

✓ #201

Town of Essex
Zoning Board of Appeals

29 West Avenue, Essex, CT 06426

Variance Application

Date received by office 7/21/23 Application fee - \$50 + State fee - \$60 = \$110 Pd.

Application # 23-11 Hearing Date August 15, 2023

Premises: Street Address 92 Ingham Hill Road

Assessor's Map # 94 Lot # 004 Lot Area .43 ac

Zoning District RU Deed Reference: Book 205 Page 815

Owner of Property Lawrence D. and Sherri L. Athay

Address Essex CT 06426
Street Town State Zip

Telephone 860 767 0880 Email: sherriathay@gmail.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 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) Sherri L. Athay Date 7/21/2023

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 of shape of any lot or improvement except in conformity with the zoning regs.		
	Coverage	SEE ATTACHED	
	Setbacks		
	Height	40I.1, 50D, 61B.	

(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 ATTACHED

(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 ATTACHED

b.

c.

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

a. SEE ATTACHED

b.

c.

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

a. N/A

b.

c.

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

a. SEE ATTACHED

b.

c.

Have previous applications been made for this property? Yes No

If yes, previous application #s 02-34 Date 10/15/2002
Prior variance request: garage + bedroom additions Variance Board Action granted, but never built

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
- N/A 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 *Sherrie J. Athan* Date: 7/21/23

Signature of property owner *Sherrie J. Athan* Date: 7/21/23

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The town records show our property with an area of .45 acres. However, a recent surveyor calculated an area of .43 acres or 18,737 square feet. Per the town area (.45 acres), the proposed additions constitute a coverage of 15%.

The following coverage calculations are made using the new (smaller) lot size.

The existing dwelling on the property has a base area of 1,048 square feet for a building coverage of 5.59%.

We propose a 758 square foot bedroom addition and a 1,008 square foot garage/exercise room addition (with bedroom/studio above). These additions would bring coverage on the parcel to 2,934 square feet for a building coverage of 15.66%.

The height of the proposed additions are 20' and 26'.

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Variance is requested to allow the construction of an 18' x 36' (20' high) bedroom addition to south side of the existing house and a 24' x 42' (26' high) garage/bedroom/bonus room addition to the north side of the existing house.

The locations of the proposed additions require a variance to allow building at the same distance (30.3') from the front property line as the existing residence. The current regulations stipulate a 40' setback.

The proposed garage addition (north/right of the house) requires a variance to allow building 24' from the side property line. The current regulations stipulate a 30' setback. The proposed bedroom (south/left) does not require a change to the side setback.

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1. substandard undersized lot (0.43 acres)
2. existing house is already 10' closer to the front property line than currently allowed by zoning regulations
3. septic and well locations constrain building footprint

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most of the houses on the street are on much bigger lots

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1. we are maintaining residential use
2. we are keeping the property in character with the neighborhood
3. the finished structure will not be closer to the road than many of the other houses on the street
4. where we request a variance on the side setback, the adjacent property is pasture (and the residence is well over 100 feet away)
5. where we request a variance on the front setback, the property across the street is a 1,000 acre nature preserve

**ADJACENT PROPERTY OWNERS
TO 92 INGHAM HILL ROAD, ESSEX,**

Bombacci's own property on both sides and to the rear. Essex Land Trust owns the huge tract of undeveloped land across the street.

Kenneth J. and Judith A. Bombacci
86 Ingham Hill Road
Essex, CT 06426
Tax Map 94, Tax Lot 003

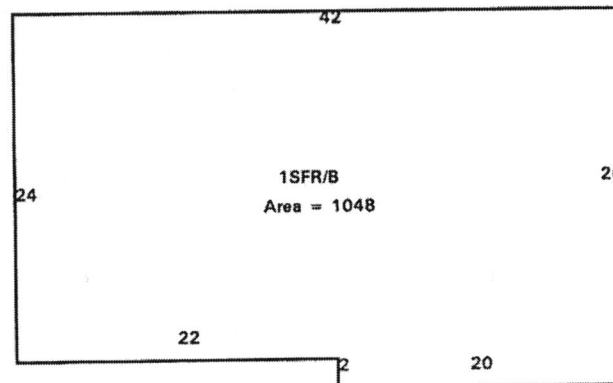
Kenneth J. Bombacci
86 Ingham Hill Road Essex, CT 06426
Tax Map 94, Tax Lot 005

Essex Land Trust Inc.
PO Box 373
Tax Map 93, Tax Lot 001

SEQ # R18	Location: 92 INGHAM HILL RD Secondary: Map/Blk/Lot: 94 004	Account #: 00079100 Lot Size: 0.45 acres Zoning: RU	Card: 1 of 1 State Code: 0 Census Tract: 6301	Neighborhood: SX100 District: Print Date: 9/5/2002	Listed by: RCR List Date: 09/02/1998 PS Code 1:
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Building Characteristics

Design	Ranch	Fireplaces	1 on 1
Exterior	Wood Shingle	Living area	1048
Quality	Average	Basement area	1048
Condition	Good	Bsmt finished	0%
Roof Mat	Asphalt	Foundation	Conc Blk
Roof Type	Gable	Rooms	5
Story height	1S	Bedrooms	3
Year built	1950	Phys dep	24 %
Basement Gar	none	Funct dep	0 %
Heat1	Forced Air	Econ dep	0 %
Heat2	N/A	Unf dep	0 %
Heating fuel	Oil	Int vs Ext	Same



