

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.)

Alexander Gaston & James Dwyer

APPLICANT'S NAME

87 Olmstead Hill Rd

ADDRESS

Alexander Gaston & James Dwyer

OWNER'S NAME

Wilton CT 06897

ADDRESS

87 Olmstead Hill Rd. Wilton, CT 06897

PROPERTY LOCATION

R-2A

ZONING DISTRICT

5723

WLR MAP#

2460

VOLUME

243

PAGE

77

TAX MAP #

3

LOT #

2.17

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.

See Attached Exhibit A

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.

See Attached Exhibit A

THE FOLLOWING MATERIAL SHALL BE ATTACHED: (see last 2 pages for brief explanation)

All submitted plans and documents shall bear the signature, seal and license number, as appropriate, of the professional responsible for preparing each item.

All plans shall be collated into sets (either clipped or stapled), with maps folded (not rolled).

SUBMIT TEN (10) **COLLATED** SETS (INCLUDING 1 ORIGINAL SET) OF THE FOLLOWING DOCUMENTS:

- ☒ APPLICATION FORM
- ☒ LIST OF OWNERS WITHIN 500' of the subject property as shown by Tax Map & Lot #.
- ☒ 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 at a scale of 1"=800' or less. Said map shall identify the site location and shall show the surrounding area and streets.
- ☒ 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 describing any variances and the action taken.
- ☒ PHOTOGRAPHS of property showing building and site conditions from all geographic perspectives.

ALSO SUBMIT:

- ___ ONE COPY OF DEED INCLUDED WITH ORIGINAL SET ONLY (Obtain in Town Clerk's Office)
- ___ ENVELOPES, addressed to each property owner within 500' (see "Envelopes Instructions" online)
- ___ **ELECTRONIC EMAILED SUBMISSION of all materials (Consolidated into 1-2 PDFs Maximum)**
- ___ 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, contact Planning & Zoning Dept for DPH Addendum Form.]

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

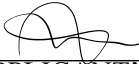

WHEN WAS THE SUBJECT PROPERTY PURCHASED? December 1, 2020

IN WHAT YEAR WAS THE MAIN STRUCTURE CONSTRUCTED? 1840

SITE COVERAGE PROPOSED: 9%
(AS PERCENTAGE OF SITE)

BUILDING COVERAGE PROPOSED: 2.5%
(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.

	4.24.21	abgaston@gmail.com	917.543.3608
APPLICANT'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
	4.24.21	abgaston@gmail.com	917.543.3608
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 in the Town Clerk's Office or the P&Z Office.
10. Much of the required information may be found by researching the land records located within the P&Z Office, the Town Clerk's Office and the Assessor's Office. A public access computer is available in both the P&Z Office and the Assessor's Office.

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.
-------------------------------	--

<u>TAX MAP #, LOT #</u>	Refers to Assessor map records.
--------------------------------	---------------------------------

<u>ACREAGE</u>	Refers to the acreage of the subject parcel.
-----------------------	--

<u>LOCATION MAP</u>	May be a photocopy of Town maps, indicating subject parcel.
----------------------------	---

<u>CLASS A-2 SURVEY MAP</u>	Prepared by a licensed Connecticut Land Surveyor. Consult the Town Clerk's Office for filed surveys in the Wilton Land Records.
------------------------------------	---

<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 with the P&Z Office.
---	--

<u>LIST OF OWNERS WITHIN 500'</u>	Name and <u>mailing</u> address of the owners of properties within 500 feet of the subject property, including public and semi-public parcels.
--	--

<u>ONE #10 ENVELOPE</u>	Based on the above list of owners, please leave the return address blank.
--------------------------------	---

EXHIBIT A

Supplement for Variance Application
87 Olmstead Hill Rd, Wilton CT

1. Variance Description:

- I. We are requesting a variance of section 29-5.D to allow the placement of HVAC condensing units to be 42' from the setback as opposed to the required 50'.
- II. We are also requesting a variance of section 29-5.D to allow a screened with 41'2" setback in lieu of the required 50'.

