

Town of Essex
Zoning Board of Appeals

RECEIVED
AUG 25 2023
29 West Avenue, Essex, CT 06426
Variance Application

#043937

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

Application # 23-14 Hearing Date 10/17/23

Premises: Street Address 17 West Avenue

Assessor's Map # 32 Lot # 34 Lot Area .96 ac

Zoning District VR Deed Reference: Book 144 Page 281-283

Owner of Property Emme L. Deland

Address 131 East 69th Street, No 5B, New York, NY 10021-5158
Street Town State Zip

Telephone 917-579-5587 Email: eld9009@nyp.org
home work

Applicant (if not owner) AJ Shea

Address 192 Westbrook Rd, Essex CT 06426
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) Em L Deland Date 08/26/23

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.		
	Coverage	8.07 %	8.72 %
	Setbacks	22' 4"	22' 4" - 22' 10"
	Height	10' 10"	10' 10"
603, 50D 40I-1			

(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)

The variance would allow to expand the living room 12' at the back of the house. The expanded footprint would be 12' x 26' and 29 sq ft would be in the setback. The expanded height would match the existing height of 10' 10".

(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 property is non-conforming and pre-existed zoning. The property width is only 89' where the house sits.

b.

c.

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

a.

b.

c.

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

a.

b.

c.

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

a. If allowed, the lot coverage would only be 8.72%.

b. The extended area will be the same height as the existing and, would be in character with the neighborhood

c. _____

Have previous applications been made for this property? Yes No

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

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

- x a. Fee of \$110.00 – Town Fee \$50 plus \$60 State Fee...payable to the Town of Essex
- x b. 10 copies of the application, site plan (with setback lines) and sketch of the proposal.
- x c. Copy of property deed
- x 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 Erin L Deland Date: 8/24/23

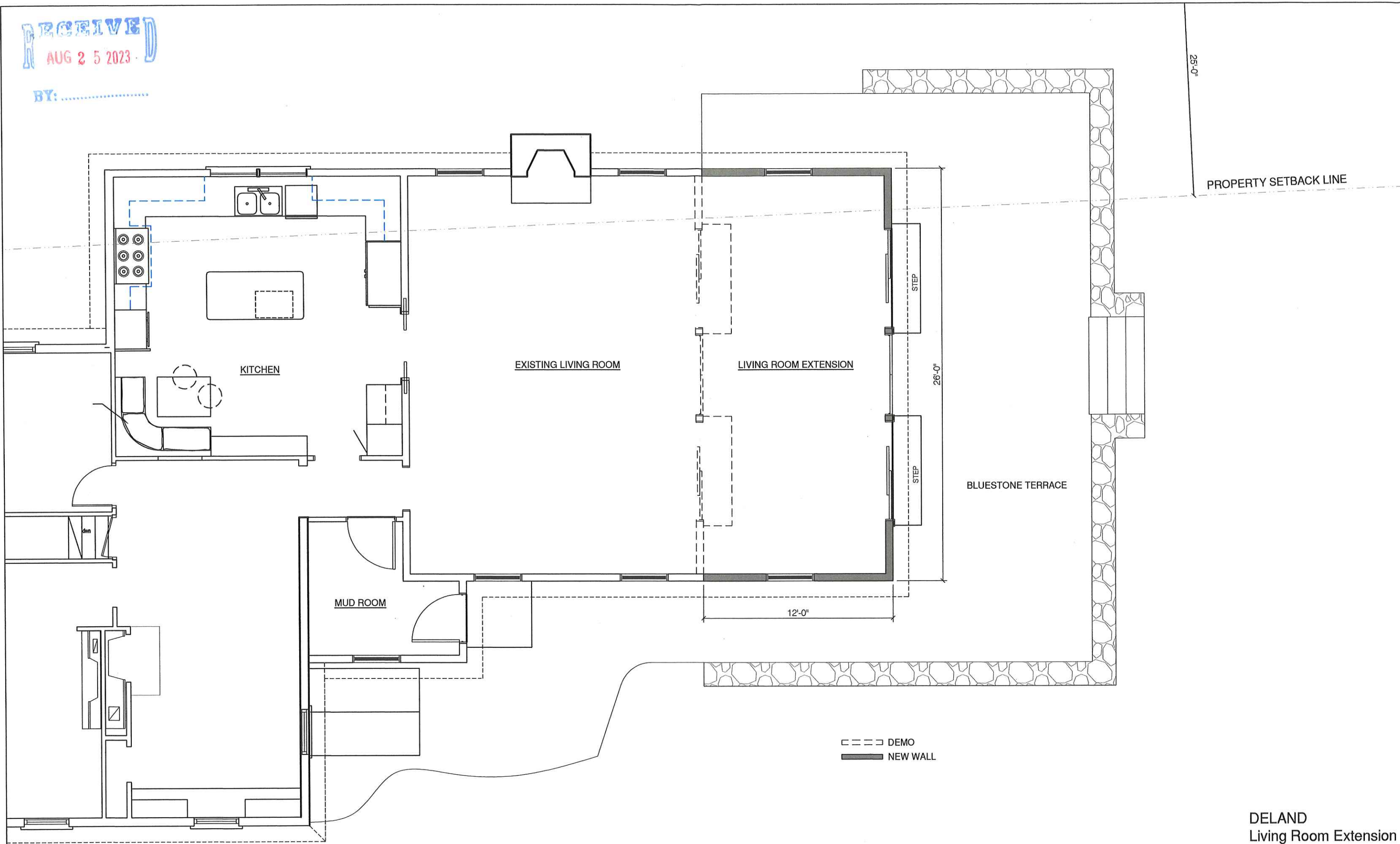
Signature of property owner Erin L Deland Date: 8/24/23

Deland
17 West Avenue, Essex, CT

Previous ZBA Application No.	Date	Request	Variance Board Action
19-29	10/19/2019	Convert Garage to Apartment	Denied
04-24	8/18/2004	Exterior Porch Addition -- Construct Garage	Granted
	7/15/2003	Replace Garage	Granted - Not Acted On
	1/19/1999	Bathroom Addition	Granted

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BY:



--- DEMO
— NEW WALL

THESE DRAWINGS ARE THE PROPERTY OF
AJ SHEA CONSTRUCTION LLC AND ARE NOT TO
BE USED WITHOUT WRITTEN APPROVAL.

