

Town of Essex - Zoning Board of Appeals

**29 West Avenue
Essex, CT 06426**

RECORD OF THE VOTE

August 16, 2011 – Regular Meeting

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, August 16, 2011 at 8:00 p.m. in Room A of the Essex Town Hall. Members present were Stu Ingersoll, Al Daddona, Doug Demarest, Alix Walmsley Paul Greenberg and Michael Noto. Also present, Michael Wells legal counsel to the Board and Stella Beaudoin, Recording Secretary.

Motion made by Stu Ingersoll to continue to the September 2011 meeting **Application #11-16 on behalf of John Lombardi, property located at 25 Saybrook Road, Essex, CT, Assessor's Tax Map 46 Lot 2, LI District**, requesting a Variance of Sections 40a and 90A of the Essex Zoning Regulations. This is an application to allow a retail use in a district where retail is not allowed.

Motion seconded by Al Daddona and passed unanimously.

Motion made by Stu Ingersoll to approve a Variance for **Application #11-12 on behalf of Bounthanh T. and Chanmaly L. Outama, property located at 32 Eagle Ridge Drive, Essex, CT, Assessor's Map 42 Lot 4-20, RU District**, requesting a Variance of Sections 40D, 40E, 40I.1, 50D and 61B of the Essex zoning regulations. This is an application to construct a gable roof structure over an existing concrete porch that is located in the front yard setback area. This Variance is approved for an 8' x 8' gable roof with two posts supporting it over the existing concrete structure. The hardship surrounding this proposal is that the steps are potentially hazardous in inclement weather. This variance is granted based on the location of the existing concrete structure, the damage to the house caused by inclement weather, the safety issues and the fact that this proposal does not increase any coverage nor does it violate any coverage restriction. This variance is granted in accordance with the plans as submitted.

Motion seconded by Al Daddona and passed unanimously.

Motion made by Stu Ingersoll to approve a Variance for **Application # 11-14 on behalf of the Town of Essex for the Essex Fire Department, property located at 11 Saybrook Road, Essex, CT, Assessor's Tax Map 33 Lot 24 LI district**, requesting a Variance of Sections 40D, 40E, 40I.1, 50D and 90E of the Essex Zoning regulations. This is an application to allow a 24' 38' addition off the southern end of an existing accessory structure to a point 23 feet from the front property line where 75 feet is required. This variance is granted in accordance with the plans as submitted.

Discussion: Mr. Ingersoll noted that this is a legitimate hardship in that this is the only location on which the parking can be located. The Town needs a covered shelter for the boat and the only place that makes sense for this shelter is attached to an existing building.

Motion seconded by Doug Demarest and passed unanimously.

Motion made by Alix Walmsley to approve a Variance for **Application #11-15 on behalf of Robert Robinson, property located at 17 New City Street, Essex, CT, Assessor's Tax Map 28 Lot 48 VR District**, requesting a variance of Sections 40D, 40e and 40I.1 of the Essex Zoning Regulations. This is an application to allow the upward expansion of a garage that is located three feet from the eastern side property line where 25 feet is required. A condition of the granting of this variance is the relinquishment by the applicant of the previously granted 2007 variance which will be terminated as a result of the granting of this variance. The proposed bathroom is allowed as a half bath only. There will be no installation of a kitchen and no installation of a wet bar. The hardship associated with this proposal is that there will be no increase in the footprint of the preexisting building. This structure preexisted the zoning regulations and it preexisted the Hyde amendment. The variance is granted in accordance with the plans submitted

Discussion: It was noted that this structure predates all zoning regulations. This is a nonconforming structure and any improvements on this property are in violation with the zoning regulations. There is an existing second floor and the total height of this proposal is 25 feet which will be lower than the existing two story house.

It was indicated that with the layout of the lot there was no other location to construct an addition. The applicant does not wish to create additional coverage issues and this proposal is being constructed above the existing garage.

Motion seconded by Al Daddona and passed unanimously.

Motion made by Stu Ingersoll that no additional Variance is required for **Application #11-17 on behalf of William J. and Sandra M. French, property located at 14 Rackett Lane, Essex, Ct Assessor's Map 51 Lot 9, RU District** requesting Variances of Sections 40D and 61B of the Essex Zoning Regulations. The previously granted variance remains in effect allowing the 14.5% coverage to include the proposed greenhouse. The interpretation of the Zoning Board of Appeals is that the 14.5% coverage applies to structures therefore the greenhouse does not require a variance.

Motion seconded by Al Daddona and passed unanimously.

Respectfully submitted

Stella C. Beaudoin
Recording Secretary