

WILTON ZONING BOARD OF APPEALS - RESIDENTIAL VARIANCE APPLICATION - ZBA#

Please consult the Zoning Regulations when applying for a variance, particularly Section 29-13.

Please TYPE or print clearly... (See last 2 pages for brief explanation.)

APPLICANT'S NAME

ADDRESS

OWNER'S NAME

ADDRESS

PROPERTY LOCATION

ZONING DISTRICT

WLR MAP#

VOLUME

PAGE

TAX MAP #

LOT #

ACREAGE

VARIANCE DESCRIPTION: In the space below, please state concisely the section(s) of the Zoning Regulations proposed to be varied and the specific variance requested (i.e: Request a variance of Section 29-__ to allow ____ (an addition, a pool, average lot width, or whatever) with ____ in lieu of the required _____. For instance, a variance request for a building addition that encroaches into the required fifty foot rear setback area by 7 feet would read as follows: "Request a variance of Section 29-5.D to allow a building addition with a 43 foot rear yard setback in lieu of the required 50 feet." ATTACH SEPARATE SHEETS AS REQUIRED.

HARDSHIP DESCRIPTION: In the space below, state the specific conditions pertaining to the perceived "exceptional difficulty or unusual hardship" with respect to the parcel of land, not generally encountered within the zoning district, which would make development in full accordance with the existing Zoning Regulations extremely difficult. ATTACH SEPARATE SHEETS AS REQUIRED.

The existing house at 175 Old King Hwy was built in 1906 and there were no significant improvements or additions made to the existing structure until we purchased it in 2019. Since the existing lot was not conforming and the original house was built in the front-yard setback we applied and got approved for the variance in 2020 that allowed us to add second floor with 29.8-foot setback in lieu of required 40 feet.

During the construction process we added a full second floor using existing footprint, expanding foundation to the back of the house to get better structural support. The original approved plans (attached) indicate three double hung windows on the south facing facade. As shown in the attached pictures, during the course of the renovation a bay window was installed in place of these windows. The minimal protrusion of this bay window within the building setback necessitates this variance request.

My husband, acting as a building contractor for the project, did not realize that the bay window and roof overhang need to abide by the zoning set back requirements, that's why we are asking for the variance after the fact of the window being installed and roof overhang size resulted in front-yard setback of 29.2-foot instead of approved in original variance of 29.8-foot.

In regard to marked on the survey (page 6 in attached) smoke house, fire pit and shed next to the garage, all are temporary structures and will be removed (moved before ZBA meeting), the swing set will be moved outside the 30 foot side-yard setback.

The fireplace was there when we purchased the house.

THE FOLLOWING MATERIALS ARE REQUIRED:

- * Please see **SPECIAL INSTRUCTIONS DURING COVID** at: [Application Forms / Materials | Wilton CT](#)
- * All submitted plans and documents shall bear an **original signature, seal, and license number** of the professional responsible for preparing each item. Maps should be **folded, not rolled**.

- ___ **APPLICATION FORM**
- ___ **A-2 SURVEY** of the subject property showing all existing building and site conditions.
- ___ **SITE DEVELOPMENT PLAN** showing all proposed additions, amendments and/or site improvements, including building elevations, septic systems, wells, and all measurements pertaining to the application, such as location and distance(s) of proposed structures and/or improvements from the subject property lines.
- ___ **LOCATION MAP** - available here: [map.pdf \(wiltonct.org\)](#). Site location shall be identified on map.
- ___ **DIRECTIONS** to subject property from Town Hall, 238 Danbury Road, Wilton, CT (e.g. hand-written, computer-generated or similar).
- ___ **LIST OF PREVIOUS ZONING VARIANCES** – available here: [History of Previous Variances | Wilton CT](#)
- ___ **PHOTOGRAPHS** of property showing building and site conditions from all geographic perspectives.
- ___ **ONE COPY OF DEED** (Available in Town Clerk’s Office)
- ___ **LIST OF OWNERS WITHIN 500'** of any portion of the subject property as shown by Tax Map & Lot #.
[See online GIS instructions at: [owner list 500 ft gis directions 0.pdf \(wiltonct.org\)](#)]
- ___ **ENVELOPES**, addressed to each property owner within 500’ of any portion of subject property.
[See “Envelopes Instructions” at: [envelopes instructions.pdf \(wiltonct.org\)](#)]
- ___ **ELECTRONIC SUBMISSION** of all materials (**Consolidated into 1-2 PDFs Maximum**), emailed to michael.wrinn@wiltonct.org and daphne.white@wiltonct.org
- ___ **TWO #10 (4”x 9.5”) PLAIN ENVELOPES** addressed to the applicant (No Return Address)
- ___ **\$310 FILING FEE** payable to: Town of Wilton

IS THE SUBJECT PROPERTY LOCATED WITHIN 500 FEET OF THE **MUNICIPAL BORDER**? YES or NO

IS THE SUBJECT PROPERTY LOCATED WITHIN THE **PUBLIC WATER SUPPLY WATERSHED BOUNDARY**?
YES or NO [If YES, see DPH Addendum Form here: [watercompanvanddphnotification.pdf \(wiltonct.org\)](#)]

IS THE SUBJECT PROPERTY LOCATED IN THE **FLOOD PLAIN**? YES or NO

WHEN WAS THE SUBJECT PROPERTY **PURCHASED**? _____

IN WHAT YEAR WAS THE MAIN STRUCTURE **CONSTRUCTED**? _____

SITE COVERAGE PROPOSED: _____ **BUILDING COVERAGE PROPOSED:** _____
(AS PERCENTAGE OF SITE) (AS PERCENTAGE OF SITE)

THE APPLICANT understands that this application is to be considered complete only when all information and documents required by the Board have been submitted.
THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his or her knowledge and belief; and hereby grants visitation and inspection of the subject property as described herein.

