

# **Jezek & Barbi**

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Tim Ferguson, Chairman  
Essex Zoning Board of Appeals  
39 West Avenue,  
Essex, CT 06426

Re. 95 Book Hill Road application # 21-17

Dear Mr. Ferguson,

Please be advised that I represent Ms. Virginia Connor who owns the property at 97 Book Hill Road which adjoins the applicant's property to the north. Ms. Connors objects to the referenced application for the following reasons;

First, a review of the Essex Assessors card reveals that the subject property already has a garage. Apparently the applicant desires to convert the existing garage to living space and then build a new garage which does not comply with the zoning requirements. This is a classic example of a

self-created hardship, which of course is not a valid reason for the granting of the variance.

Second, although the application references the usual zoning regulations to be affected by the requested variance, conspicuous in its absence is any reference to the violation of allowed coverage. According to both the Assessor's records and the submitted survey, the existing house, and the two out buildings already exceed the allowed 15%. The submitted survey indicates the current coverage is 17.7%. Unfortunately, nowhere in the application, drawings or survey are there dimensions for the proposed garage. It appears that the garage will be 24 by 36 feet or an additional 864 square feet. This will add 5.6% to the existing 17.7% for a total of 23.3%. There is no request for a coverage variance, however, even if it were requested, this is simply too much coverage for this neighborhood.

Third, my client's property would be negatively impacted by this proposal. Although the application says the garage would be 8 feet from the line, the survey indicates it will actually be 7 feet. To have a structure of this size only 7 feet off the property line and almost directly across from my client's house would have a substantial negative impact on the use, aesthetics and value

of her property.

Fourth, there is no claimed hardship other than "only spot where garage will fit on property" which is not the basis for granting a variance, especially when there is already an existing garage. My client should not have to have to suffer the diminishment of the use and value of her property, simply so the applicant can convert his existing garage to living space and then add another garage in violation of the setback and coverage regulations.

On behalf of Ms. Connors I thank you and the Board for your consideration in this matter.

Regards,



Terrance D. Lomme