

Town of Essex
Zoning Board of Appeals
29 West Avenue, Essex, CT 06426

Variance Application

Date received by office _____ Application fee - \$50 + State fee - \$60 = \$110 Pd. _____

Application # _____ Hearing Date _____

Premises: Street Address 5 River Road

Assessor's Map # 17 Lot # 4 Lot Area .35 ac

Zoning District RU- Rural Residential Deed Reference: Book 312 Page 0780

Owner of Property Kristine Thomas

Address 5 River Road Essex CT 06426
Street Town State Zip

Telephone 860-304-1280 Email: kris.thomas@wellsthomas.com
home work

Applicant (if not owner) Hope Proctor, Proctor Architects

Address 28 Main Street Suite 4 Essex CT 06426
Street Town State Zip

Telephone 860-767-0767 Email: hope@proctorarchitects.com
home work

Note:

- 1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.
- 2) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE BOARD OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.
- 3) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S AGREEMENT TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY THE LAND USE OFFICE AS DESCRIBED IN PART THREE OF THIS APPLICATION.

Signature (Authorized Agent)  Date 7.21.22

Current use of the property ☒ Residential ☐ Business ☐ Farm ☐ Other _____

Is any portion of property within 500' of another Town? ☐ Yes ☒ No

Is the property within the Gateway Conservation District? ☒ Yes ☐ No

If this application is for a variance(s) please complete the following sections:

1. Variance(s) requested of the Essex Zoning Regulations

Check those that apply and write in sections that variances are requested

Section No.	Allowed/Required per the regulations	Existing	Requested
<input checked="" type="checkbox"/> 40C	No buildings within the setbacks		
<input checked="" type="checkbox"/> 40D	No improvements except in conformity		
<input type="checkbox"/> 40E	No change in the use of any land or improvement, in the location of any improvement, or in the size or shape of any lot or improvement except in conformity with the zoning regs.		
50D	Nonconforming uses and improvements extension or expansion		
61B	Rural Residential District Required Characteristics		

(Please attach supplemental sheets if space provided is insufficient)

☒ Yes ☐ No

1a). Is a variance requested of Section 101E Gateway Buffer Area? If yes, the application shall be reviewed by the Essex Inland Wetlands and Watercourses Commission (per Section 140L) and a letter of referral shall be provided by the EIWWC prior to attending the ZBA meeting.

2. Variance is requested to allow (Please describe proposed use, dimensions, height and location of any new construction PLUS any changes to use, size, shape, bulk, footprint, floor area or height of existing structure)

See Supplemental documents for variance request details, as well as all dimensional plans and elevations illustrating setback information.

(Please attach supplemental sheets if space provided is insufficient)

3. Strict application of Essex Zoning Regulations would result in an unusual hardship because of the following characteristics of the property (Support topological hardship claims with photographs, survey, etc.)

a. See Supplemental documents attached

b.

c.

4. The above hardship is unique to this parcel and not shared by other in the area because:

a. See Supplemental documents attached

b.

c.

5. Described proposed reductions in legal pre-existing nonconformities, if any

a. See Supplemental documents attached

b.

c.

The requested variance(s) are in harmony with the purpose and intent of Essex Zoning Regulations because:

a.

See Supplemental documents attached

b.

c.

Have previous applications been made for this property? ☒ Yes ☐ No

If yes, previous application #s 16-12 Date June 21, 2016

Prior variance request: setback variance Variance Board Action Approved

The following items must be included as part of this application:

- ☒ a. Fee of \$110.00 – Town Fee \$50 plus \$60 State Fee...payable to the Town of Essex
- ☒ b. 10 copies of the application, site plan (with setback lines) and sketch of the proposal.
- ☐ c. Copy of property deed
- ☐ d. Referral from Health Department
- ☐ e. Referral from Essex IWWC (if applicable)
- ☐ f. Referral from adjacent towns
- ☐ g. Referral from Gateway Conservation Commission

Owner/Applicant Commitments

I (we) certify that the statements hereinabove made and the documents submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to allow Zoning Board of Appeals members access to the property for informal, independent site visits, for the purpose of evaluating this application prior to the Board rendering its decision.

Signature of applicant [Signature] Date: 7.21.22

Signature of property owner [Signature] Date: 7-22-22

Applicant must provide a current list of all names and addresses of abutting property owners.

NAME

ADDRESS

TOWN

ZIP CODE

See Attached



Proctor Architects, LLC

ZBA Application Supplemental Information Sheet

1. Variances requested:

Section 40C Setback

Section 40D Improvements

Section 50D Nonconforming uses and improvements extension or expansion

Section 61B Rural Residential district Required Characteristics

A side yard setback is requested along the South edge of the property line. The existing house has an existing non-conforming setback of 22.5' off the property line where 30'-0" is required. We are proposing to add an addition to the back of the house which would be within the side yard setback putting it at 14.4' off the property line.

This property has a previously approved variance for a side yard setback of 13.1' (Application16-12). We are asking to reduce the approved non-conformity of the side yard setback from 13.1 to 14.4' off the property line.

2. Proposed addition is below the required height and coverage requirements.



Proctor Architects, LLC

Thomas Residence
5 River Road

LIST OF ABUTTING NEIGHBORS

GRASSO, FRANCIS & DORENE

1 RIVER ROAD
ESSEX, CT 06426

**SURDAM, ROBERT & PATRICIA
ELLIS**

4 RIVER ROAD
ESSEX, CT 06426

LUKASIK, APRIL

9 MILL ROAD
ESSEX, CT 06426

WALTON, MATTHEW & JEAN

20 RIVER ROAD
ESSEX, CT 06426