

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.)

Katrina Rusin	30 Hollow Tree Place, Wilton, CT 069897				
APPLICANT'S NAME	ADDRESS				
Thomas & Katrina Rusin	30 Hollow Tree Place, Wilton, CT 06897				
OWNER'S NAME	ADDRESS				
30 Hollow Tree Place, Wilton, CT 06897	R2A				
PROPERTY LOCATION	ZONING DISTRICT				
3724	1701	336	128-28	3	1.44
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.

Request a variance to put a shower in a bathroom above a detached two car garage to accommodate adult children living home longer than planned due to Covid-19. Variance required due to lot being in a conservation zone, despite owning *significantly more* than the acreage required for *any other* Wilton Homes under the same R2A zoning.

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.

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 value 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 we are being placed under an unusual and repressive hardship that does not apply to other homes under the same R2A zoning.

Additionally, we 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. As each department visited our property, they all confirmed this would be possible, so we *contracted* for a pre-fab building so we could obtain plans for the permit. Upon filing plans we obtained after contracting for the pre-fab building, we were then told we could add a sink and toilet, but not a shower, due to conservation land restrictions. Had we known the shower would have required a variance, we never would have gone to contract until we had the variance.

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? 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

SITE COVERAGE PROPOSED: 14.7 BUILDING COVERAGE PROPOSED: 6.9
(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

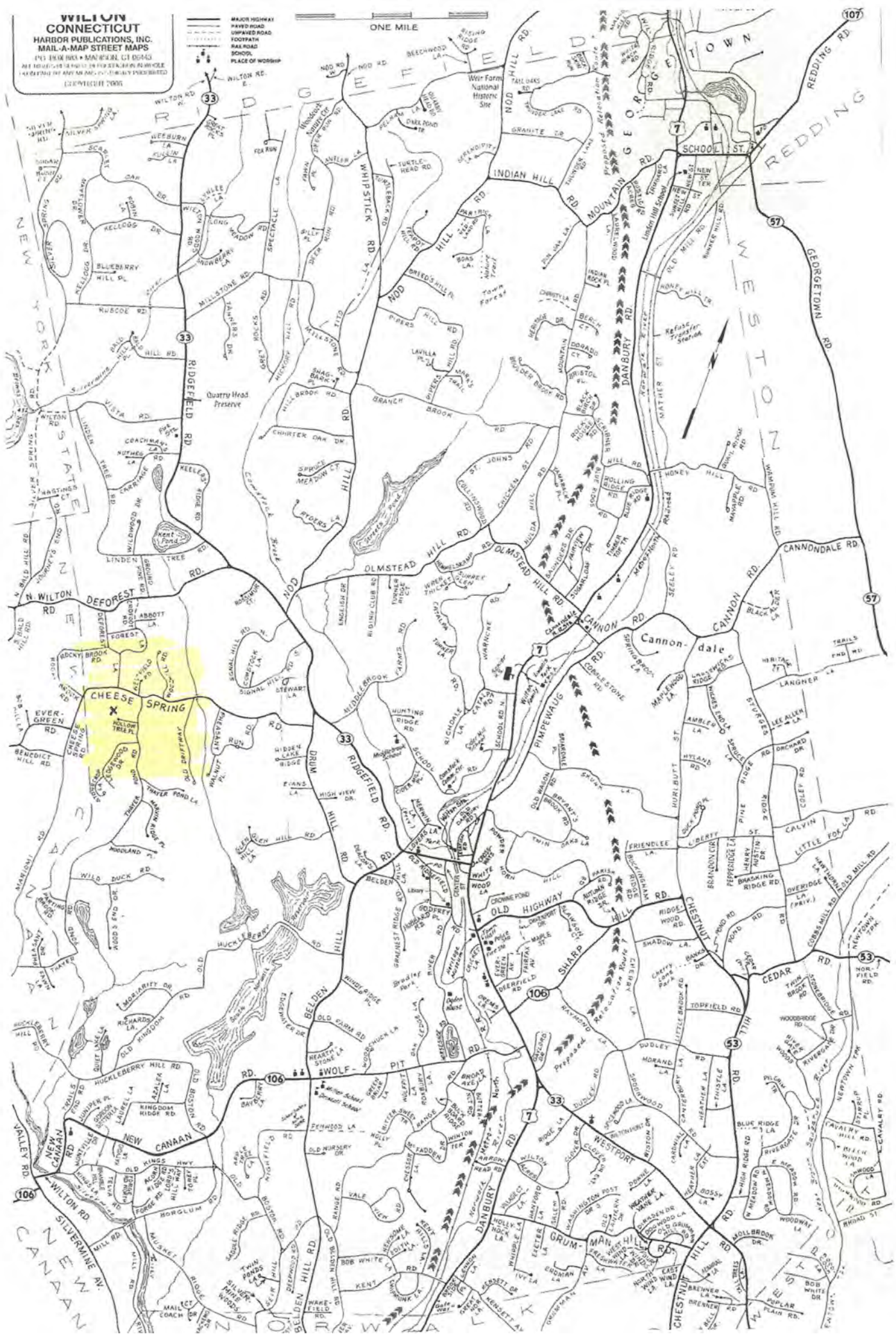
EMAIL ADDRESS

TELEPHONE

128-2	128-6-1	128-6-2
KNAPP ALAN & DORIS	BABASHAK KARA L & JAMES E	CARROLL MICHAEL C & ELENA
264 CHEESE SPRING RD	12 DEFOREST LA	232 CHEESE SPRING RD