2. Hardship Description:

- I. The current house was built in 1840 with an addition in the 1970s. As a result of the building of riding club road some years ago, the east side of the home became an existing and non-conforming structure. The property became designated as a corner lot and therefore the required side yard setback of 40ft was increased to 50ft. Furthermore, the home has been unoccupied for several years and a result requires a number of upgrades and improvements to bring it up to the caliber and integrity of the surrounding neighborhood and make it a functioning home for the future. In order to add new, more energy efficient, mechanical systems to the home, we will need to add exterior condensing units for HVAC. The units need to be within 80' from the interior air handlers and other mechanical equipment in order to work properly. All of the existing mechanical in the home lives in the basement on the east side of the house and we can't move it to the opposite side of the house as the west side of the house is aligned with a 100' wetland setback. As a result of these factors, our hardship lies in the limited options we have for placement of the condensers that function well and are visibly discrete to both ourselves and all neighboring homes. We would like to place 2 x 36" condensing units 42' from the side yard lot line (meeting the Wilton R-2A standard side yard setback requirement only compromised on this property as a result of a private road being built after the homes original construction). The units would be hidden by layered evergreen landscaping.
- II. In an effort to improve, update, and repair the property, we would like to add a screened porch (12'6W x 14'6L x 10'6H) off the rear (south) elevation of the existing home. After architectural studies were done, the only natural location for the porch is off the family room at the east side of the home. The west side of the house abuts a wetland setback and the southwest corner of the house has a steep slope yielding poor building conditions and water runoff issues in any other area then what's proposed . The family room portion of the house is part of the "existing non-conforming" structure. The hardship is resulting from the addition of the private road well after the original construction of the home making the side yard setback 50' instead of 40'. We are proposing to build our screen porch within the typical R-2A 40' sideyard setback, as the main structure was existing and non-conforming before the road was built. This location best respects the architectural integrity of the original design of the home and doesn't negatively impact any neighboring properties.

3. Owners Within 500 FT


Parcel ID	Site Address	Owner Name	Mailing Address	Mailing City	Mailing Zip
76-3	60 RIDING CLUB RD	WILTON RIDING CLUB INC	BOX 303	WILTON, CT	06897-0000
77-1	24 RIDING CLUB RD	MARTIN MURRAY	609 HERON POINT CT	VERO BEACH, FL	32963
77-2	75 OLMSTEAD HILL RD	PICISTRELLI ROBERT LOUIS	75 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-3	87 OLMSTEAD HILL RD	GASTON ALEXANDER &	87 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-4	76 OLMSTEAD HILL RD	S E REYNOLDS LLC	76 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-5	90 OLMSTEAD HILL RD	DE BREE ROGER & SHIVANI	90 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-7	104 OLMSTEAD HILL RD	WOOD CATHERINE D	104 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-8-1	120 OLMSTEAD HILL RD	LANE ROBERT A & JANET M	120 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-14-3	18 TURNER RIDGE CT	CARROZZA CARMELO &	18 TURNER RIDGE CT	WILTON, CT	06897-0000
77-14-4	16 TURNER RIDGE CT	SANTACROCE EMILIO THOMAS	16 TURNER RIDGE CT	WILTON, CT	06897-0000
77-15	9 RIDING CLUB RD	WEEKS JOSHUA J	9 RIDING CLUB RD	WILTON, CT	06897-0000
77-15-1	25 RIDING CLUB RD	TATE MICHAEL GEOFFREY & LISA MARIE	25 RIDING CLUB RD	WILTON, CT	06897-0000
77-16	31 RIDING CLUB RD	MATZ RICHARD KEVIN	28 RIDING CLUB RD	WILTON, CT	06897-0000
77-17	111 OLMSTEAD HILL RD	111 OLMSTEAD HILL LLC	9 RIDING CLUB RD	WILTON, CT	06897-0000
77-18	77 OLMSTEAD HILL RD	SALINGER MATTHEW R & BETSY TR	77 OLMSTEAD HILL RD	WILTON, CT	06897-0000
77-19	79 OLMSTEAD HILL RD	SALINGER MATTHEW R TRUSTEE	5 RIVER RD #202	WILTON, CT	06897-0000
77-20	28 RIDING CLUB RD	MATZ R KEVIN	28 RIDING CLUB RD	WILTON, CT	06897-0000
90-1	59 OLMSTEAD HILL RD	HEFFERNAN BRIAN J & ELIZABETH J	59 OLMSTEAD HILL RD	WILTON, CT	06897-0000
90-2	18 ENGLISH DR	HAGAN CLIFF & CINDI	18 ENGLISH DR	WILTON, CT	06897-0000
90-4	38 ENGLISH DR	BESCHERER EDWIN A JR & JANE M	38 ENGLISH DR	WILTON, CT	06897-0000
91-16	OLMSTEAD HILL RD	SECOND TAXING DISTRICT CITY OF N	164 WATER ST	NORWALK, CT	06854-0000


