

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

✓ # 249

Variance Application

Date received by office 10/18/23 Application fee - \$50 + State fee - \$60 = \$110 Pd.

Application # 23-17 Hearing Date 11/21/23

Premises: Street Address 91 Pond Meadow, Ivoryton (House #1)

Assessor's Map # 88 Lot # 2 Lot Area \_\_\_\_\_ ac

Zoning District RU Deed Reference: Book \_\_\_\_\_ Page \_\_\_\_\_

Owner of Property 9197 CCAS

Address 9197 CCAS / 142 Warsaw St. Deep River CT 06417  
Street Town State Zip

Telephone 860 575-0626 Email: moselescrystian@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 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 10-18-2023

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 type="checkbox"/> 40C	No buildings within the setbacks		
<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.		
X 50 C	Coverage		
	Setbacks		
	Height		

(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)  
Single family house, has an area of 2,431 sqft. <sup>total</sup> Demo on Existing Building 1 & Existing Building 1 (Garage). Construct a new building. Existing Total Area total of 2635 sqft. Removing existing House & Garage-Barn

(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. Building is not up to code
- b. Some of the foundation is made up of Boulders (not safe) (Existing building) & the rest is crumbling.
- c. On Garage Building 1 there is no existing footings & framing is not up to code.

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

- a. Builds were built in the 1800's with low quality
- b. reducing the number of Buildings

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. \_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

Have previous applications been made for this property?  Yes  No

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

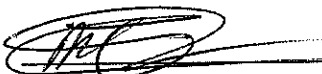
The following items must be included as part of this application:

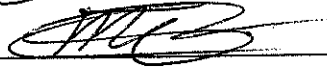
- \_\_\_\_\_ a. Fee of \$110.00 – Town Fee \$50 plus \$60 State Fee...payable to the Town of Essex
- \_\_\_\_\_ b. 10 copies of the application, site plan (with setback lines) and sketch of the proposal.
- \_\_\_\_\_ c. Copy of property deed
- \_\_\_\_\_ d. Referral from Health Department
- \_\_\_\_\_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

**Owner/Applicant Commitments**

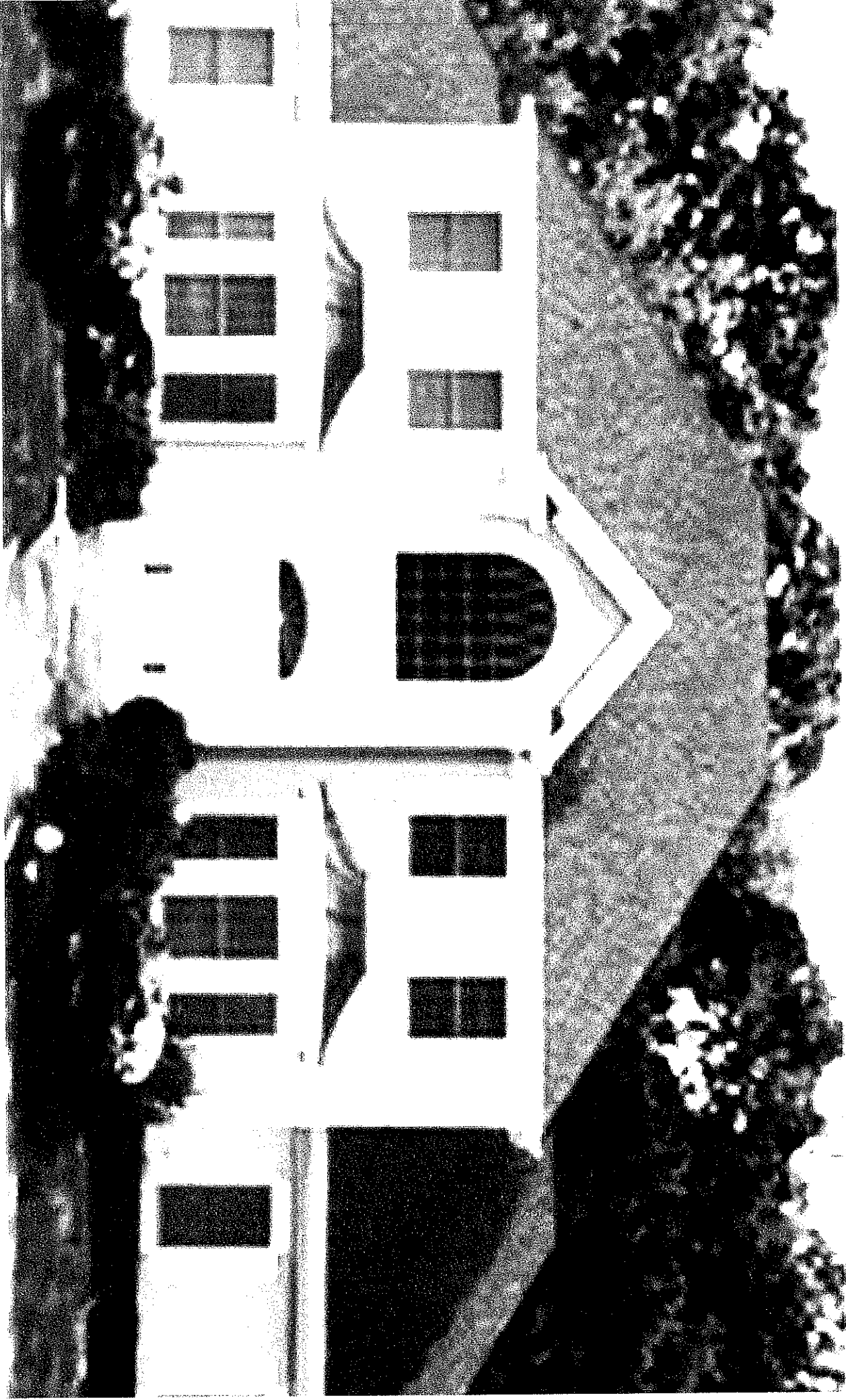
I (we) certify that the statements hereinabove made and the documents submitted herewith are true to the best of my (our) knowledge and belief.

