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.)

				71.71	CT. 0.0000	
Katrina Rusin			30 Hollow Tree Place, Wilton, CT 069897			
APPLICANT'S NAME			ADDRESS			
Thomas & Katrina Rusin OWNER'S NAME			30 Hollow Tree Place, Wilton, CT 06897 ADDRESS			
30 Hollow Tree Place, Wilton, CT 06897 PROPERTY LOCATION			R2A ZONING DISTRICT			
3724 WLR MAP#	1701 VOLUME	PAGE	128-28 TAX MAP #	3 LOT #	ACREAGE	

VARIANCE DESCRIPTION:

Requesting a variance of Section 29-4.D.1.g – Minimum Lot Size and Yard Requirements – 2 acres required, 1.446 acres provided

HARDSHIP DESCRIPTION:

We wanted to build a detached garage with a bedroom above for our oldest son, and then eventually one of our elderly parents who will likely need care soon. (Now 82 and 83 and finding it difficult to live on their own.) We didn't want to build it if we were not going to be able to have a bath with a shower. If we couldn't do the full bath we would have sold and moved. However, as you know, a homeowner can't get a permit without plans. But since we were going with a structure built off-site, we couldn't get plans from the company without signing a contract and paying a non-refundable \$15,000.00 deposit first!

So, we spent significant time with planning and zoning, health, erosion, and wetlands before purchasing the plans. We spent thousands on a survey and a B-100 all to confirm the bathroom with shower would be ok. While we fully appreciate that final approval is only possible once plans are submitted, in every case we received a verbal, "you should be fine." So, we signed the contract, and paid not only for the plans but an additional \$30K to try and accelerate construction to beat the winter. (This was all in the fall.)

It was after all that in a conversation with Tim Bunting we were told, "Oh wait, you're in a conservation zone, you can't have a shower." He was very frank and presented the "finding" to be helpful, but at that point the deposits we paid were largely non-refundable and we had done all the septic tests and had health approvals for a full bath, so we decided to go forward with the garage and apply for a variance for the shower. We have a building permit for the garage and it has been built. Electrical is signed off and we are up to the plumbing and if we are able to obtain the variance would rather just complete it with the full bath. If we can't obtain the variance, we will finish the approved structure with the half-bath and then have to move.

From a foot-print perspective, a septic perspective, an exterior elevation perspective, a floor plan perspective, and an environmental perspective, there is nothing different about what has already been built and approved than what will be here if we get the variance. The only difference will be whether or not the building has a shower.

Further more we are being placed under a hardship in comparison with other Wilton land owners. Our deed is for the 1.446 acres *and* 1/5th of the Swamp Hollow Conservation land which is 6.398 acres. The two together is 2.725 acres. In comparison to other Wilton residents, if our 2.725 acres was contiguous, the shower would be fine. So, given there is nothing different about the structure nor the environmental impact, this seems like we are being denied appropriate use of our land in comparison to other residents, which seems unfair and quite a hardship.

Specifically, CGS § 8-6 allows ZBAs to grant variances from zoning bylaws, ordinances, or regulations with respect to a parcel of land when "owing to conditions especially affecting such parcel but not affecting generally the [zoning] district in which it is situated, a literal enforcement of such bylaws, ordinances or regulations would result in exceptional difficulty or unusual hardship." MBL 128-28-3 is being placed under an unusual hardship that does not affect the other properties in the same zoning district. Despite collectively owning 2.7256 acres of land, with the 1/5th ownership of Swamp Hollow Conservation Corp, we are being deprived of our land's and usage. A similar property with *less acreage* in the same R2A zone would be fully allowed the shower above the garage. Additionally, since there is NO change to the footprint, NO change to the external appearance, NO change to the septic, NO incremental impact to the environment, and the building ALREADY EXISTS we are being placed under an unusual hardship that does not apply to other homes under the same R2A zoning.

Additionally, while we understand financial impact is not a hardship we did spent significant time, effort and money with the town, (building, wetlands, erosion), as well as surveyors, and septic engineers, ensuring that the bathroom was possible, *before* contracting with a builder.

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
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- X APPLICATION FORM
- X LIST OF OWNERS WITHIN 500' of the subject property as shown by Tax Map & Lot#.
- X A-2 SURVEY of the subject property showing all existing building and site conditions.
- X 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.
- X 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.
- X DIRECTIONS to subject property from Town Hall, 238 Danbury Road, Wilton, CT (e.g. hand-written, computer-generated or similar).
- none LIST OF PREVIOUS ZONING VARIANCES describing any variances and the action taken.
- X PHOTOGRAPHS of property showing building and site conditions from all geographic perspectives.

ALSO SUBMIT:

- X ONE COPY OF DEED INCLUDED WITH ORIGINAL SET ONLY (Obtain in Town Clerk's Office)
- mailed ENVELOPES, addressed to each property owner within 500' (see "Envelopes Instructions" online)
- X ELECTRONIC EMAILED SUBMISSION of all materials (Consolidated into 1-2 PDFs Maximum)
- done TWO #10 (4"x 9.5") PLAIN ENVELOPES addressed to the applicant (No Return Address)
- done \$310 FILING FEE payable to: Town of Wilton

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

IS THE SUBJECT PROPERTY LOCATED WITHIN THE PUBLIC WATER SUPPLY WATERSHED BOUNDARY? NO [If YES, contact Planning & Zoning Dept for DPH Addendum Form.]

