

Town of Essex  
Zoning Board of Appeals

RECEIVED  
NOV 22 2023

20 West Avenue, Essex, CT 06426

Variance Application

# 4932.

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

Application # 23-20 Hearing Date 12/19/23

Premises: Street Address 16 Grove Street, Essex

Assessor's Map # 32 Lot # 24-1 Lot Area .44 ac

Zoning District VR Deed Reference: Book 139 Page 968

Owner of Property PATRICK M. Callahan + ANN W. Goodwin

Address 16 Grove Street, Essex, CT 06426  
Street Town State Zip

Telephone 860-227-1587 (cell) Email: PatrickCallahan2249@gmail.com  
home work

Applicant (if not owner) Terrance D. Lomme

Address P.O. Box 397, Essex, CT 06426  
Street Town State Zip

Telephone 860-767-2300 Email: Terry@TerezLaw.com  
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) Patrick M. Callahan Date 11/22/23

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 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 or shape of any lot or improvement except in conformity with the zoning regs.		
	Coverage		
	Setbacks		
	Height		
	45-D.4		

*(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 conversion of a 26'x22' (exterior size) barn  
to an accessory dwelling unit.

*(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. There is no other property in the area with a barn of this size located in the setback.

b.

c.

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

a. None

b.

c.



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

- a. There will be no changes to the exterior dimensions of the barn and ADU's are allowed under
- b. the regulations and encouraged by the Plan of Conservation and Development
- c. \_\_\_\_\_

Have previous applications been made for this property?  Yes  No

If yes, previous application #s 11-5 Date 5/17/2011  
Prior variance request: Rebuild garage to allow 2 cars after storm damage Variance Board Action Granted

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 [Signature] Date: 11/22/23

Signature of property owner [Signature] Date: 11/22/23



## Addendum to Callahan/Goodwin Application

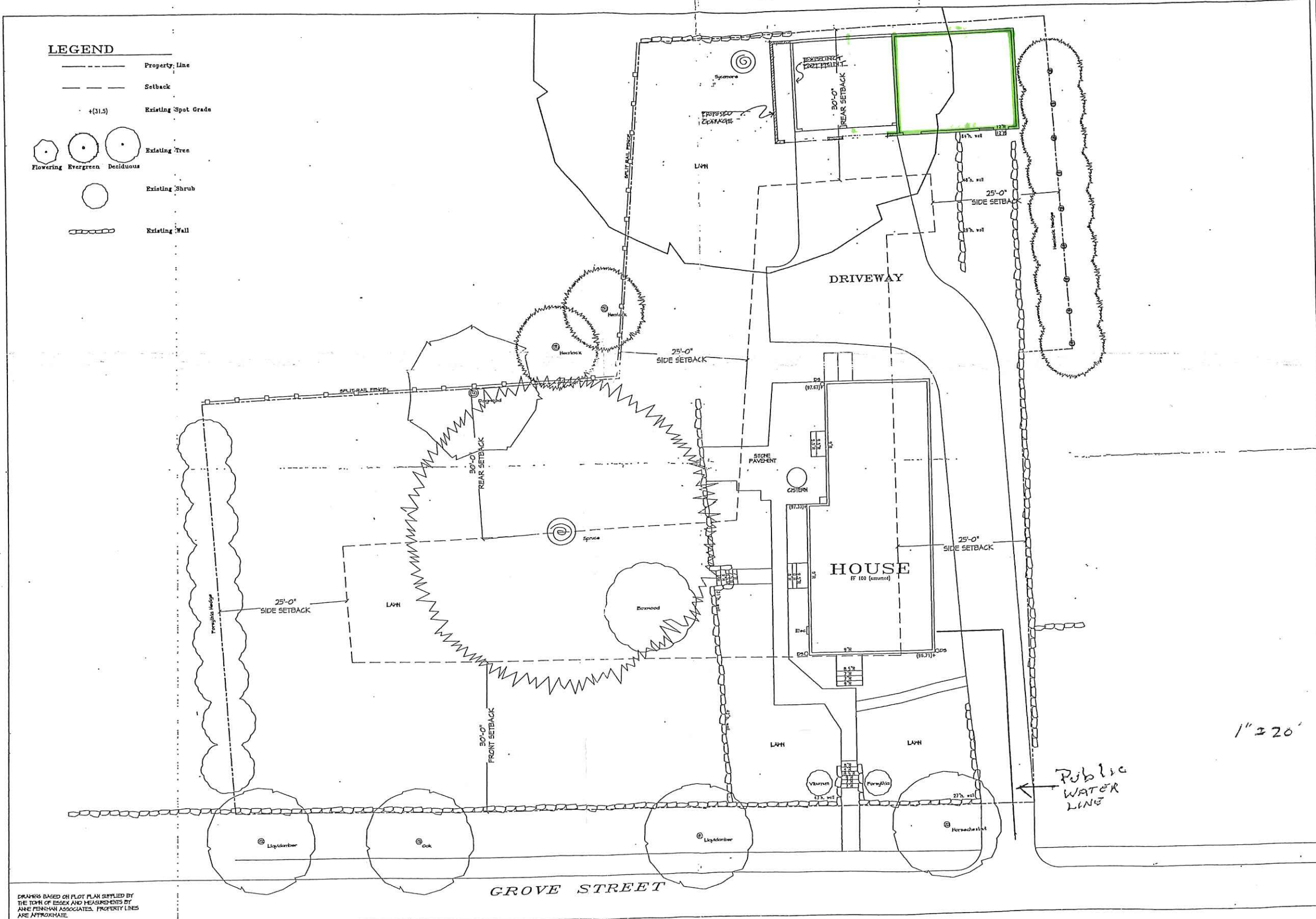
The applicants request the conversion the barn portion of their structure to an Accessory Dwelling Unit. The structure has been historically located in the rear setback area of this property and thus is nonconforming. There will be no increase in the size or height of the structure. The dwelling will consist of an open room with a kitchenette on the first floor and a one bedroom sleeping loft with a bathroom on the second floor. It will conform in all aspects with section 45, with the exception of the fact that the barn is located in the setback, and cannot be moved.

There are several hardships for this property. First is that the subject barn along with the other barn were built before zoning and thus were located closer to the rear lot line then currently allowed. It would be difficult to locate this barn anywhere except for its historical location. Second the configuration and slope of the property makes it difficult to locate the structure anywhere else on the property. Lastly, is the fact that the coverage requirements decreased by 50% after the applicants purchased the property.

The granting of this variance will not adversely impact either the values or the use of any of the neighboring properties nor does it interfere with any views or access to the neighboring properties.

**LEGEND**

- Property Line
- - - Setback
- + (31.5) Existing Spot Grade
- Existing Tree  
 Flowering Evergreen Deciduous
- Existing Shrub
- Existing Wall



DRAWING BASED ON PLOT PLAN SUPPLIED BY THE TOWN OF ESSEX AND MEASUREMENTS BY ANNE PENNIMAN ASSOCIATES. PROPERTY LINES ARE APPROXIMATE.

ANNE PENNIMAN ASSOCIATES LLC  
 LANDSCAPE ARCHITECTURE & SITE PLANNING  
 2 Essex Square • P.O. Box 181  
 Essex Connecticut 06426  
 (860)767-7540 • fax (860)767-1285

**CALLAHAN SITE**  
 16 GROVE STREET, ESSEX, CONNECTICUT  
 EXISTING CONDITIONS

SCALE:  
 1/8" = 1'-0"  
 DATE:  
 10/24/05  
 DRAWN BY: AKP  
 CHECKED BY: ALP

**L-1**