

29 August 2022

Mr. Michael Wrinn, Town Planner
Town of Wilton
238 Danbury Road
Wilton, CT 06897

Re: 14 Old Belden Hill Rd ZBA application

Greetings-

Sorry for the delay. I was out with Covid 8/8, and then we were away on vacation. I've been catching up since then.

We are writing in response to your questions of August 15, 2022 regarding the proposed ADU at 14 Old Belden Hill Road:

Square footage:

The regulations regarding ADU size read "Maximum Size: The floor area of the accessory dwelling unit may not exceed one fourth of the gross floor area of the building or 750 square feet, whichever is greater." The existing site includes a garage of 864 sf (Typo on our application).

The area of the proposed ADU breaks down as follows:

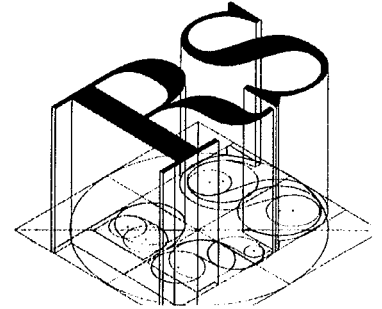
Upper level: 836 sf
Lower level: 355 sf
Total area: 1,191sf

Attached please find a revised application requesting variance of Section 29-4.d.1.a to permit construction of an Accessory Dwelling Unit with 1,191 sf in lieu of 750 sf allowed.

Driveway:

The Owners wish to provide an accessible approach to the existing residence for an elderly parent. The existing entry is non-conforming regarding the front setback, resulting in the proposed parking area location. We have modified our application to separately request a variance of the required distance for the proposed driveway extension.

The attached application requests variance of Section 29.8.B.8 to permit construction of a driveway extension 8'-0" from the front yard line in lieu of 25'-0" required.



Survey:

Paul Hiro, who prepared the survey for the residence in 2015, has since retired from practice. We have prepared a site plan based on that survey, which shows the total site coverage including the proposed driveway extension at 6,530 sf or 11.4%, well below the 12% maximum allowable despite the non-conforming lot size. The Coles will provide an updated survey showing conformity of the as-built conditions upon application for their Certificate of Occupancy should the variances be granted.

LP tank:

The existing residence and proposed ADU will be served by an existing 1,000 gallon underground tank.

Septic:

Plans showing a B100a replacement area have been approved by the Health Department. Further, the owner's septic maintenance company filed a map showing the existing septic tank and leaching system, as well as the proposed connection between the proposed ADU and the main house in July.

Inland wetlands:

The owners will apply for required IWA approval of any activity within the regulated area should the variances be granted.

Please find the modified ZBA application including the driveway extension attached.

Thank you,

A handwritten signature in blue ink, appearing to read "Rob Sanders", with a stylized, flowing script.

Rob Sanders AIA
Rob Sanders Architects LLC
436 Danbury Road
P O Box 132
Wilton, CT 06897
t: 203.761.0144
c: 203.247.5562
rsanders@rsarchct.com
www.robsandersarchitects.com

c: M/M Cole

RS:WR

WILTON ZONING BOARD OF APPEALS - RESIDENTIAL VARIANCE APPLICATION - ZBA#
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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 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: _____
(AS PERCENTAGE OF SITE)

BUILDING COVERAGE PROPOSED: _____
(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

