This proposal replaces a building that was severely compromised by a sever winter. The structure had to be torn down and replaced with a new structure. This Variance is based in accordance with plans dated April 15, 2011 as submitted.

**Motion** seconded by Alix Walmsley and passed. Lynn Faulstick abstained.

**Motion** made by Doug Demarest to approve a Variance for Application #11-6 on behalf of Patrick Kilty for Heritage Cove Condominium, property located at 85 River Road, Essex, CT, Assessor's Map 12 Lot 7, RU District, requesting a Variance of Sections 40C, 40D, 40I.1 and 61B of the Essex zoning regulations. This is an application to replace the roofs of six to seven existing carports that encroach the front yard setback area. This Variance is granted on the basis that these are existing structures that were in place prior to the Essex zoning regulations, the height of the building is within code and there is opposition to this from only one neighbor. The height is only 5" above the regulated height. The building is also within 15 feet of the setback area. The hardship associated with this proposal; the construction of the entire comple occurred before zoning. It is reasonable to use the minor modifications to upgrade these buildings. This Variance is approved in accordance with the drawings submitted dated April 15, 2011.

**Motion** seconded by Paul Greenberg and passed. Lynn Faulstick abstained.

**Motion** made by Al Daddona to grant a Variance for Application # 11-7 on behalf of Robert J. Kolp Jr., property located at 24 Cove Rest Pentway, Essex, CT Assessor's Map 71 Lot 21-1 RU District requesting a Variance of Sections 61B of the Essex Zoning Regulations. This is an application to locate a 8' x 20' accessory structure on the property. This Variance is granted based on the fact that the lot coverage would increase from 7.05% to 7.93% where 7.5% is the maximum. This proposal involves only an accessory structure with an increase in coverage of .8%. Anything done on this property will not be in accordance with the Essex zoning regulations and a storage shed will not be an imposition on the lot. The hardship for this proposal lies within the Essex zoning regulations. This Variance is granted in accordance with the drawing.

**Motion** seconded by Doug Demarest and passed with Lynn Faulstick abstaining.

Respectfully submitted,

Stella C. Beaudoin, Recording Secretary