IS THE SUBJECT PROPERTY LOCATED IN THE FLOOD PLAIN? NO

WHEN WAS THE SUBJECT PROPERTY PURCHASED? 2004

IN WHAT YEAR WAS THE MAIN STRUCTURE CONSTRUCTED? 1980

BUILDING COVERAGE PROPOSED: 6.9 (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.

APPLICANȚ'S SIGNATURE	DATE 4/23/21	EMAIL ADDRESS therusins@yahoo.com	TELEPHONE 203-246-2677
OWNER'S SIGNATURE	DATE	EMAIL ADDRESS Tom.rusin1@gmail.com	TELEPHONE 203-912-4167
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NEWPORT GARAGE FOR: TOM RUSIN

30 HOLLOW TREE PLACE WILTON, CT 06897



24' X 24' 1-1/2 STORY CUSTOM GARAGE

DESIGN DATA:	
roof snow load:	30 PSF
ultimate wind speed: V(ult)	120 MPH (3-SEC. GUST)
BUILDING CODE REFERENCE:	THE 2018 CT STATE BUILDING CODE, 2015 IRC

REVISIONS: 12/15/20 - REVISION #1 | 12/21/20 - REVISION #2

FABRICATED BY:



DRAWING LIST

COVER TITLE SHEET & DESIGN DATA

SHEET 1 FRONT ELEVATION & OHD SECTION

SHEET 2 LEFT ELEVATION
SHEET 3 RIGHT ELEVATION

SHEET 4 REAR ELEVATION

SHEET 5 FOUNDATION PLAN & DETAILS

SHEET 6 FIRST FLOOR PLAN

SHEET 7 ROOF FRAMING PLAN & NOTES

SHEET 8 BUILDING SECTION
SHEET 9 BRACED WALL SECTION & DETAILS