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-24	128-25	128-26
KROPF JOSEPH	FITZGERALD KENYON BAILEY JR	MCELROY MICHAEL & ANDREA
26 LEDGEWOOD DR	20 LEDGEWOOD DR	16 LEDGEWOOD DR
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-28	128-28-1	128-28-2
BI SEAN ZHENGYU &	WOODS JAMES F & NANCY T	MOLONEY MARIE &
7 HOLLOW TREE PL	2 HOLLOW TREE PL	24 HOLLOW TREE PL
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-28-3	128-28-4	128-29
RUSIN THOMAS J & KATRINA E	VAUGHN MEGAN A	WILSON EDWARD T & SUSAN B
30 HOLLOW TREE PL	31 HOLLOW TREE PL	500 THAYER POND RD
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-30	128-31	128-32
DOOLEY GREGORY KEVIN & JENNIFER	DAHM FRANK C & BARBARA	KISTINGER ANNE T TRUSTEE
502 THAYER POND RD	225 CHEESE SPRING RD	235 CHEESE SPRING RD
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-33	128-34	128-35
FERRANTE MARIO V & ANDREA C	MOISIO COLLEEN & MICHAEL H JR	MORAN FREDERICK M & DEBORA
243 CHEESE SPRING RD	255 CHEESE SPRING RD	263 CHEESE SPRING RD
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-36	128-37	128-38
ROTHMAN ARI S & ANITA O	POULTNEY JOAN M	PERNA JAMES H & LYNN A
269 CHEESE SPRING RD	279 CHEESE SPRING RD	281 CHEESE SPRING RD
WILTON CT 06897	WILTON CT 06897	WILTON CT 06897
128-39	128-40	128-41-1
SHUTSIKAU MIKALAI &	VALASSIS STEVEN & ANASTASIA	LANGELAND DAWN M
285 CHEESE SPRING RD	767 CHEESE SPRING RD	35 HOLLOW TREE PL
WILTON CT 06897	NEW CANAAN CT 06840	WILTON CT 06897

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

ONE MILE



Google Maps

wilton town hall to 30 Hollow Tree Place, Wilton, CT

Drive 3.2 miles, 8 min



WILTON TOWN HALL

238 Danbury Rd, Wilton, CT 06897

Take Cricket Ln to US-7 N

1. Head northwest toward Cricket Ln
21 s (282 ft)
2. Turn left onto Cricket Ln
131 ft
- 151 ft

Take CT-33 N and Cheese Spring Rd to Thayer Pond Rd

3. Turn right at the 1st cross street onto US-7 N
6 min (2.9 mi)
- 0.4 mi
4. Turn left onto CT-33 N
1.4 mi
5. Turn left onto Drum Hill Rd
371 ft
6. Turn right onto Cheese Spring Rd
1.0 mi