APPLICANT’S SIGNATURE _____ DATE _____ EMAIL ADDRESS _____ TELEPHONE _____

OWNER’S SIGNATURE _____ DATE _____ EMAIL ADDRESS _____ TELEPHONE _____

ZONING BOARD OF APPEALS
TOWN OF WILTON, CONNECTICUT
Town Hall Annex, 238 Danbury Road, Wilton, CT 06897

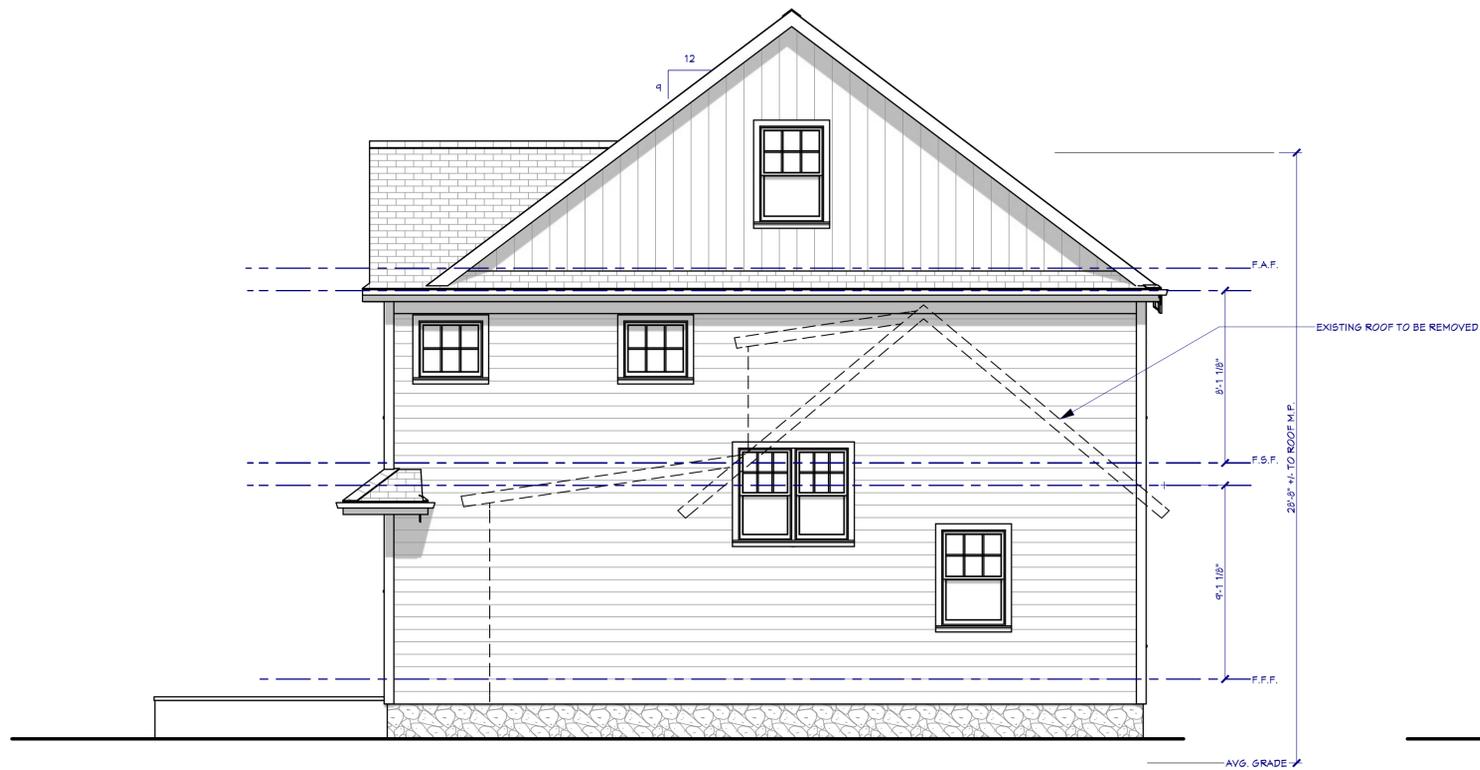
HELPFUL INFORMATION FOR VARIANCE APPLICATIONS

1. WHAT IS A VARIANCE? A VARIANCE is an exception granted by the Zoning Board of Appeals (ZBA) from the terms or standards of the Zoning Regulations for an individual property where, because of special conditions, a literal enforcement of the Regulations would result in exceptional difficulty or unusual hardship. However, a variance MUST still be in harmony with the general intent of the Town's Plan of Conservation and Development and not contrary to public welfare.
2. The granting of a VARIANCE is a fine balance between attempting to maintain the Town's Plan of Conservation and Development of uniformly regulated districts, and the need to provide relief from the terms or standards in individual circumstances. VARIANCES are granted only for individual parcels and for particular purposes.
3. It is the applicant's obligation to present and establish hardship. Financial impacts or self-created conditions or an inability to use a property at its maximum potential or reasons that the proposed change would not adversely affect the neighborhood are not considered a hardship in this context. Hardship is generally seen as a physical or restrictive imposition beyond the reasonable control of the owner.
4. The ZBA may attach conditions to a granted VARIANCE in order to make them more in harmony with the purpose of the Zoning Regulations. Typical conditions that could be attached to a setback variance might include the installation of a screen or buffer.
5. Prior to submitting an application for a residential or commercial variance, please consult with the office staff and become familiar with the current Zoning Regulations which apply towards the property or project in question. The office staff can help answer questions and guide you in finding the information required for a complete application. Professional Land or Resource Planners and Land Use Attorneys may also be helpful.
6. Complete applications for either a RESIDENTIAL or COMMERCIAL PROPERTY VARIANCE are received in the ZBA Office, located within the Planning and Zoning (P&Z) Office in the Town Hall Annex, 238 Danbury Road, Wilton, CT, 06897. The office is open Monday through Friday, 8:00 A.M. to 4:00 P.M. Telephone: (203) 563-0185.
7. Please **TYPE** or print clearly all materials and application forms.
8. The deadline for receipt of a completed application is the **TWENTY FIFTH (25) of EACH MONTH**, for eligibility for a PUBLIC HEARING the following month. Only a complete application can be accepted.
9. The ZBA has scheduled meetings on the third Monday of each month, excluding August. If the third Monday is a holiday, the meeting is held on Tuesday. A copy of the official meeting schedule may be obtained online: [Application Forms / Materials | Wilton CT](#)
10. Much of the required information may be found by researching the land records online, per instructions provided. .

BRIEF EXPLANATION OF REQUIRED APPLICATION MATERIALS

<u>WLR MAP #</u>	Wilton Land Record map number filed in the Town Clerk's Office.
<u>VOLUME and PAGE</u>	Deed reference filed in the Town Clerk's Office. Also available here under Book & Page: Vision Government Solutions (vgsi.com)
<u>TAX MAP #, LOT #</u>	Refers to Assessor's records. Available here: Vision Government Solutions (vgsi.com) .
<u>ACREAGE</u>	Refers to the acreage of the subject parcel.