SHEET 10 TRUSS INFORMATION

THE BARN YARD

SHOWCASE LOCATION

RTE. 83 120 WEST ROAD ELLINGTON, CT 06029 860-896-0636

HEADQUARTERS

9 VILLAGE STREET ELLINGTON, CT 06029 860-454-9103

CT LICENSE # 558916

ENSE # 558916 www.GREATCOUNTRYGARAGES.com

SHOWCASE LOCATION

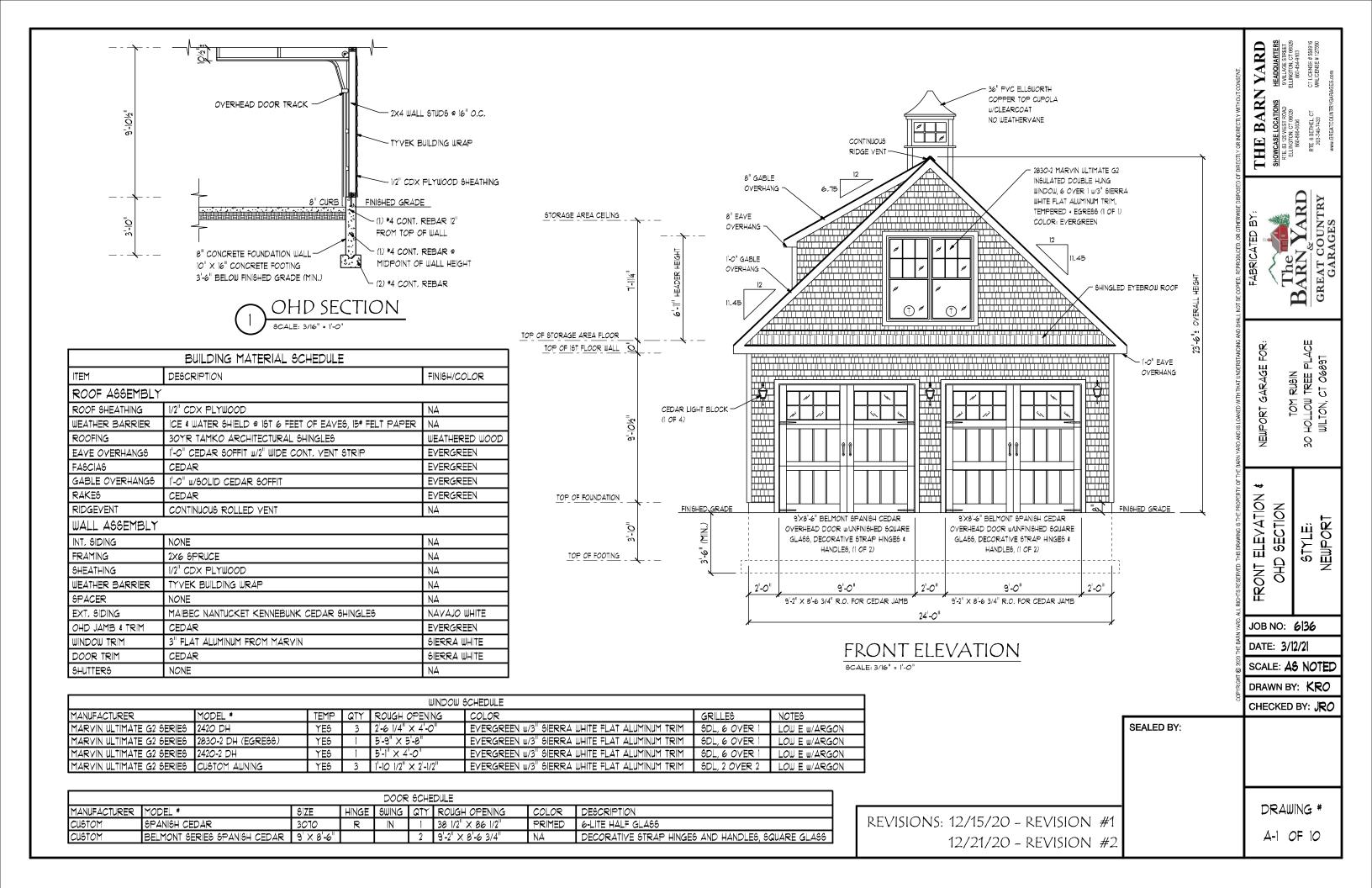
RTE. 6 BETHEL, CT

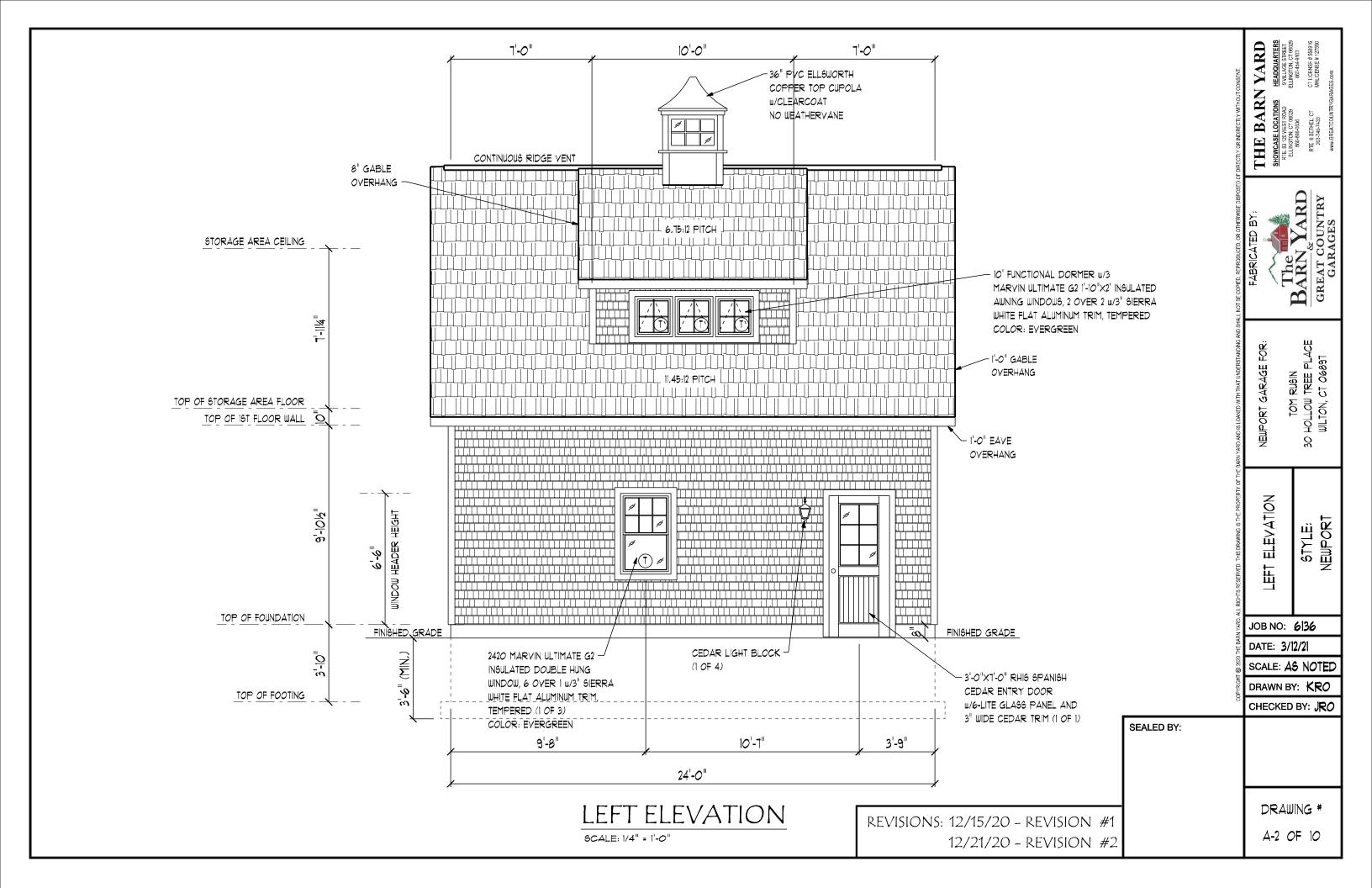
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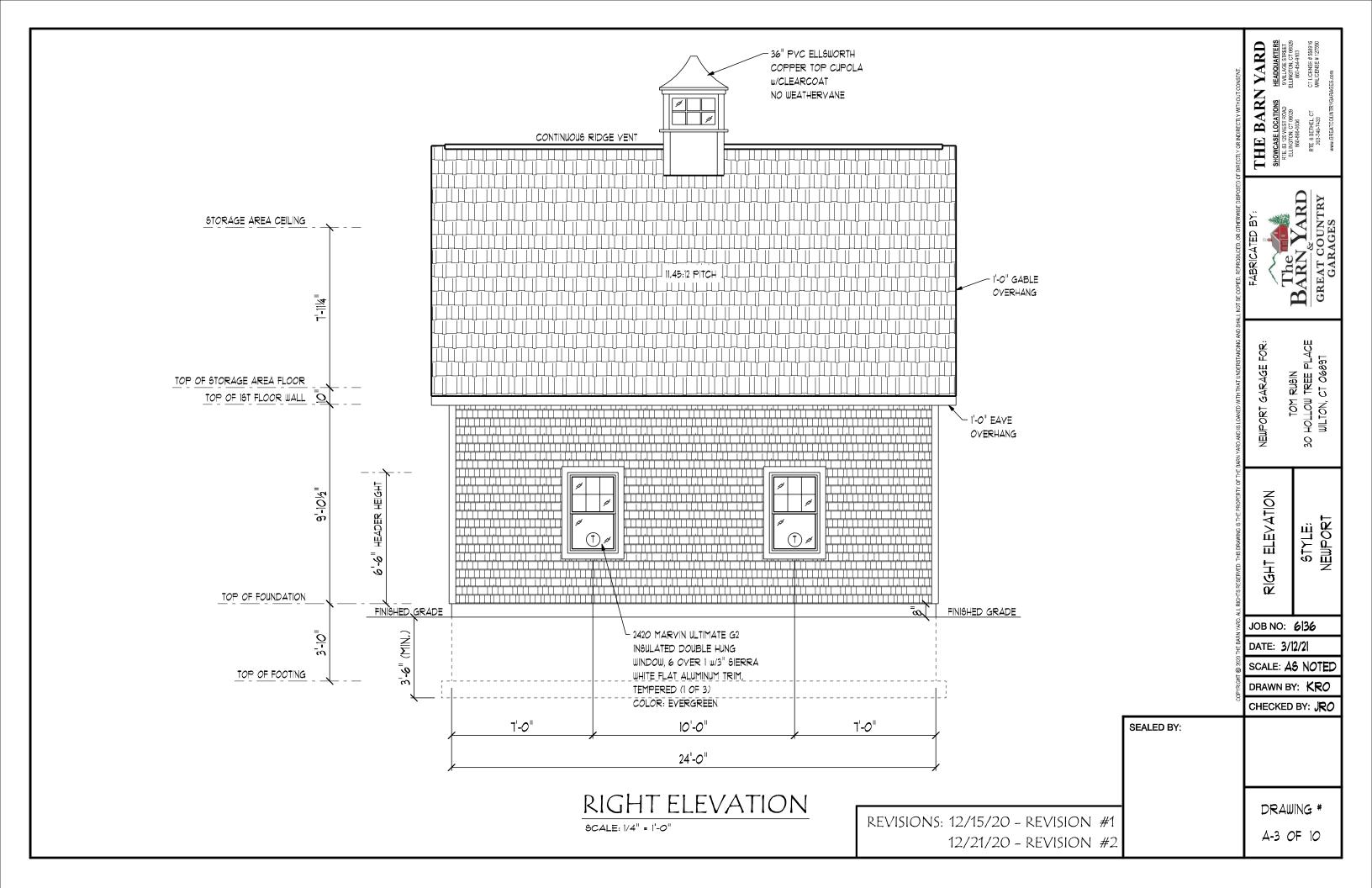
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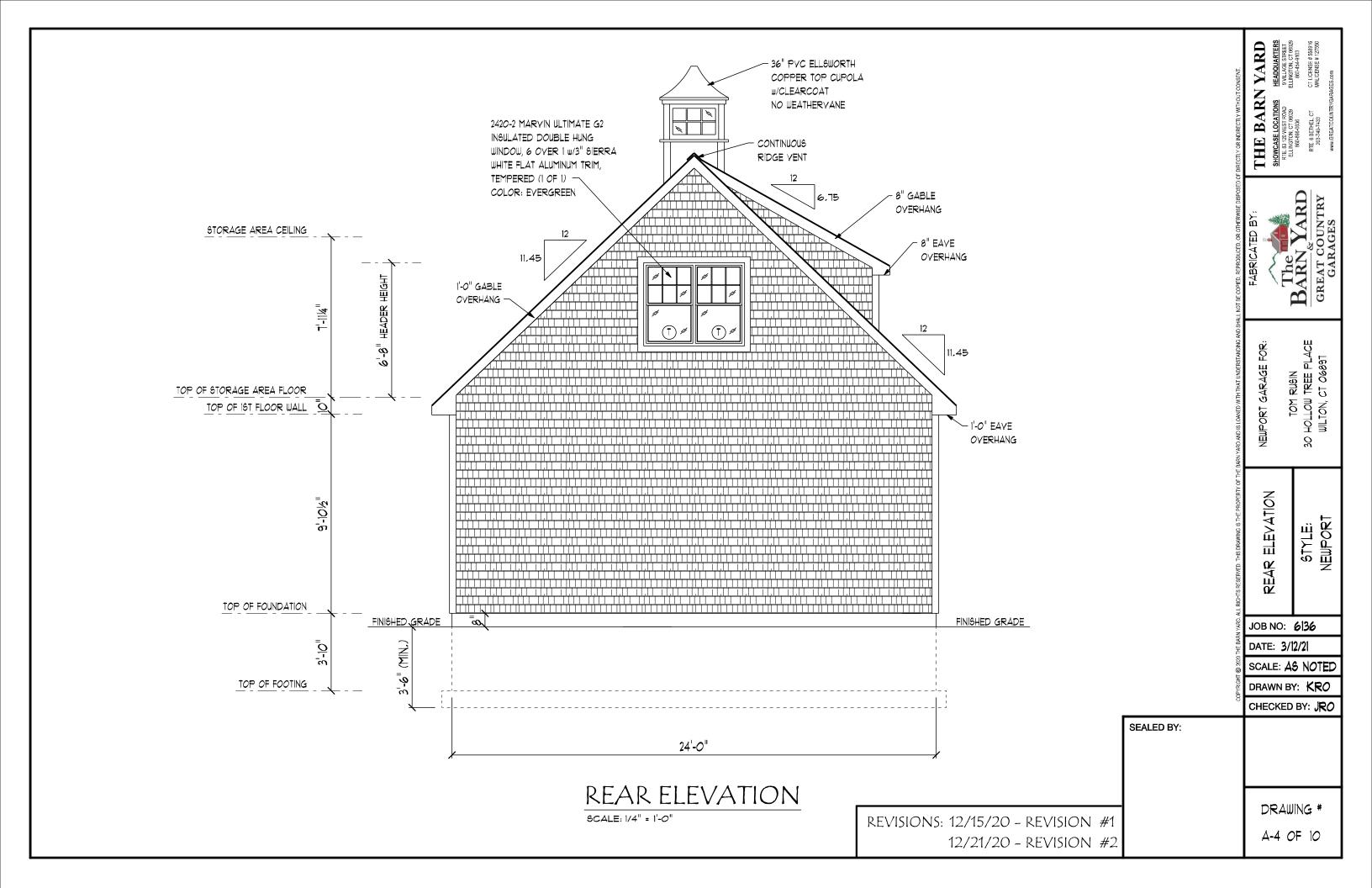
PROJECT NO. 6136