Continue on Thayer Pond Rd. Drive to Hollow Tree Pl

1 min (0.3 mi)

- 
7. Turn left onto Thayer Pond Rd

0.1 mi

- 
8. Turn right onto Hollow Tree Pl

0.1 mi

30 Hollow Tree Pl

Wilton, CT 06897

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Record and return to:
Gerald M. Fox, Esq.
Fox & Fox, L.L.P.
607 Bedford Street
Stamford, CT 06901

000088251 Bk:01701
Pg:00336

WARRANTY DEED

I, **HAROLD E. CLARK and ALISON M. CLARK** of Wilton, Connecticut, for the consideration of **NINE HUNDRED EIGHTY ONE THOUSAND TWO HUNDRED AND 00/100 (\$981,200.00) DOLLARS** paid, grant to **THOMAS J. RUSIN and KATRINA E. RUSIN**, residing at 42 Purdy Road East, Norwalk, Connecticut, **WITH WARRANTY COVENANTS**

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated on Hollow Tree Place in the Town of Wilton, County of Fairfield and State of Connecticut shown and designated as Lot #3, including the Access for Lot #3, on a certain map entitled "Subdivision Map Prepared For Longwood Real Estate, Inc., Wilton, Connecticut, Two Acre Residence Zone, Total Area Shown Hereon = 16.742 Acres, Scale 1" = 60'" "certified substantially correct by Robert H. Henrici, L.D., Mar. 14, 1979, and filed August 4, 1979 as Map No. 3724 in the Wilton Town Clerk's Office.

TOGETHER WITH membership with a one-fifth voting right in Swamp Hollow Conservation Corp., a Connecticut non-stock corporation, which is the owner of the Conservation Area shown on said Map No. 3724 in the Wilton Town Clerk's Office.

The Premises are subject to such liens and encumbrances as are set forth below:

1. Any restrictions or limitations imposed or to be imposed by governmental authority, including, but not limited to, laws and regulations pertaining to environment, toxic hazards, zoning and planning and inland wetlands and watercourses, of the Town of Wilton, State of Connecticut and United States of America and any agency thereof.
2. Taxes of the Town of Wilton hereafter due and payable.
3. Sewer maintenance charges, water rents, fire district taxes, special assessments, public improvement assessments and any unpaid installments thereof, hereafter due and payable.
4. Riparian rights of others in and to any stream, pond, or other body of water located on, abutting or running through the premises.
5. Declaration of Conservation Development Restrictions recorded in Volume 331 at Page 128 of the Wilton Land Records.

State:5812.00 TOWN:2453.00
Bette Joan Rasosnetti
Town Clerk of Wilton

Conveyance Tax Collected

6. Declaration of Restrictive Covenants recorded in Volume 331 at Page 160 of said land records.
7. Terms, provisions and restrictions as to the Conservation Area as set forth in the Certificate of Incorporation of Swamp Hollow Conservation Corp. Grantee herein agrees to become a member of said Swamp Hollow Conservation Corp.
8. Drainage easement, Road Spillage Easement and Road Slope Easement in favor of said Town of Wilton and recorded in Volume 331 at Pages 133, 135 and 137 respectively, of said land records.
9. 40' and 50' building setback lines and notations as shown on said Map No. 3724.

Signed this 15 day of June, 2004.

Witnessed by:

Witnessed by:

Susan Cary Goldman

Anna M. Stewart


Harold E. Clark


Alison M. Clark

State of Connecticut)
County of Fairfield) ss: Wilton

June 15, 2004

Personally appeared Harold E. Clark and Alison M. Clark signers and sealers of the foregoing instrument, and acknowledged the same to be their free act and deed before me.