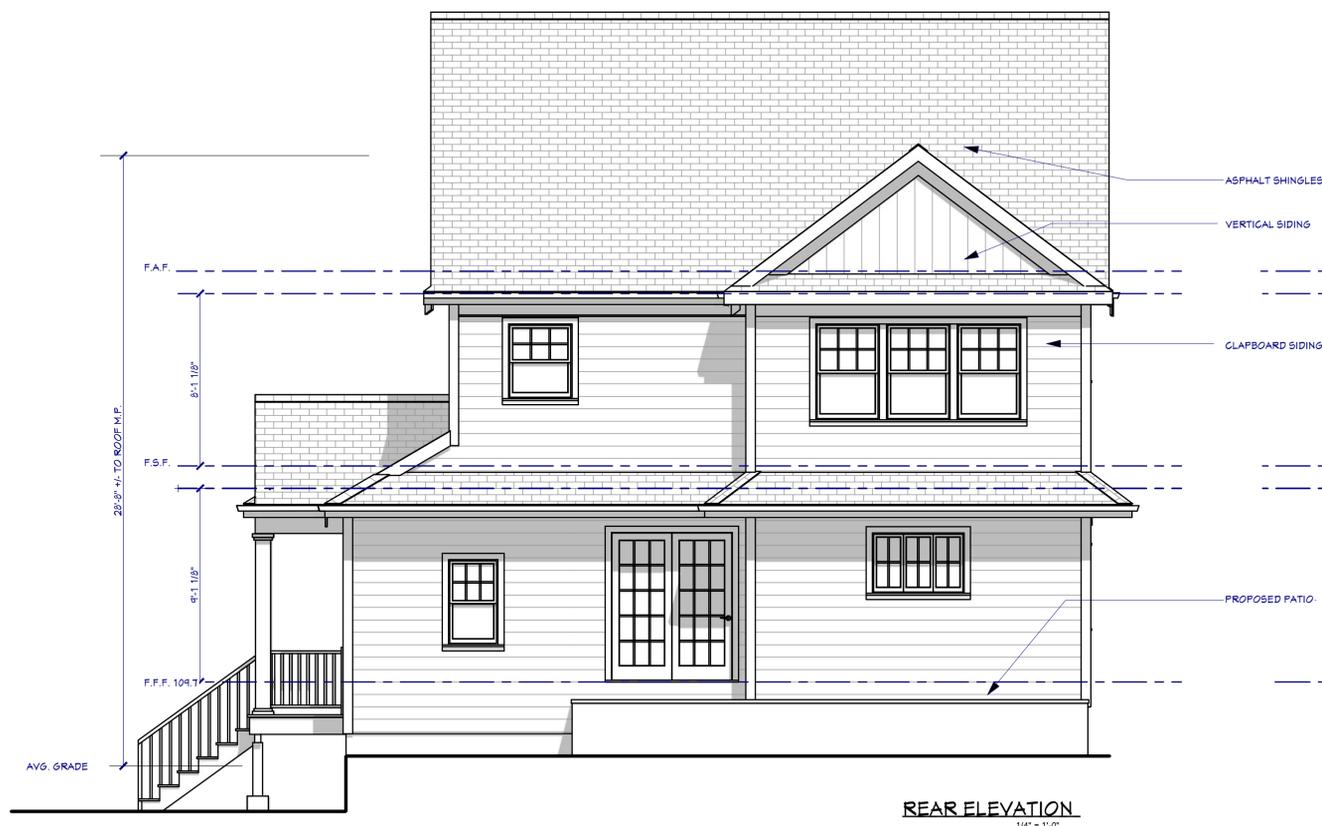
<u>LOCATION MAP</u>	Available here: map.pdf (wiltonct.org)
<u>CLASS A-2 SURVEY MAP</u>	Prepared by a licensed Connecticut Land Surveyor. Consult Town Clerk's Office and/or Building Dept microfiche for filed surveys.
<u>SITE DEVELOPMENT PLAN</u>	A map drawn to scale and in tandem with the above survey showing the existing and proposed conditions, including building elevations.
<u>LIST OF PREVIOUS ZONING VARIANCES</u>	Recorded in the Town Clerk's Office and also available here: History of Previous Variances Wilton CT
<u>LIST OF OWNERS WITHIN 500'</u>	Name and <u>mailing</u> address of the owners of properties within 500 feet of any portion of the subject property, including public and semi-public parcels. Directions here: owner_list_500_ft_gis_directions_0.pdf(wiltonct.org)



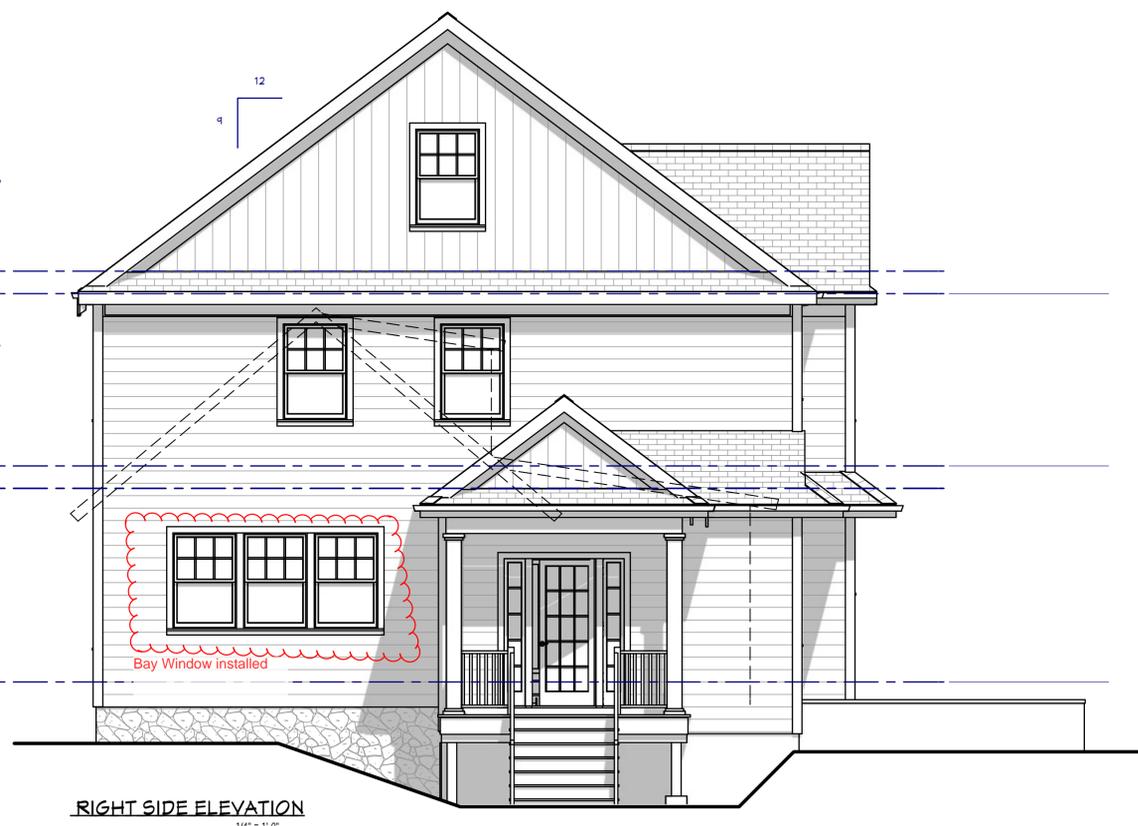
LEFT SIDE ELEVATION
1/4" = 1'-0"