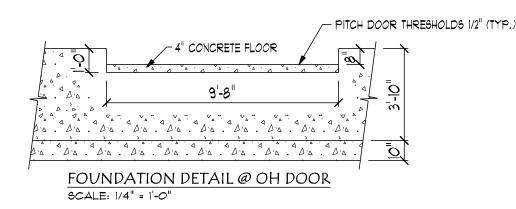
PRINT DATE: 3/12/21

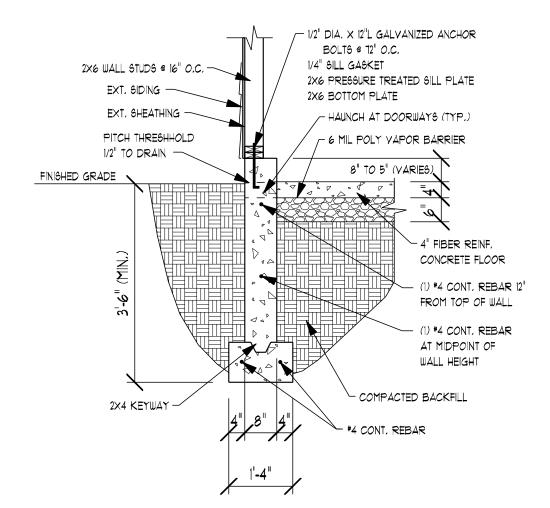




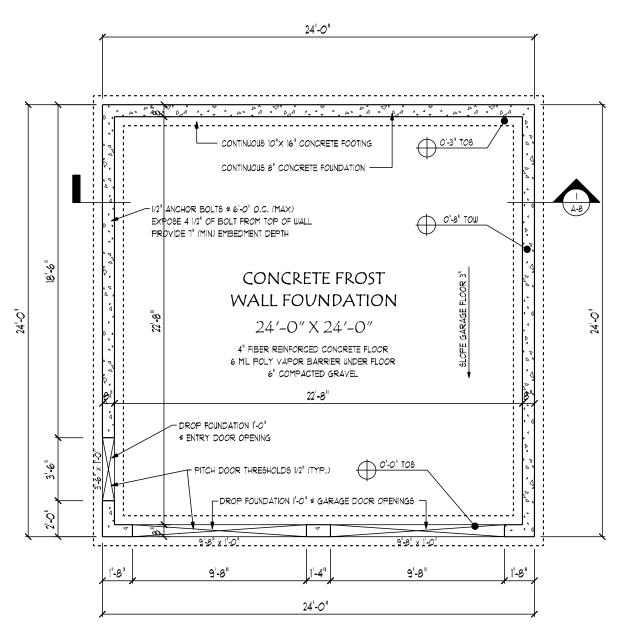








FOUNDATION SECTION DETAIL SCALE: 1/2" = 1'-0"