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  Date: Sep-13-2023

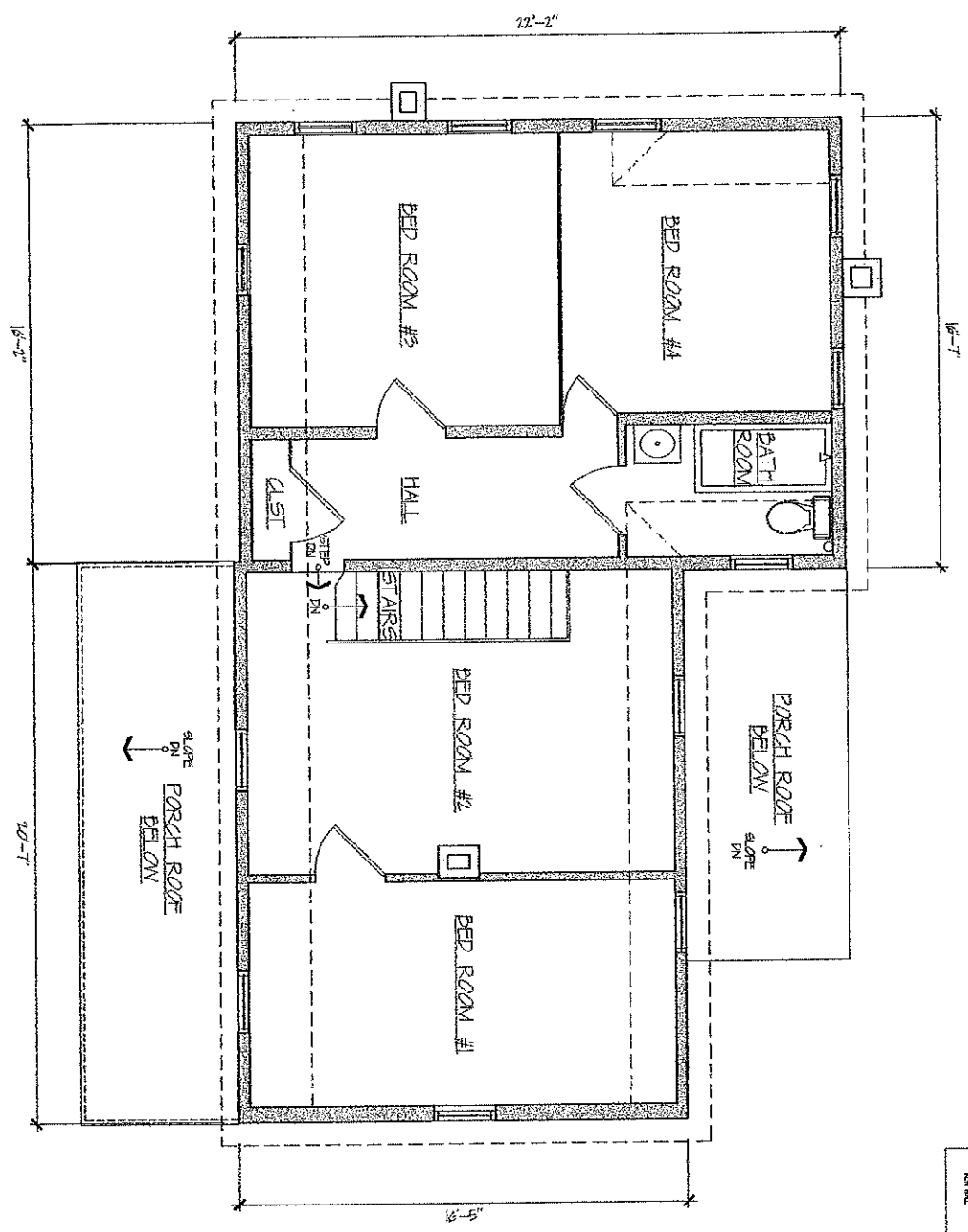
Signature of property owner  Date: Sep-13-2023