FRONT ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/4" = 1'-0"



RIGHT SIDE ELEVATION
1/4" = 1'-0"

NO.	DESCRIPTION	DATE
1		
2		
3		
4		
5		

DRAWINGS PROVIDED BY:
D. Peters Designs, LLC
73 Old Ridgefield Road
Wilton, CT 06897

PREPARED FOR:
ALEKSANDRA ANDRUSYSHYN
and PAYOL SENKO

PROJECT DESCRIPTION:
Renovations and Additions
175 Old Kings Highway
Wilton, CT 06897

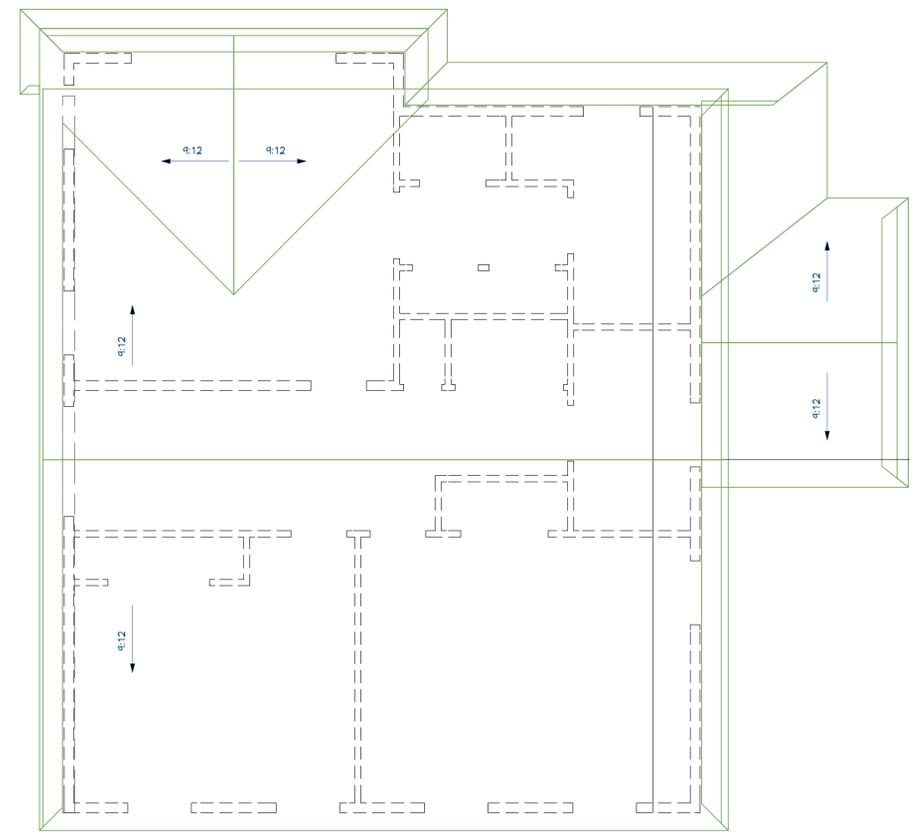
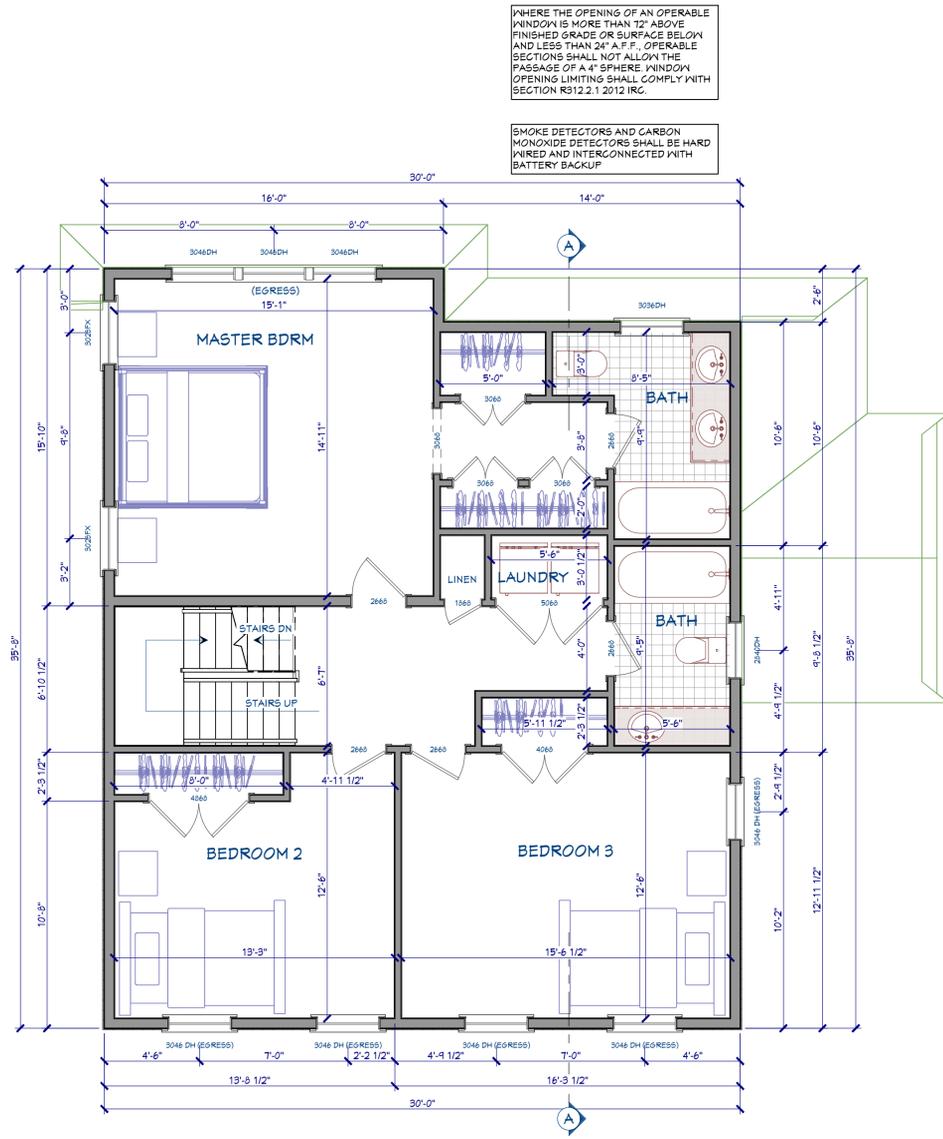
DATE:

3-1-20

SCALE:
1/4" = 1'-0" OR
AS NOTED

SHEET:

A-1



NO.	DESCRIPTION	DATE
1		
2		
3		
4		
5		

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 73 Old Ridgefield Road
 Wilton, CT 06897

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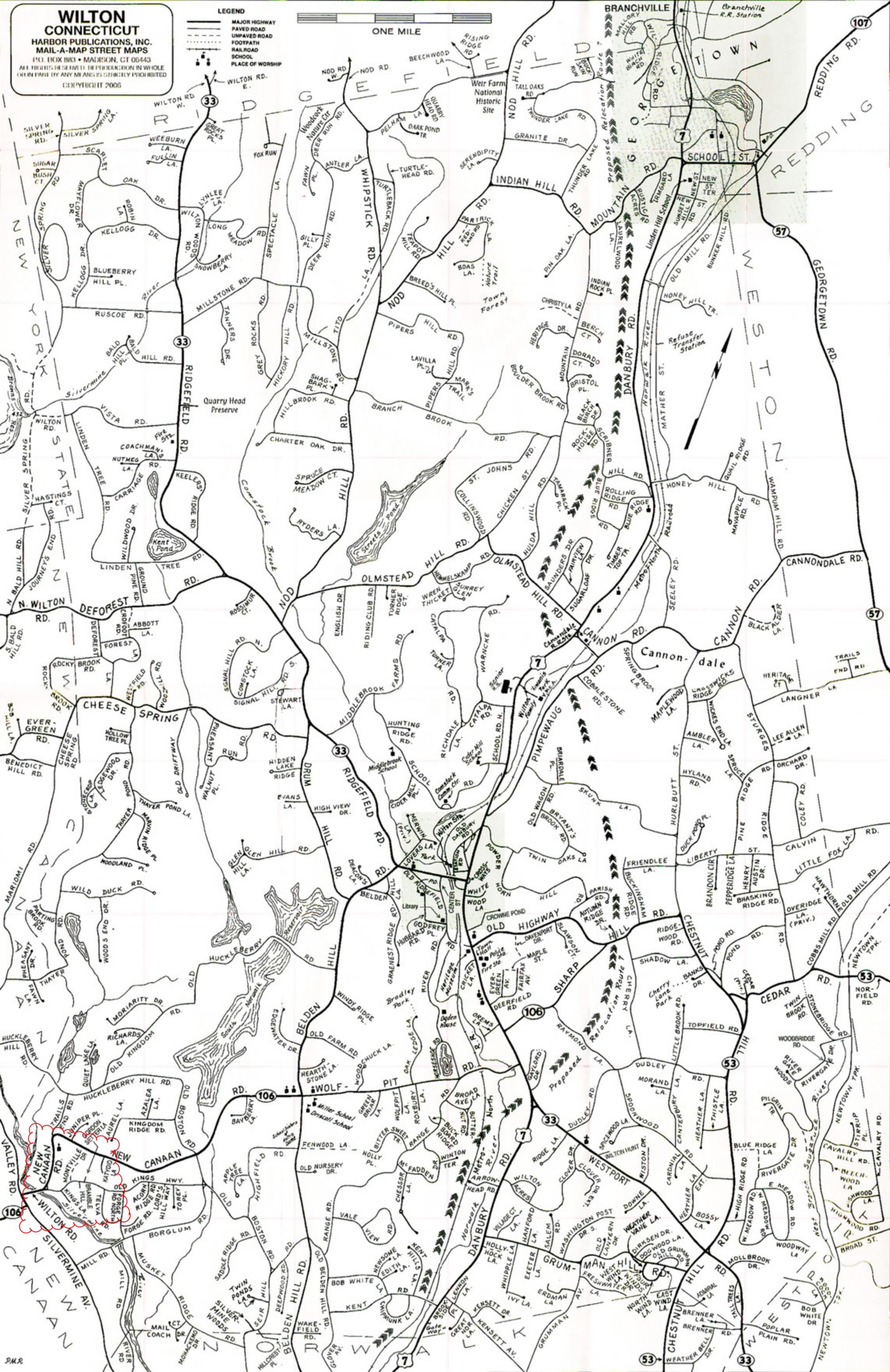
SCALE:
 1/4"=1'-0" OR
 AS NOTED

SHEET:
A-3

WILTON CONNECTICUT
HARBOR PUBLICATIONS, INC.
MAIL-A-MAP STREET MAPS
P.O. BOX 883 • MADISON, CT 06443
ALL RIGHTS RESERVED. REPRODUCTION IN WHOLE OR IN PART BY ANY MEANS IS STRICTLY PROHIBITED.
COPYRIGHT 2008