FOUNDATION PLAN SCALE: 3/16" = 1'-0"

REVISIONS: 12/15/20 - REVISION #1 12/21/20 - REVISION #2 SEALED BY:

DRAWING # A-5 OF 10

FOUNDATION PLAN

JOB NO: 6136

SCALE: AS NOTED

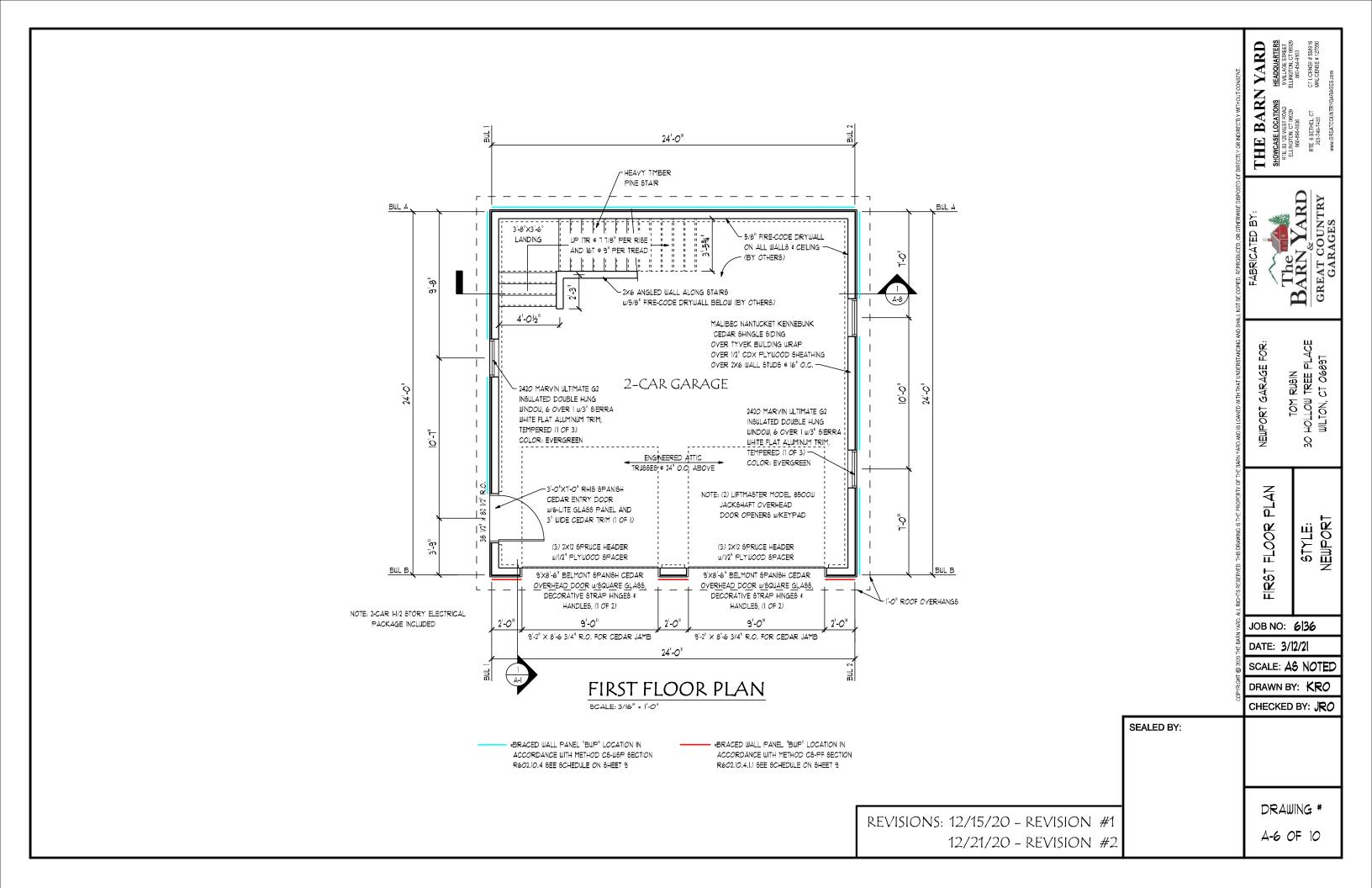
DRAWN BY: KRO

CHECKED BY: JRO

DATE: 3/12/21

STYLE: NEWPORT

THE BARN YARD



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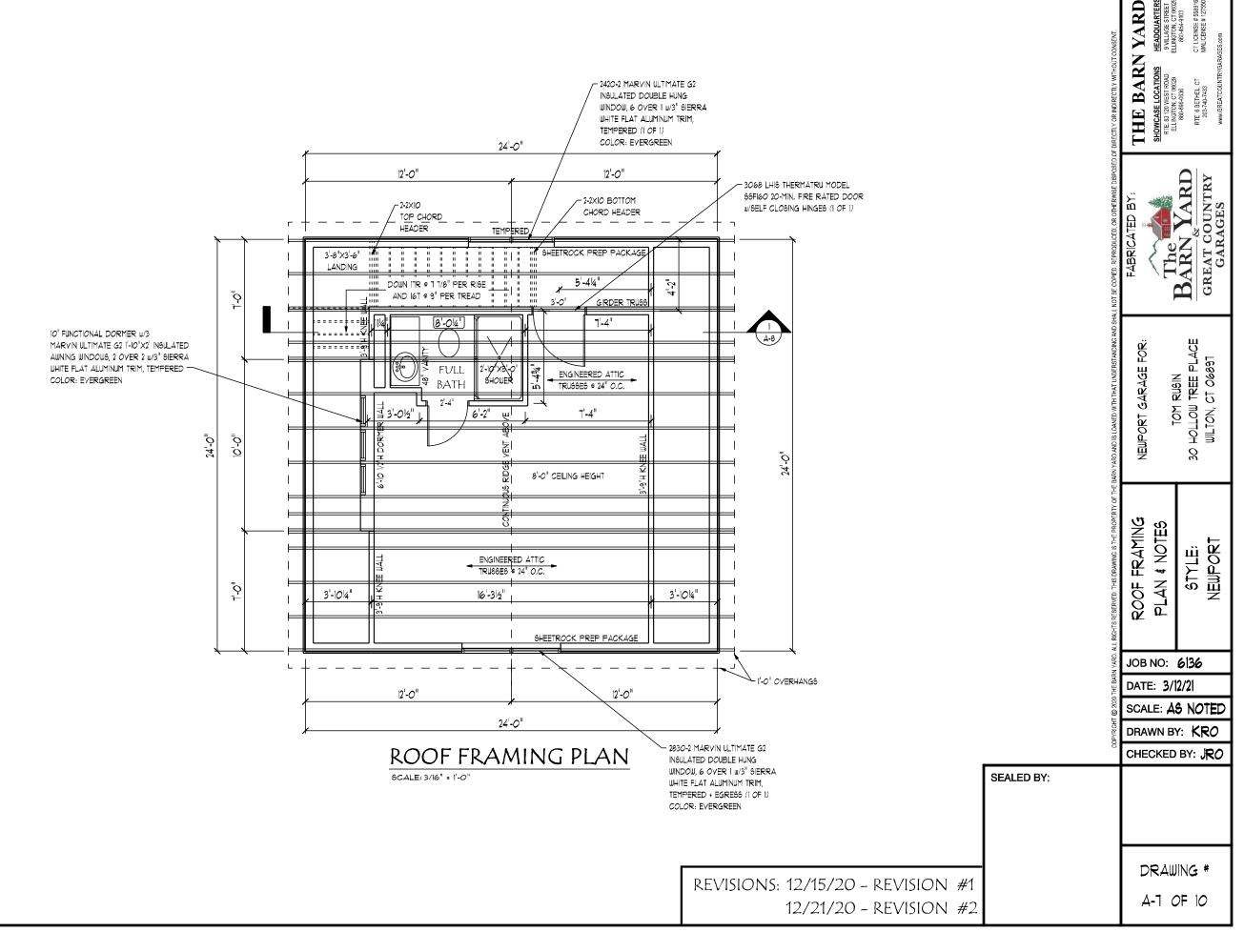