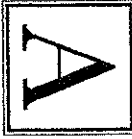


EXISTING SECOND FLOOR PLAN  
 SCALE 3/8" = 1'-0"  
 NORTH



LEGEND:  
 WALL TO REMAIN  
 NEW WALL

EXISTING DOOR, WINDOW  
 DOOR TO BE REMOVED  
 WINDOW TO BE REMOVED  
 DOOR TO BE RELOCATED  
 WINDOW TO BE RELOCATED  
 DOOR TO BE ADDED  
 WINDOW TO BE ADDED



A BARCA  
 ARCHITECTS & BUILDERS, INC.  
 1500 W. 10TH ST.  
 SUITE 100  
 DENVER, CO 80202

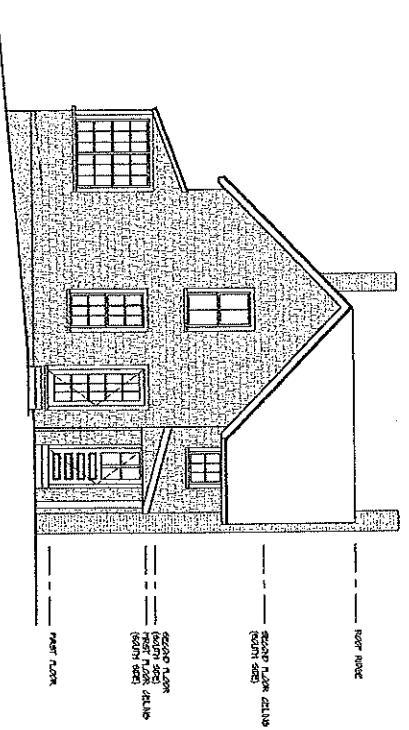
MORALES FAMILY RESERVE  
 BUILDING #1  
 51 PAD MEADOW RD  
 NORTHVALE, CO 80641  
 CLIENT:  
 CRYSTAL MORALES  
 CONTACT PHONE: 303-555-0816  
 PROJECT NUMBER: 08007

DATE:	
REVISIONS:	
NO.	DATE
1	08-14-07
2	08-14-07
3	08-14-07
4	08-14-07
5	08-14-07
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100	08-14-07

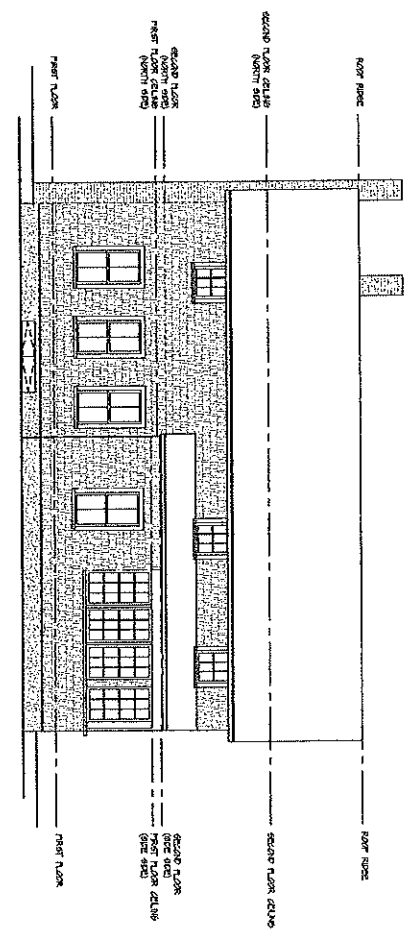
COMMENTS:  
 NOT RELEVANT FOR CONSTRUCTION

