

File Copy

# Town of Essex Zoning Board of Appeals

29 West Avenue, Essex, CT 06426

## Variance Application

# 2917  
11-18-22

Date received by office 11-18-22 Application fee - \$50 + State fee - \$60 = \$110 Pd. ✓

Application # 22-17 Hearing Date 12-20-22

Premises: Street Address 7 DENNISON ROAD ESSEX, CT 06426

Assessor's Map # 17 Lot # 34 Lot Area .660 ac

Zoning District VR Deed Reference: Book 0128 Page 0643

Owner of Property LAWRENCE C. KAPLAN and NORA E. GROFF-KAPLAN

Address 7 DENNISON RD ESSEX, CT. 06426  
Street Town State Zip

Telephone +44 7542 504 974 Email: Larry\_Kaplan1@yahoo.com  
home work

Applicant (if not owner) \_\_\_\_\_

Address \_\_\_\_\_  
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 BOARDOR 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) Lawrence C. Kaplan Date NOV. 17, 2022

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		0.1 acre increase
<input type="checkbox"/> 40D	No improvements except in conformity		in the property of 13 DENNISON RD
<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.		in order to improve yard space and dimensions of this property that has historically been occupied for over 35 years in current manner.

00 B 60,000 Sq ft. parcel; existing acreage is .660 acres  
New acreage proposed will be .560 acres

(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)

THIS request is only for the conveyance of a small portion of our property to 13 DENNISON RD. This improves the dimensions and available use of this property's back yard & garden area.

(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. Please refer to Survey Completed

b. The land belonging to 13 DENNISON RD. Narrows considerably towards the Falls River and limits use of this property's backyard by the CAIAZZO Family

c. #7 DENNISON RD will/would have no use for the 0.1 Acre parcel in question and will gladly convey this land to #13.

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

a. The #13 DENNISON Property has in our opinion unusual and irregular dimensions that produce impact on esthetics and utility of its backyard

b. This matter only affects the #7 and #13 properties and we, the owners of #13 are willing to accommodate our neighbor's needs.

c. There will be no impact on either the view or access to Falls River as a result of this Variance for #7 DENNISON RD.

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

a. Please see Survey. Both properties already are nonconforming resulting from pre-zoning apartments, this request makes a very minor change that would effectively not change either property in any significant way

b.

c.

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

a. Prior to the landowners purchase and occupancy of # 7  
the total parcel of both lots was already irregular.

b. This variance would NOT change total acreage but allow  
for a fairer configuration of # 13<sup>s</sup> property. The landowner(s)  
are willing to support this change

c. \_\_\_\_\_

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
- N/A  e. Referral from Essex IWWC (if applicable)
- N/A  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 *Lauren C. Kaplan* \_\_\_\_\_ Date: 11/17/2022  
*Naomi Rose Kaplan*

Signature of property owner *Lauren C. Kaplan* \_\_\_\_\_ Date: 11/17/2022  
*Naomi Rose Kaplan*