Commissioner of the Superior Court

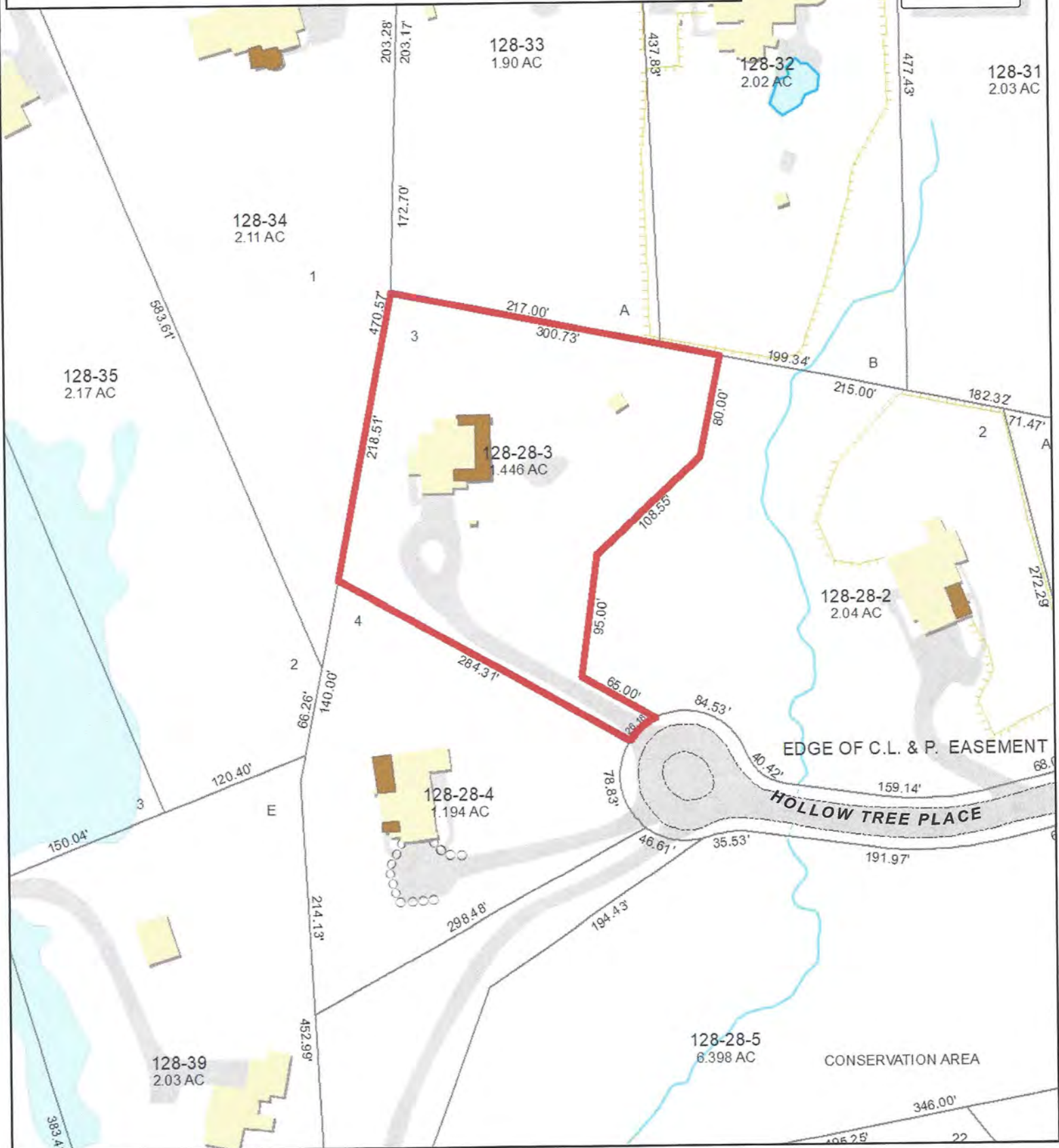
RECEIVED FOR RECORD 06/16/2004
AT 01:35:23PM
ATTEST: Bettye Joan Rasognetti

TOWN CLERK

Town of Wilton, Connecticut - Assessment Parcel Map

MBL: 128-28-3

Address: 30 HOLLOW TREE PL



Approximate Scale:

1 inch = 100 feet

Disclaimer:

This map is for informational purposes only.
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.