EC-2

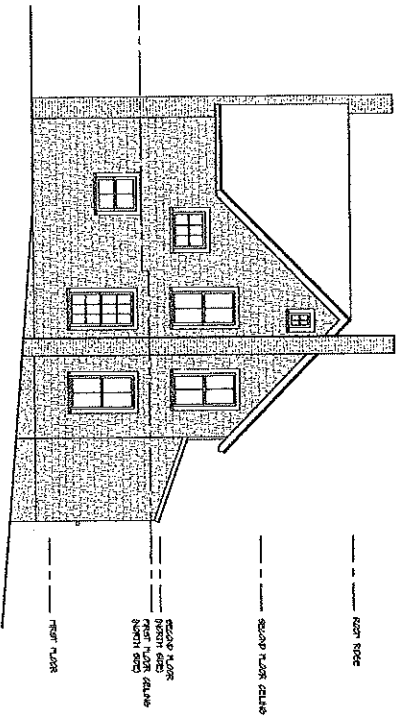




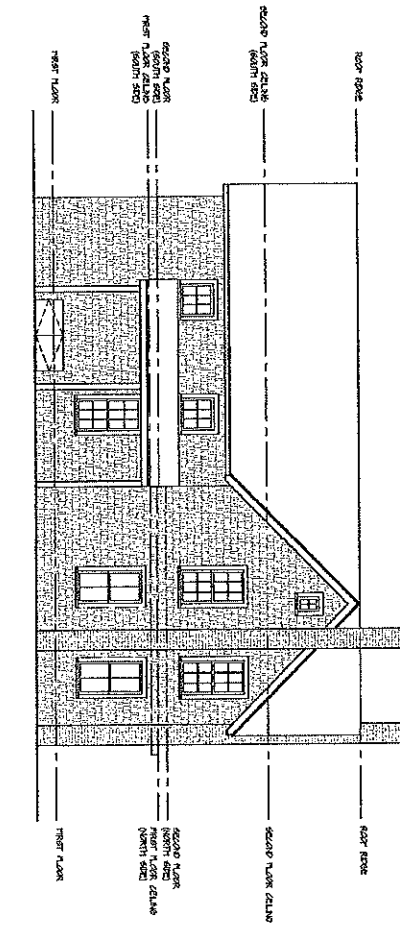
1  
EXISTING  
SOUTH ELEVATION  
SCALE 1/8" = 1'-0"



2  
EXISTING  
WEST ELEVATION  
SCALE 1/8" = 1'-0"



3  
EXISTING  
NORTH ELEVATION  
SCALE 1/8" = 1'-0"



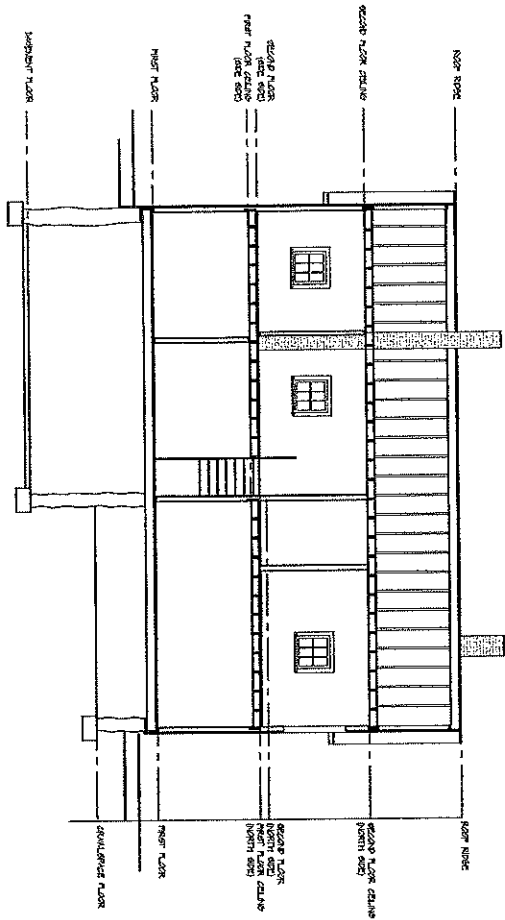
4  
EXISTING  
EAST ELEVATION  
SCALE 1/8" = 1'-0"

