

Town of Essex
Zoning Board of Appeals

29 West Avenue, Essex, CT 06426

RECEIVED
AUG 26 2022

Variance Application

#3732

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

Application # 22-10 Hearing Date _____

Premises: Street Address 6 Bank Lane

Assessor's Map # 47 Lot # 93 Lot Area -21 ac

Zoning District VR Deed Reference: Book 349 Page 1052

Owner of Property Steven Hall + Stephanie Hartel

Address 6 Bank Lane Essex, CT 06426
Street Town State Zip

Telephone 1-703-992-4705 Email: stevesteph8108@outlook.com
home work

Applicant (if not owner) Owners

Address Same
Street Town State Zip

Telephone _____ Email: _____
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) [Signature] Date 8-25-22

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	House+garage	House+part garage
<input checked="" type="checkbox"/> 40D	No improvements except in conformity	" "	" "
<input checked="" type="checkbox"/> 40E	No change in the use of any land or improvement, in the location of any improvement, or in the size of shape of any lot or improvement except in conformity with the zoning regs.	" "	" "
		add ramp, lift and second story on small portion of house	
40.I.1		extend second story to second story of house	
		increase coverage from 14.7% to 16.8%	

(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)

Steven and Stephanie are requesting variances to add an ADA compliant enclosed ramp and lift to this house. They are requesting to add a modest second floor area for access to the lift.
(see attached addendum)

(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. The subject lot was created prior to the zoning regulations and is therefore smaller than what is
- b. now required. The house was built 1847 and is located in both the front and side setbacks.
- c. Therefore the house cannot be modified without variances.

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

- a. The subject lot only contains 1,590 square feet of buildable area. Due to the modest
- b. size and shape of the lot, a significant portion of the house and all of the garage
- c. are located in the front and side setbacks.

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

- a. The garage is going to be moved entirely out of the front setback and substantially
- b. out of the side setback, which will be to the benefit of residence to the south
- c. and will be consistent with neighborhood.

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

- a. As a result of the granting of the
variances, the house will become much more
b. functional and the relocation of the garage
will make the property more conforming with
c. the regulations.

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

If yes, previous application #s _____ Date _____
Prior variance request: _____ Variance Board Action _____

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: Aug 24 2022

Signature of property owner [Signature] Date: Aug 24 2022

PAGLIUGHI RUSSELL JR TRUSTEE &
10 BANK LA
ESSEX, CT 06426

BANK LANE LLC
1 CHAMPLIN SQ
ESSEX, CT 06426

BANK LANE LLC
1 CHAMPLIN SQ
ESSEX, CT 06426

PRATT SQUARE LLC
1 CHAMPLIN SQUARE
ESSEX, CT 06426

ADDENDUM TO HALL- HARTELL APPLICATION

Steve and Stephanie desire to modify the existing house at 6 Bank Lane while making the property more conforming. The house was constructed in 1847, and the existing lot was created long before zoning was implemented. As a result the house is currently located in both the front and side setbacks. The garage, which was constructed later, is located entirely in the side setback and a majority of it is located in the front setback. The house contains a modest 1,398 square feet of living space. This proposal is to move the garage entirely out of the front setback and substantially out of the side setback. The garage is located approximately 10 feet from the neighbor's house to the south, and after the proposed relocation, it will be approximately 25 feet from the said neighbor's house. The garage is also located approximately 15 feet from the road and after the proposed relocation will be 30 feet from the road in conformance with the regulations.

Due to Stephanie's medical condition, she will require a ramp to gain access to the house. Therefore they propose a 10 x14 foot ADA compliant ramp to be constructed between the relocated garage and the house. Additionally, they are requesting a 4 X 13 foot addition to the rear of the house to install a lift to the second floor and a small second floor addition (over the existing first floor no additional coverage). The addition to the rear of the house and the second floor are to the north side of the property which is bounded by a driveway and a parking lot so there are no residences that are affected by these improvements.

As a result of these changes, the sideline intrusion will be reduced by 116 square feet (168-52) and the front setback intrusion will be reduced by 252 square feet. The lot coverage will increase by 192 square feet increasing the coverage from 14.7% to 16.8%.

After these proposed changes, the property will be more conforming to the zoning regulations, and much more suitable for Stephanie. It will benefit the neighborhood by having the garage setback further from the street and will benefit the neighbors to the south by having the garage further from their house. There is no negative impact on the value or use of any of the neighboring properties.