Map Grand List Date: Oct 2017

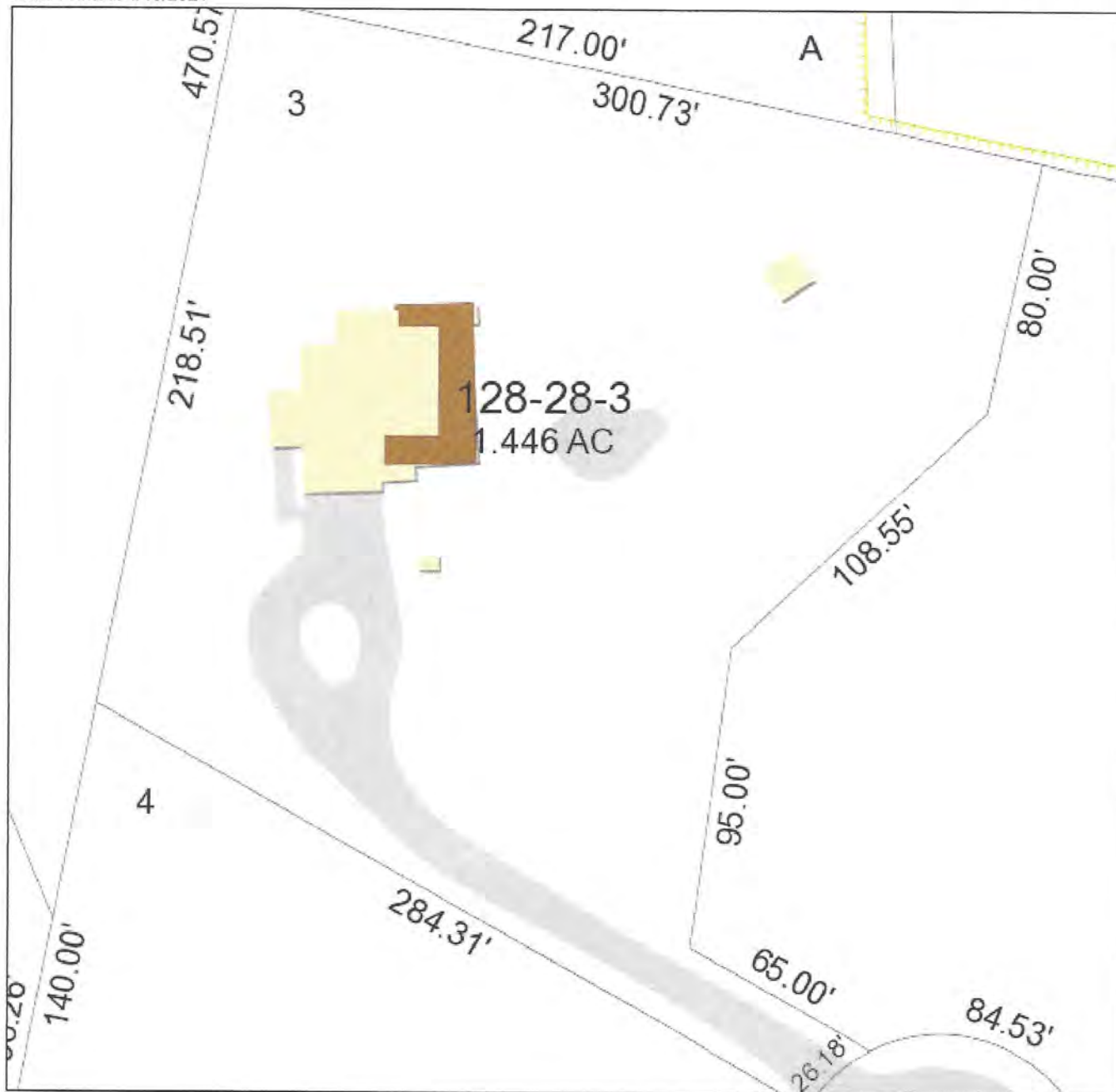
0 50 100 150 Feet

Town of Wilton

Geographic Information System (GIS)