4. There are no previous zoning variances listed for the property


5. Directions from Town Hall


238 Danbury Rd


Wilton, CT 06897



-  1. Head southwest toward US-7 N

89 ft
-  2. Turn left toward US-7 N

72 ft
-  3. Turn right toward US-7 N

0.1 mi
-  4. Turn right onto US-7 N

2.1 mi
-  5. Turn left onto Olmstead Hill Rd

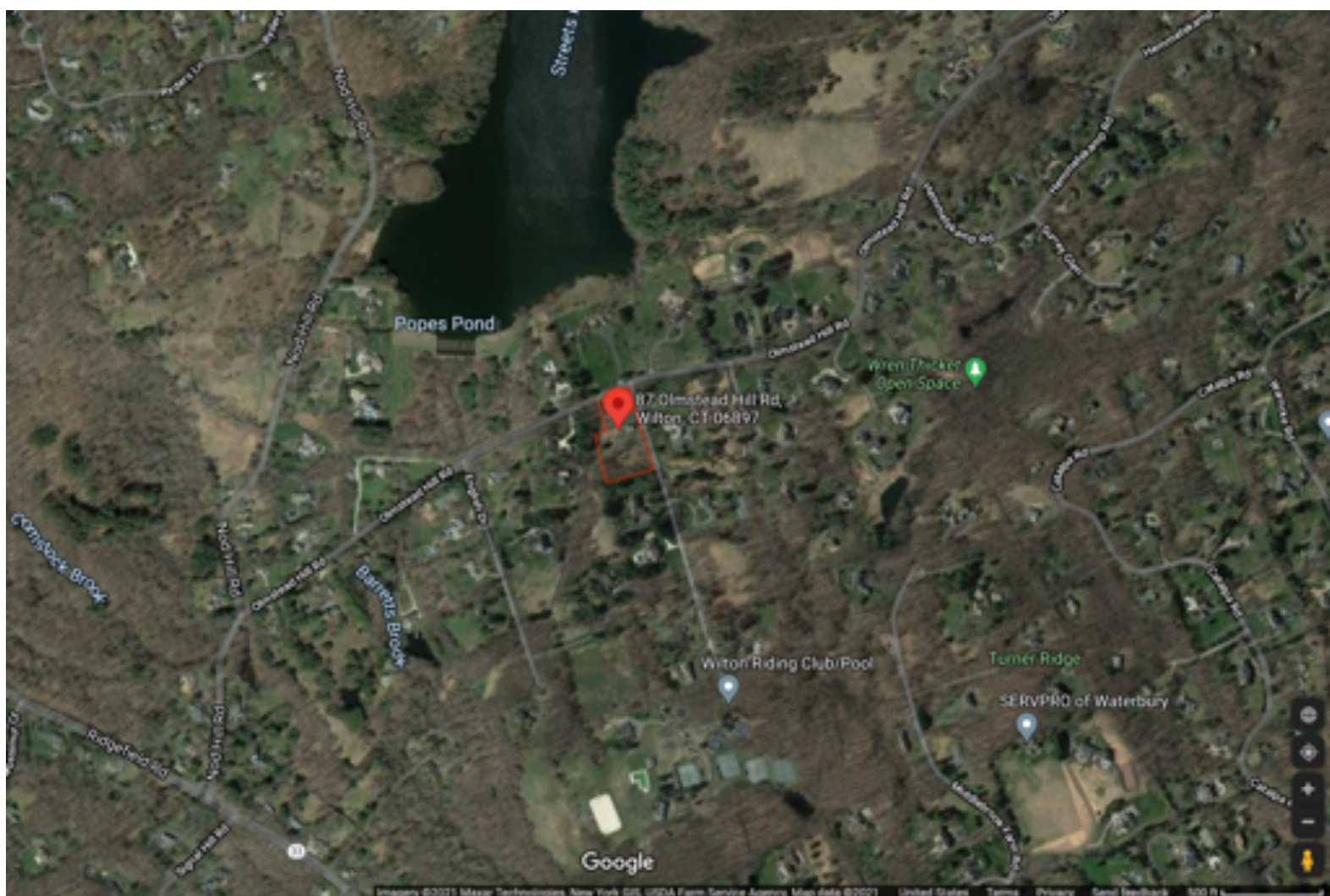
0.7 mi
-  6. Slight right to stay on Olmstead Hill Rd
 Destination will be on the left

0.9 mi

87 Olmstead Hill Rd

Wilton, CT 06897





Location Map



Existing Rear Elevation
87 Olmstead Hill Rd



Existing Rear Elevation II
87 Olmstead Hill Rd



Existing South / East Elevation (abutting Riding Club Road)



Existing North / East Elevation (abutting Riding Club Road)