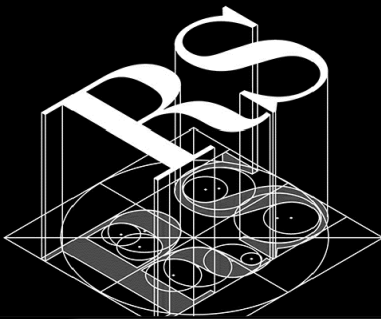
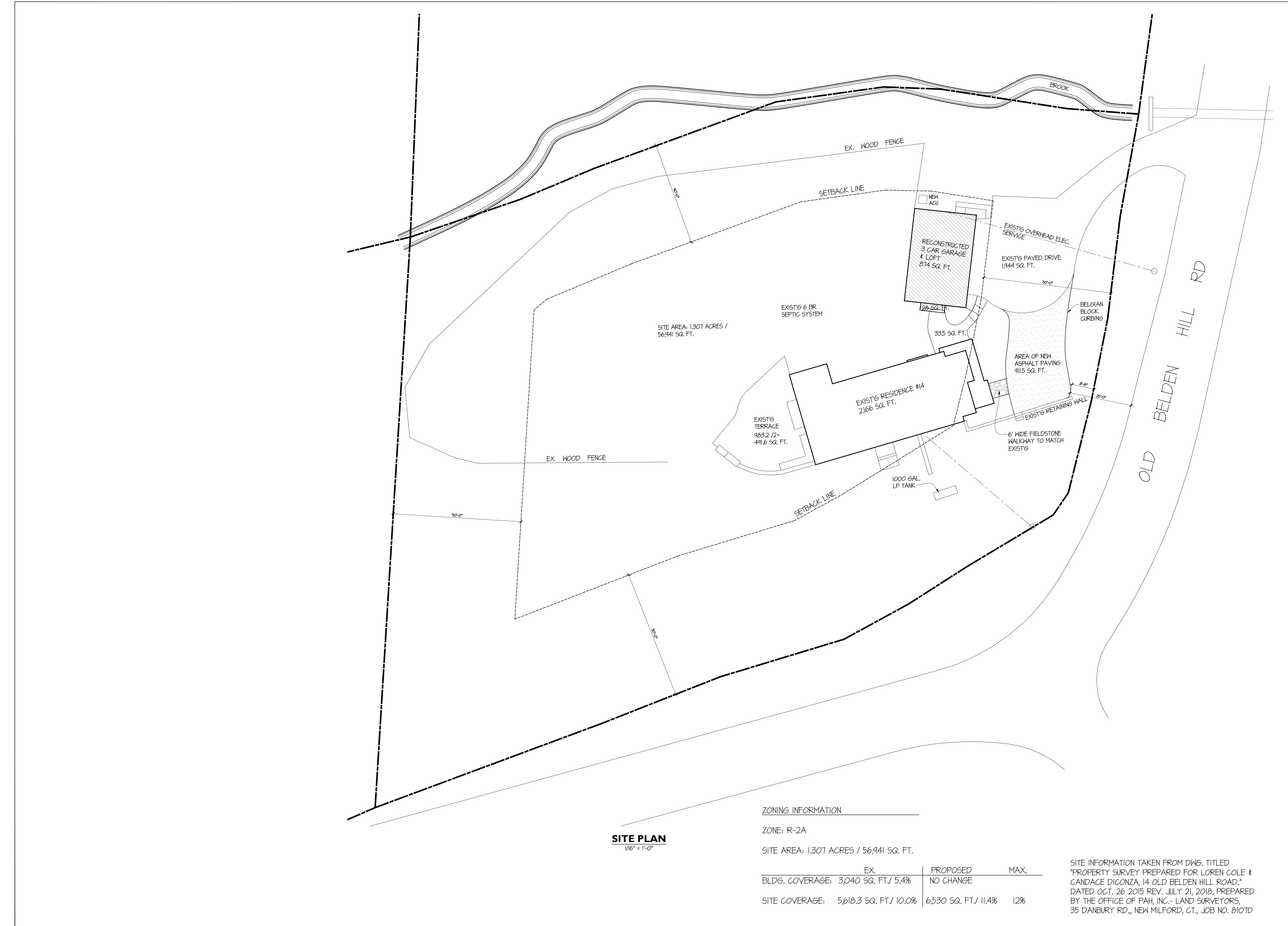
HELPFUL INFORMATION FOR VARIANCE APPLICATIONS

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)



REV. 8/25/22

REV. 6/6/22

Project Name & Address
COLE RESIDENCE
14 OLD BELDEN HILL RD.
WILTON, CT

Project No.
21-012

Sheet Name
SITE
PLAN

d OCT. 27, 2021
s 1/16" = 1'-0"

Sheet No.

SA-I

ZONING INFORMATION

ZONE: R-2A

SITE AREA: 1.307 ACRES / 56,941 SQ. FT.

	EX.	PROPOSED	MAX.
BLDG. COVERAGE:	3,040 SQ. FT./ 5.4%	NO CHANGE	
SITE COVERAGE:	5,618.3 SQ. FT./ 10.0%	6,530 SQ. FT./ 11.4%	12%

SITE INFORMATION TAKEN FROM DWG. TITLED
"PROPERTY SURVEY PREPARED FOR LOREN COLE &
CANDACE DICONZA, 14 OLD BELDEN HILL ROAD."
DATED OCT. 26 2015 REV. JULY 21, 2018, PREPARED
BY THE OFFICE OF PAH, INC.- LAND SURVEYORS,
35 DANBURY RD., NEW MILFORD, CT., JOB NO. 810TD