Date Printed: 4/19/2021



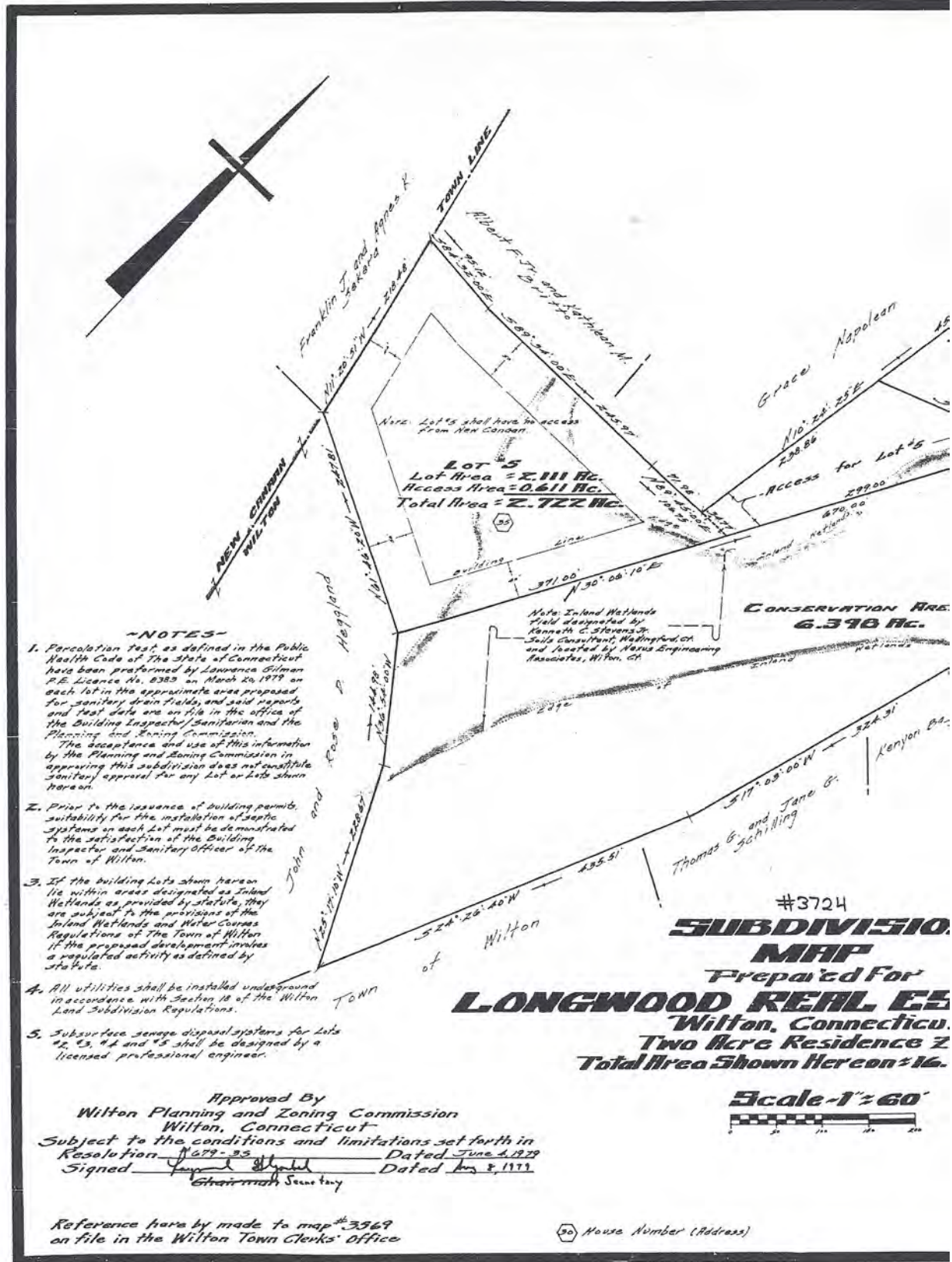
MAP DISCLAIMER - NOTICE OF LIABILITY

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.