LEGEND
MAJOR HIGHWAY
PAVED ROAD
UNPAVED ROAD
FOOTPATH
RAILROAD
SCHOOL
PLACE OF WORSHIP

ONE MILE

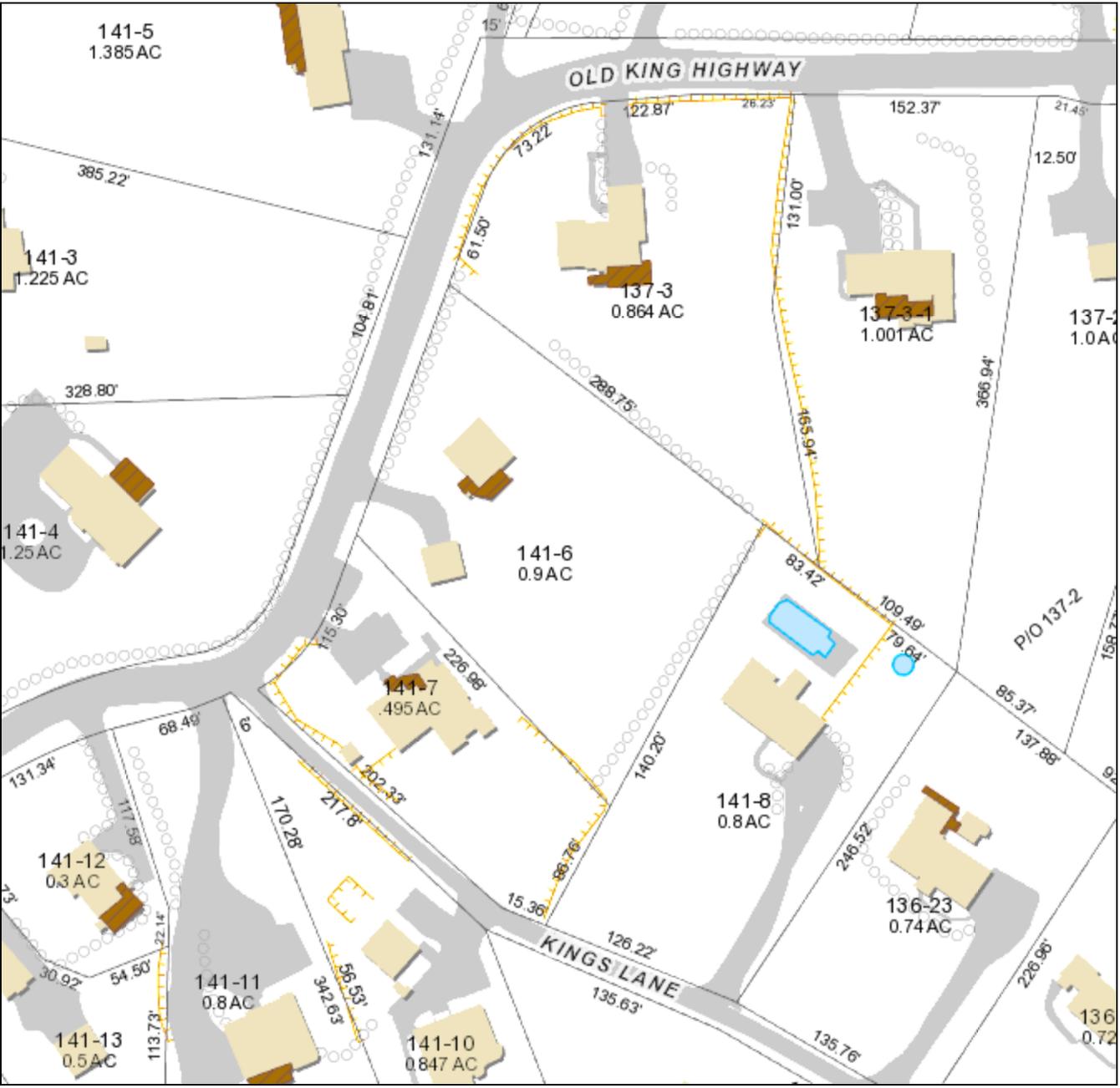


Town of Wilton

Geographic Information System (GIS)



Date Printed: 5/23/2023



MAP DISCLAIMER - NOTICE OF LIABILITY

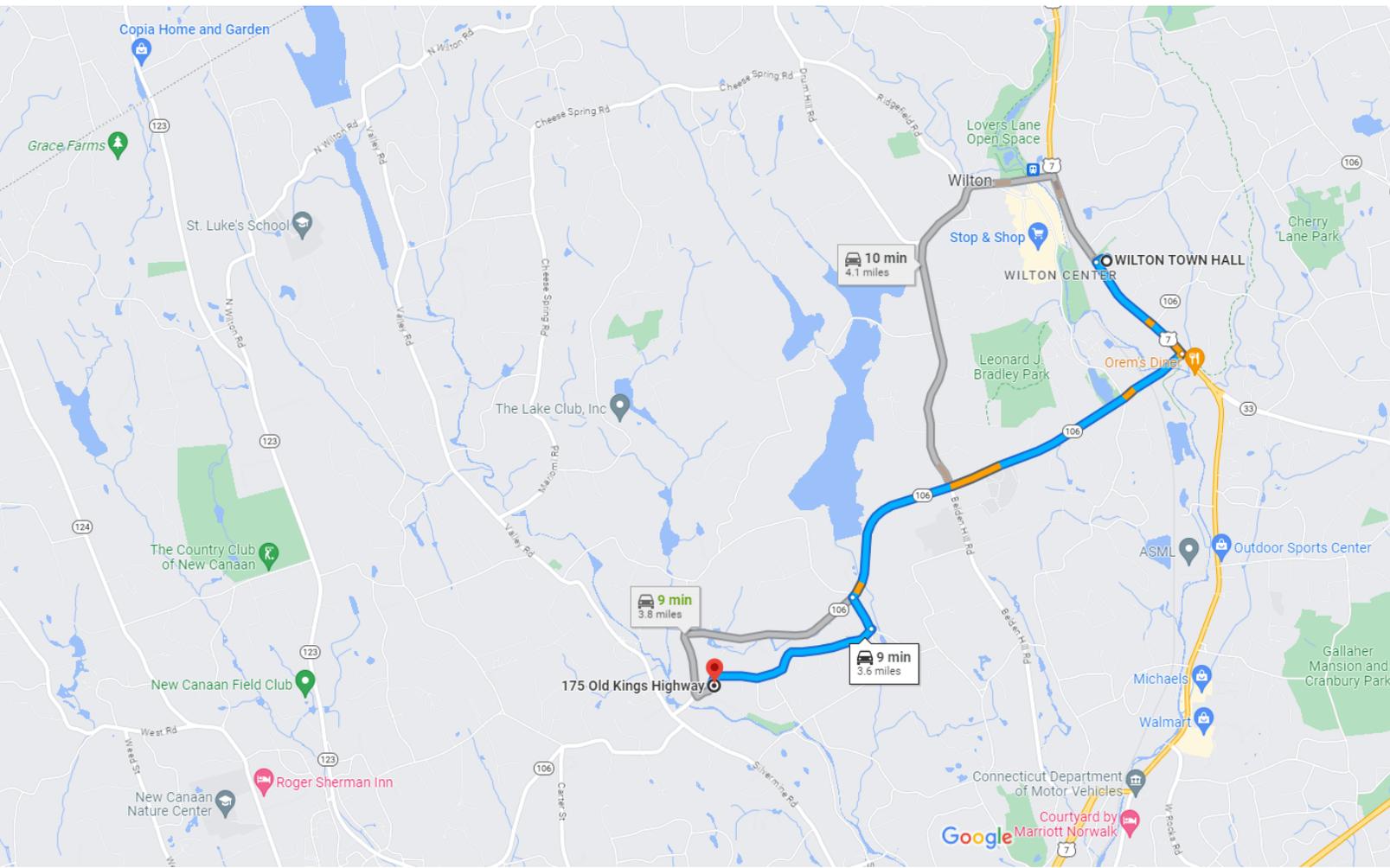
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Wilton and its mapping contractors assume no legal responsibility for the information contained herein.