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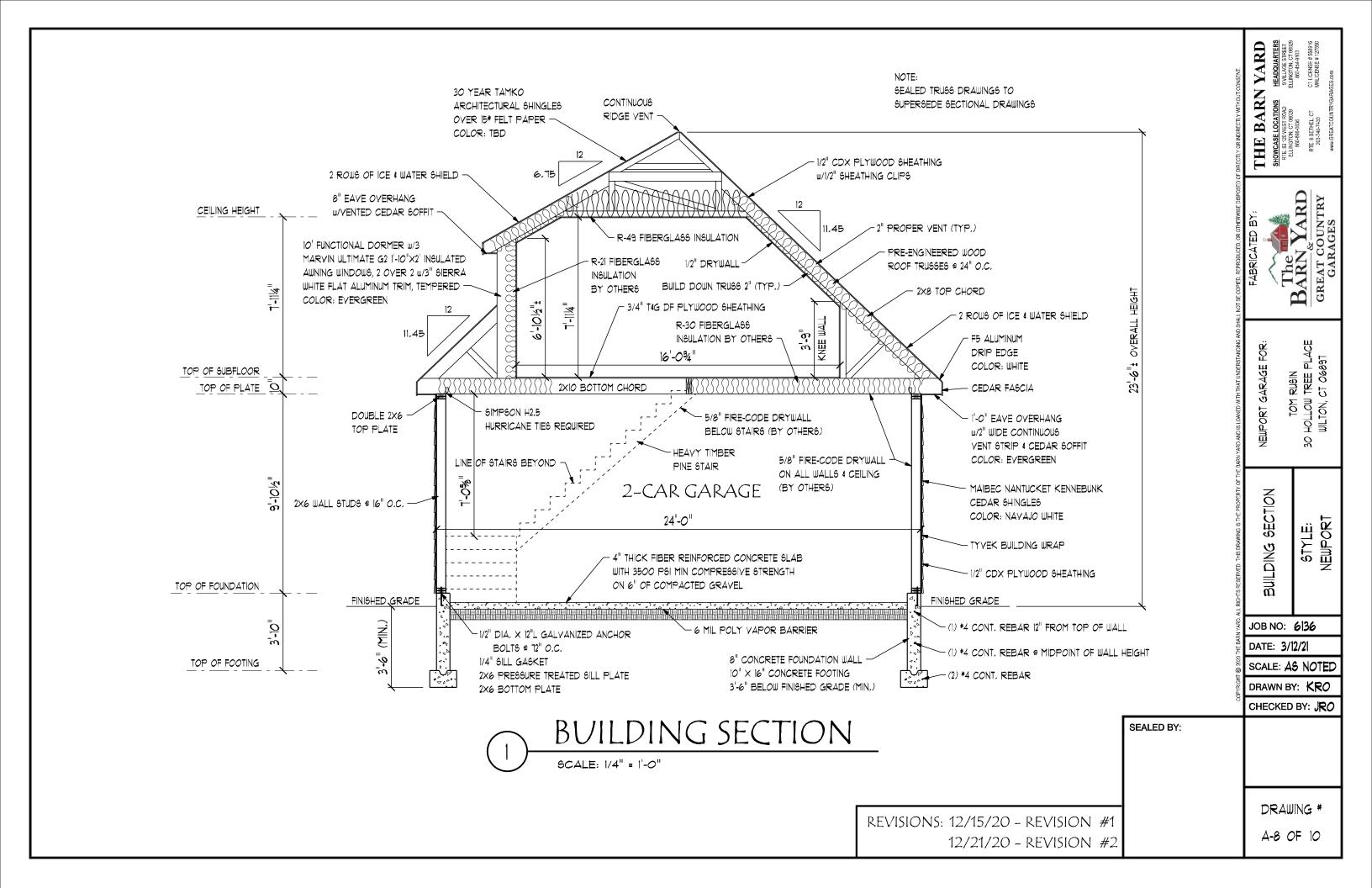
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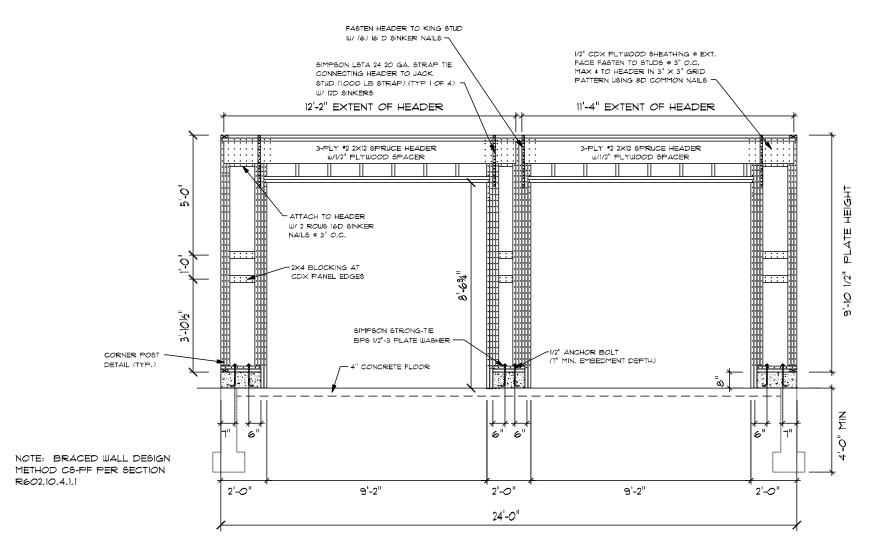
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PROVIDE MULTIPLE TRUSSES AS REQUIRED FOR LOADING AND BEARING.