Floors

B	Concrete
1	Hardwood
2	
3	
4	

Walls

B	Unfinished
1	Drywall
2	
3	
4	

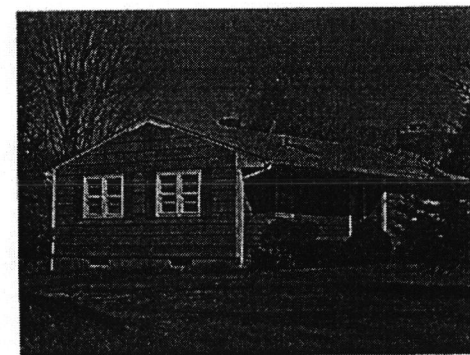
Plumbing

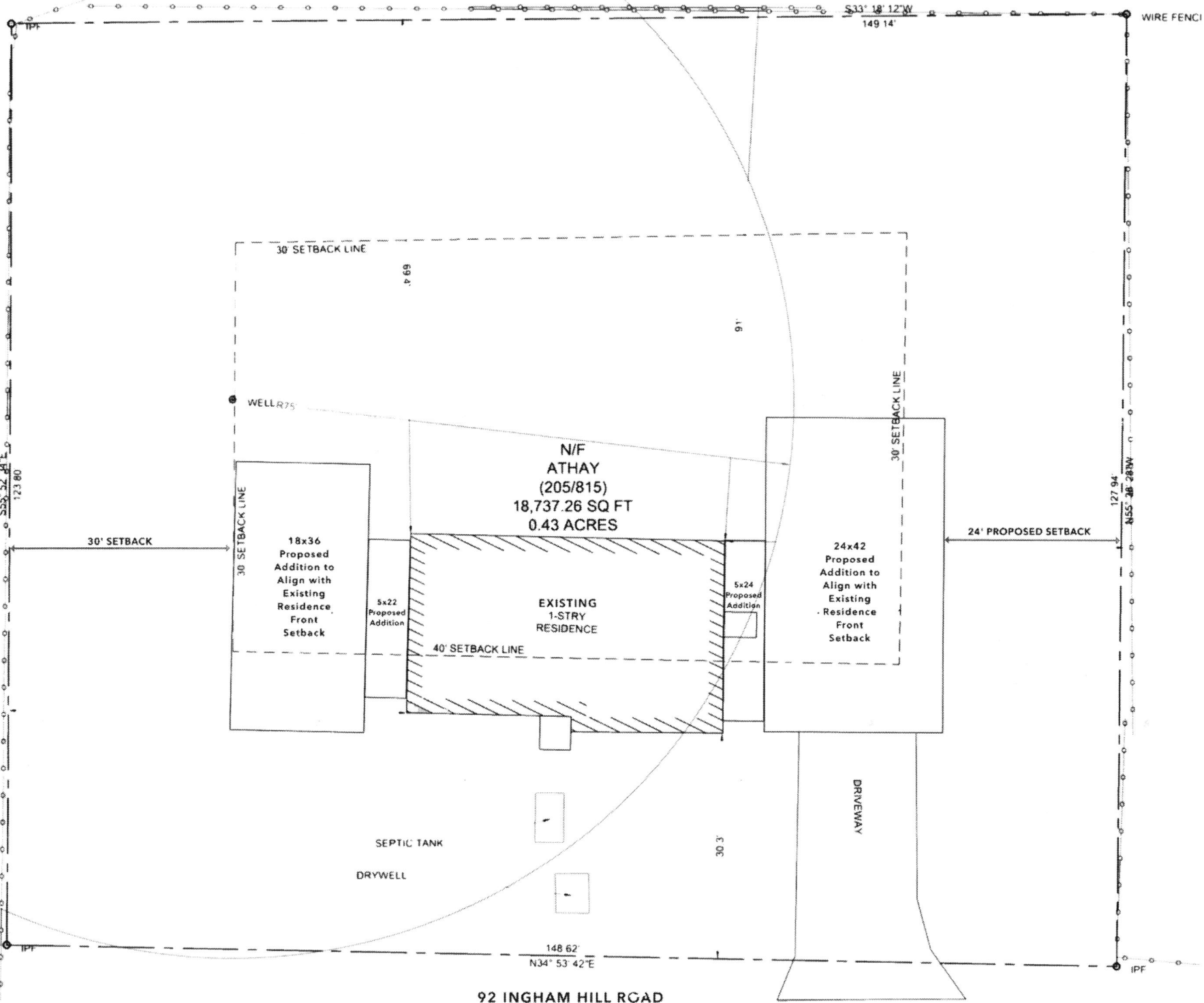
Full Baths	1
Stall Baths	
Half Baths	
Extra Showers	
Extra Sinks	
Extra Toilets	
Whirlpool Tub	
Hot Tub/Spa	
Sauna	
Bidet	
Other	

Remarks:

Sales History

Sale Price	Sale Date	Conf Code
240000	06/14/2002	110





92 INGHAM HILL ROAD