Zoning Effective: July 28, 2017

Planimetrics Updated: 2014

Approximate Scale: 1 inch = 100 feet





Map data ©2023 2000 ft

-
-
-

Explore 175 Old Kings Hwy

Restaurants Hotels Gas stations Parking Lots More

175 Old King's Highway

#81-9-30

Owner:

Wm. Holtzman & Sylvia Shepard

Variance of Sect. 29-66 to permit conversion
of rear bay of detached two car garage to
studio/den.

Granted 9/17/81



LAND RECORD INFORMATION FORM

(Mandated by Public Act No. 75-317)

- 1) GRANTING COMMISSION
- 2) TYPE OF APPLICATION

Planning & Zoning
 xx Zoning Board of Appeals

Special Permit
 xx Variance

- 3) COPY OF THE GRANTING MOTION
- 4) DATE: February 18, 2020

20-02-01 ANDRUSYSHYN/SENKO 175 OLD KINGS HIGHWAY

GRANTED a variance of Section 29-5.D to allow a building addition with a 29.8-foot front yard setback in lieu of the required 40 feet; as per Zoning Location Map dated August 21, 2019 prepared by Stalker Land Surveying, and Drawings A-1 through A-7 dated January 3, 2020 prepared by D. Peters Designs, LLC. Said property is owned by Aleksandra Andrusyshyn & Pavol Senko and consists of 0.98+/- acres in a Residential (R-1A) Zoning District as shown on Assessor's Map #141, Lot #6.

- 5) NAMES AND ADDRESSES OF ALL OWNERS OF RECORD

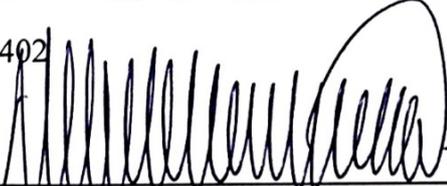
Aleksandra Andrusyshyn & Pavol Senko
 175 Old Kings Highway
 Wilton, CT 06897

- 6) DESCRIPTION OF THE PROPERTY, WILTON LAND RECORD MAP # - N/A

Refer to Wilton Land Records for 175 Old Kings Highway, Wilton, CT 06897.

- 7) VOLUME AND PAGE OF DEED, QUIT CLAIM, WARRANTY, ETC.

Volume 2498, Page 0402


 TOWN PLANNER 2/19/2020
 COMMISSION CERTIFICATION (TITLE) DATE

Received for Record at Wilton, CT
 On 03/06/2020 At 9:09:00 am

Lori A. Sobonk





Doc ID: 001071570002 Type: LAN

BK 2498 PG 402-403

Return to:
 Sharon M. Jones, Esq.
 Jones Washburn-Gonzalez, Esq.
 1853 Post Road East
 Westport, CT 06880

WARRANTY DEED – STATUTORY FORM

MARTHA M. ACKERMANN of 6 Silvermine Way, Norwalk, Connecticut 06850 for consideration paid in the amount of THREE HUNDRED TWENTY-FIVE THOUSAND (\$325,000.00) DOLLARS grants to ALEKSANDRA ANDRUSYSHYN and PAVOL SENKO both of 57 Plattsville Avenue #A, Norwalk, Connecticut 06851 jointly with rights of survivorship and with WARRANTY COVENANTS, all that certain real property known as **175 Old Kings Highway, Wilton, Connecticut 06897**, being more particularly described as:

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Wilton, County of Fairfield, and State of Connecticut, in area one acre, more or less, and bounded:

NORTHERLY: by land now or formerly of the Estate of Philip Hurst;

EASTERLY: by land now or formerly of Frederick W. Bassler and Helen Bassler;

SOUTHERLY: by land now or formerly of Frank J. Mattes and Jeanette G. Mattes; and

WESTERLY: by the public highway known as Old Kings Highway.

TOGETHER WITH rights in and to a certain pipe line by virtue of two certain agreements, the first between Elizabeth Keller, et al dated June 23, 1944 and recorded in the Wilton Land Records in Volume 52 at Page 176, and the second between Frederick W. Bassler and Helen Bassler and Richard J. Karl and Janet W. Karl, dated September 20, 1954 and recorded in the Wilton Land Records in Volume 66 at Page 473.