**A**  
**ABARCA**  
 DESIGN & BUILD, LLC  
 15 SWEET PRIME  
 OLD LINE CT. 02871  
 BOSTON, MA 02128

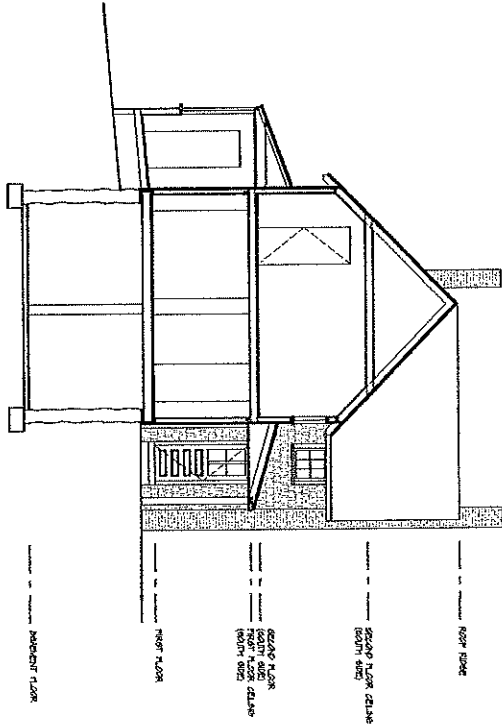
MORALES FAMILY RESERVE  
 RULONS #1  
 3 POND NEARBY RD  
 WOXTON, CT 06471  
 CLIENT:  
 CRYSTAL MORALES  
 CONTACT PHONE: 262-575-0216  
 PROJECT NUMBER: C0001

CLIENT:  
 DATE:  
 SHEET:

REVISIONS:  
 DATE: 01/11/11  
 BY: JLM  
 PROJECT NUMBER: C0001  
 TITLE: EXISTING EXTERIOR ELEVATIONS  
 SHEET NUMBER: EC-4  
 COMMENTS:  
 NOT RELEASED FOR CONSTRUCTION



EXISTING BUILDING SECTION  
 EC-5 SCALE 1/8" = 1'-0"



EXISTING BUILDING SECTION  
 EC-6 SCALE 1/8" = 1'-0"



MORALES FAMILY RESERVE  
 BUILDING #1

3 PAD NEARBY RD  
 NORWICH CT 06471

CLIENT:  
 CRYSTIAN MORALES  
 CONTACT PHONE: 860-575-0066  
 PROJECT NUMBER: 06007

CLIENT:

SCALE:

REVISIONS:

DATE: 04/11  
 DRAWN/REVIEWED BY: SA  
 DATE: 5-5-23  
 PROJECT NUMBER: 06007  
 TITLE: EXISTING EXTERIOR ELEVATIONS  
 SHEET NUMBER: EC-5  
 CONTRACT: NOT RELEAVED FOR CONSTRUCTION



## ZONING BOARD OF APPEALS (ZBA) VARIANCE APPLICATION INSTRUCTIONS

When applying for a variance, the applicant is seeking approval to use the property in a manner that would not otherwise be allowed under Zoning Regulations, which are Land-Use Laws that serve to protect public health, safety, convenience, welfare and property values. The ZBA's authority to grant variances is limited by law and must comply with statutory requirements. An incomplete variance application may be grounds for denial of the application. Per Connecticut General Statutes (CGS), Section 8-6, if the ZBA denies a variance application for any reason, it is not required to hear an application for the same variance or substantially the same variance for a period of six (6) months. Thus, to avoid a denial, or unnecessary delays, it is to the benefit of the applicant to submit a **complete** variance application with all of the information required.

**It is highly recommended that the applicants, or their representative(s), review the ZBA Residential Variance Guide (on ZBA Website) and discuss the completed application with the Essex Zoning Enforcement Officer prior to submission.** Please call 860-767-4340, ext. 115 for an appointment.