DELAND
Living Room Extension
8-22-2023
SCALE: 3/16" = 1'-0"
Page 1



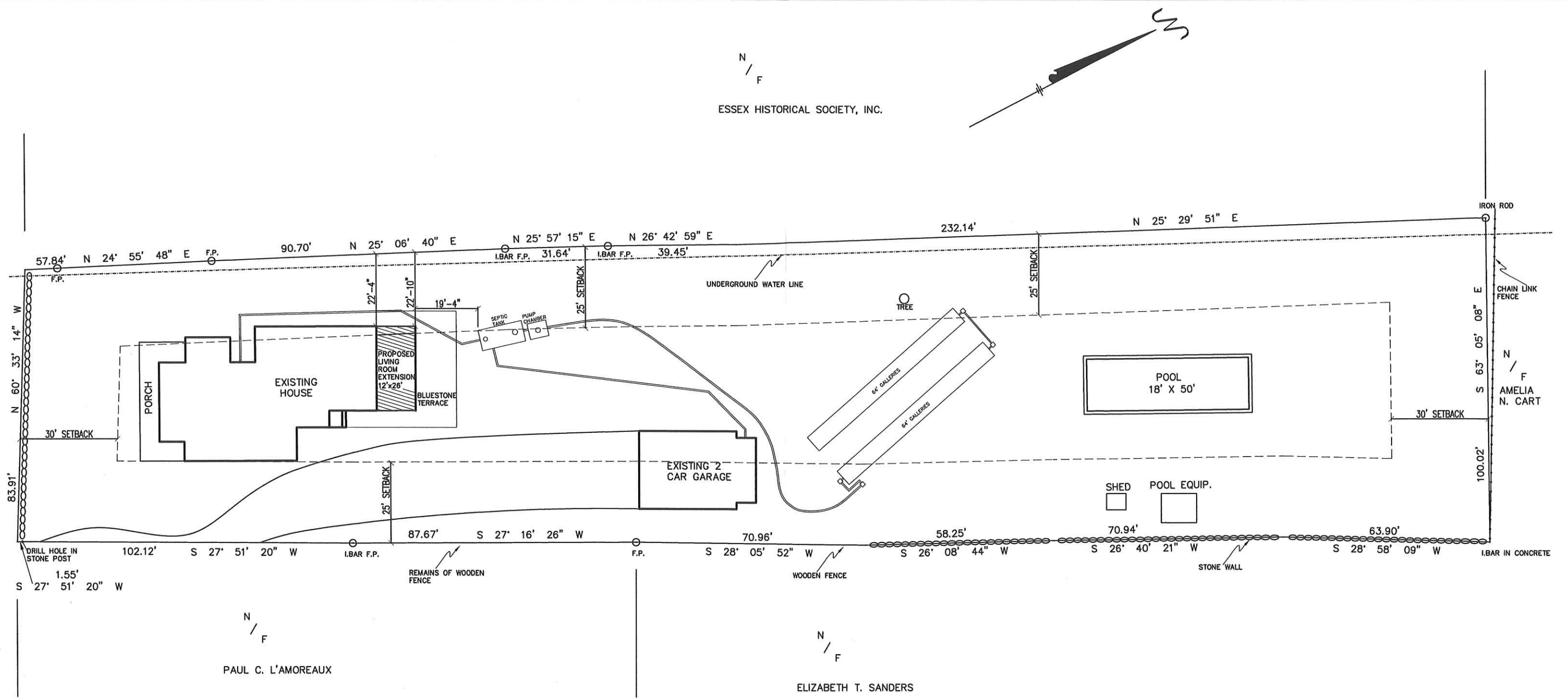
EAST ELEVATION



NORTH ELEVATION

N
/
F

ESSEX HISTORICAL SOCIETY, INC.



N
/
F

PAUL C. L'AMOREAUX

N
/
F

ELIZABETH T. SANDERS

EXISTING HOUSE	2,506 sqft
EXISTING GARAGE AND SHED	<u>830 sqft</u>
EXISTING TOTAL	3,336 sqft
PROPOSED LIVING ROOM EXPANSION	312 sqft
EXISTING HOUSE & GARAGE	3,336 sqft
PROPOSED LIVING ROOM EXPANSION	<u>312 sqft</u>
EXIST HOUSE, PROP TOTAL	3,648 sqft
LOT SIZE	41,813 sqft +/-
EXISTING LOT COVERAGE	@ 8.07%
PROPOSED LOT COVERAGE	@ 8.72%

* SITE PLAN REVISED BY AJ SHEA CONSTRUCTION TO SHOW EXISTING HOUSE, GARAGE, POOL AND POOL EQUIPMENT SHED. REV. 8-17-2023

ORIGINAL DRAWING BY RICHARD W. GATES LAND SURVEYOR DATED DECEMBER 15, 2003.