Said premises are conveyed subject to the following:

1. Limitations of use imposed by governmental authority.
2. Taxes to the Town of Wilton next becoming due and payable.
3. Restrictions and agreements set forth in instruments dated June 23, 1944 and recorded in Volume 52 at Page 176 of the Wilton Land Records and dated September 20, 1954 and recorded in Volume 66 at Page 473 of the Wilton Land Records.
4. Variance granted by the Town of Wilton Zoning Board of Appeals dated September 15, 1981 and recorded September 16, 1981 in Volume 376 at Page 176 of the Wilton Land Records.

Signed this 27th day of June, 2019.

Witnessed by:



Matthew A. Caputo



Martha M. Ackermann



Anne Marie Cotter

STATE OF CONNECTICUT)

) ss: Norwalk

June 27, 2019

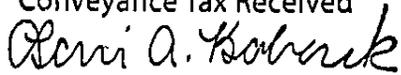
COUNTY OF FAIRFIELD)

Personally appeared Martha M. Ackermann signer and sealer of the foregoing Instrument and acknowledged the same to be her free act and deed, before me.

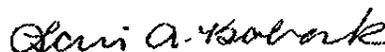


Matthew A. Caputo, Esq.
Commissioner of the Superior Court

Latest mailing address of Grantee:
175 Old Kings Highway
Wilton, CT 06897

Conveyance Tax Received

Town Clerk of Wilton
State \$ 2437.50
Town \$ 812.50

Received for Record at Wilton, CT
On 07/01/2019 At 2:50:00 pm



TOWN OF WILTON, CONNECTICUT

Parcel ID	Site Address	Owner Name	Mailing Address	Mailing City	Mailing State	Mailing Zip
136-20	133 OLD KINGS HGWY	DELUCA PATRICK F & MELANIE A	133 OLD KINGS HGWY	WILTON	CT	06897- 0000
136-21	135 OLD KINGS HGWY	KYLE ROBERT J JR & MELISS V	135 OLD KINGS HGWY	WILTON	CT	06897- 0000
136-22	137 OLD KINGS HGWY	LEUNG ANDREW J & RACHEL R	137 OLD KINGS HGWY	WILTON	CT	06897- 0000
136-23	20 KINGS LA	WADEHRA RAJIV K & JENNIFER E	20 KINGS LANE	WILTON	CT	06897- 0000
136-24	26 KINGS LA	WICKERSHAM WILLIAM WENDELL &	26 KINGS LA	WILTON	CT	06897- 0000
136-25	32 KINGS LA	SENESE JOSEPH	32 KINGS LA	WILTON	CT	06897- 0000
137-1	139 OLD KINGS HGWY	ST MATTHEWS PARISH	36 NEW CANAAN RD	WILTON	CT	06897- 0000
137-2	147 OLD KINGS HGWY	HAUSER MARY M	147 OLD KINGS HGWY	WILTON	CT	06897- 0000
137-3	167 OLD KINGS HGWY	WOLAK MARCIN & IWONA	167 OLD KINGS HGWY	WILTON	CT	06897- 0000
137-3-1	157 OLD KINGS HGWY	MORASH JOHN P & MAURA	157 OLD KINGS HGWY	WILTON	CT	06897- 0000
137-4	154 OLD KINGS HGWY	COULTER JAMES M & DIANE NICOSIA	154 OLD KINGS HGWY	WILTON	CT	06897- 0000
137-7	150 OLD KINGS HGWY	HENDRICKS GERALD F &	150 OLD KINGS HGWY	WILTON	CT	06897- 0000
137-8	142 OLD KINGS HGWY	PEPPER EVAN S	142 OLD KINGS HGWY	WILTON	CT	06897- 0000
137-36	351 NEW CANAAN RD	STOCKFISCH JAMES & WANDA	351 NEW CANAAN RD	WILTON	CT	06897- 0000
137-72	160 OLD KINGS HGWY	CROMWELL JARVIS & SHELBY	160 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-1-1	364 NEW CANAAN RD	SOLAN AMY TR	8306 WILSHIRE BLVD PMB 1012	BEVERLY HILLS	CA	90211- 0000
141-1-3	360 NEW CANAAN RD	SOLAN AMY TRUSTEE	8306 WILSHIRE BLVD PMB 1012	BEVERLY HILLS	CA	90211- 0000
141-1-4	368 NEW CANAAN RD	TARLING NEIL & CHRISTY	368 NEW CANAAN RD	WILTON	CT	06897- 0000
141-2	357 NEW CANAAN RD	GRAYBILL DAVID J & SUSAN W	357 NEW CANAAN RD	WILTON	CT	06897- 0000
141-3	367 NEW CANAAN RD	HELD JESSE &	367 NEW CANAAN RD	WILTON	CT	06897- 0000
141-4	174 OLD KINGS HGWY	PATEL BHUMIBEN	174 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-5	166 OLD KINGS HGWY	FUSCO MICHAEL & MELANIE B	166 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-6	175 OLD KINGS HGWY	ANDRUSYSHYN ALEKSANDRA &	175 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-7	177 OLD KINGS HGWY	BORRERO MARTHA & ROBERT	177 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-8	14 KINGS LA	PRIZIO JOHN A & CYNTHIA T	14 KINGS LANE	WILTON	CT	06897 3713- 0000
141-9	15 KINGS LA	THE HORTON WASSERMAN REV TRUST AGREEMENT	15 KINGS LA	WILTON	CT	06897- 0000
141-10	5 KINGS LA	ZOELLER WILLIAM A & JANICE L	5 KINGS LA	WILTON	CT	06897- 0000
141-11	181 OLD KINGS HGWY	ZALLO ANTONIO & GIOVANNA	181 OLD KINGS HWY	WILTON	CT	06897- 0000
141-12	185 OLD KINGS HGWY	BORGLUM JUSTIN	185 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-13	187 OLD KINGS HGWY	HALLISSEY FRANCIS J & JENNIFER D	187 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-14	189 OLD KINGS HGWY	KROG PAUL	189 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-15	193 OLD KINGS HGWY	BERNIER LACEY	193 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-16	195 OLD KINGS HGWY	MCMAHON JOHN DAVID III & KERRY	195 OLD KINGS HGWY	WILTON	CT	06897- 0000
141-18	21 KINGS LA	CAGLIOSTRO STEPHEN &	21 KINGS LA	WILTON	CT	06897- 0000
141-19	25 KINGS LA	BASSANI EDWARD J & CASEY T	25 KINGS LA	WILTON	CT	06897- 0000