Approximate Scale: 1 inch = 50 ft



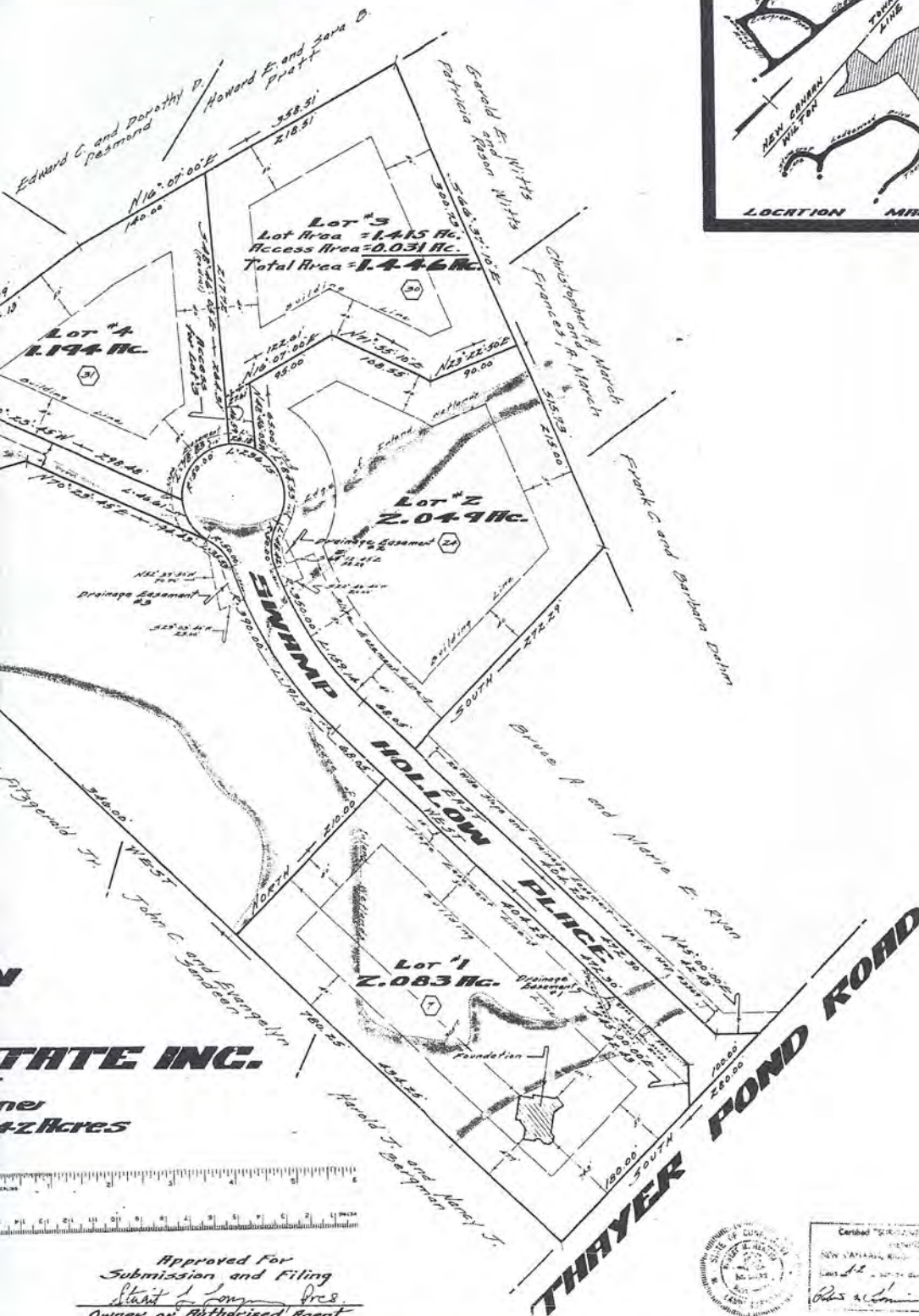
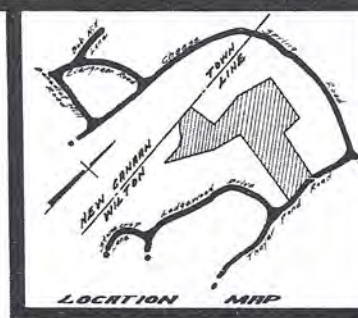
#3724



#3724 Received for filing August 14 1979 at 4:30 P.M. Laramie A. Mott Asst.

3724

3724



Certified "CORRECTLY GRANTED"
NEW YORK STATE DEPARTMENT OF STATE
OFFICE OF THE RECORDER OF DEEDS
COUNTY OF ALBANY
Book 112 - Page 60 Mar 14 1979
Rosa A. Linn
11-6089

Wilton

#3724



















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