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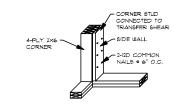




BRACED WALL SECTION

SCALE: 1/4" = 1'-0"

BRACED WALL SCHEDULE & NOTES					
METHOD	NAIL	PERIMETER NAIL	INTERIOR NAIL	SHEATHING	SHEATHING ORIENTATION
CS-WSP	8D COMMON	6" O.C. (MAX)	12" O.C. (MAX)	1/2" APA RATED PLYWOOD SHEATHING (SINGLE SIDE)	VERTICAL
CS-PF	8D COMMON	3" O.C. (MAX)	3"X3" GRID (MAX)	1/2" APA RATED PLYWOOD SHEATHING (SINGLE SIDE)	HORIZONTAL



2X6 GARAGE CORNER DETAIL

NEWPORT GARAGE FOR:

TOM RUSIN

SO HOLLOW TREE PLACE

IIII TON CT ORBOT

GRE

YARD

THE BARN YARD

BRACED WALL
SECTION & DETAILS
STYLE:
NEWPORT

JOB NO: 6|36

DATE: 3/12/21

SCALE: AS NOTED DRAWN BY: KRO

CHECKED BY: JRO

SEALED BY:

DRAWING # A-9 OF 10

REVISIONS: 12/15/20 - REVISION #1 12/21/20 - REVISION #2