### INSTRUCTIONS

**SUBMISSION:** The complete variance application, including ALL supporting plans, photographs, and documentation, must be submitted to the Land Use Department on the third floor of Town Hall. Please provide 10 copies of the full application. PDF electronic versions of documents are also helpful.

**FEES:** The application fee via cash or check payable to the "Town of Essex" for a **\$110.00 Variance Application Fee** (\$50 Town of Essex and \$60 DEEP State fee) must be paid by the applicant at the time of application.

**ZBA Meetings** are scheduled the **THIRD Tuesday** of each month at 7:00 p.m. at Town Hall, 29 West Avenue, Essex. Complete variance applications submitted by the **deadline provided on the attached schedule**, are typically heard at the **subsequent** regularly scheduled meeting, unless the Board decides to schedule otherwise. The Applicant or his/her Authorized Representative **must** be present at the hearing or participate virtually.

### NOTICES

**VARIANCE EFFECTIVE DATE:** A decision by the ZBA to grant a variance does NOT become effective until **AFTER** a ZBA-certified copy of the "**Notice of Variance Granted**" is recorded in the town's land records along with any required mylar plans; any additional recording fees required, beyond the \$60 Recording Fee of the variance application, are the applicant's responsibility (CGS Section 8-3(d)).

The applicant or property owner is responsible for recording the variance in the Clerk's Office at Town Hall. Unless there is an appeal the recording typically occurs within 30 days following the ZBA decision: (a) after publication of a "**Legal Notice**" of the ZBA decision a newspaper having general circulation (typically *The Valley Courier, Hartford Courant*, etc.) within fifteen (15) days of the ZBA decision (per CGS Section 8-7), and (b) following a 15-day appeal period after publication of the Legal Notice of Decision, during which time any aggrieved party may appeal the ZBA decision in court (CGS Section 8-8). **A Zoning permit and any necessary building permits are required prior to start of construction.**

SAVE \$100

SQ FT  
**2,231**

Sign up for promos, new house  
BEDS plans and building info!

**4**  
\$100 OFF ANY HOUSE PLAN

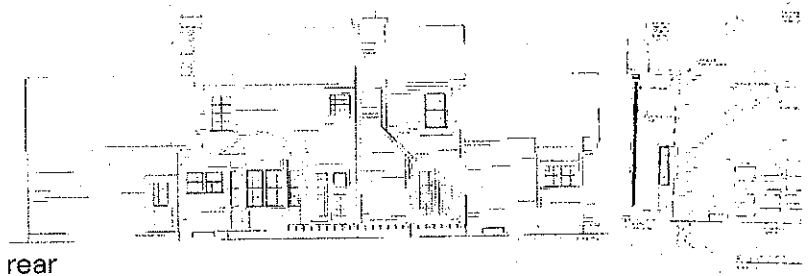
BATHS **SIGN UP**  
**2.5**

STORIES  
**2**

CARS  
**2**

WIDTH  
**72' 10"**

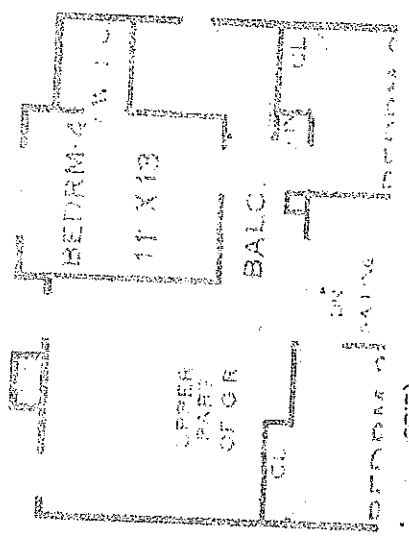
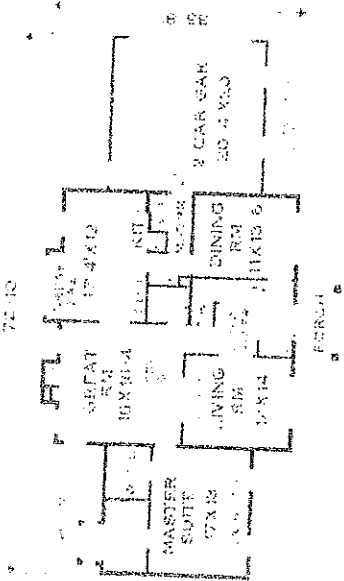
DEPTH  
**33' 8"**



color

Photos may reflect modifications

72-10



Subtotal:













