

Revised Sept 4, 2020

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.)

Ian and Priscilla Graham	55 Grumman Hill Rd., Wilton, CT 06897				
APPLICANT'S NAME	ADDRESS				
Ian and Priscilla Graham	55 Grumman Hill Rd., Wilton, CT 06897				
OWNER'S NAME	ADDRESS				
55 Grumman Hill Rd., Wilton, CT 06897	R-1A				
PROPERTY LOCATION	ZONING DISTRICT				
1373	2261	0124	68	7	1.518
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 of Section 29-5.D to amend or replace variance #18-07-11 to allow for a height of 24 ft 11 in. Variance #18-07-11 was approved to allow the addition of a dormer in a 27.2 ft setback in lieu of a 40 ft setback due to a pre-existing non-conformity. The variance prescribed a height of 24 ft 3 in within the setback, according to architectural plans (despite zoning allowance of 35 ft in R-1A). The house has been reconstructed to a mid-point height of 24 ft 11 in. This 8 in difference is primarily due to a discrepancy of 6 in in the architectural plans vs. the survey in the measurement of grade to first floor. The architectural plans also show the first floor as 7 ft 8 in, but it is actually 8 ft. The reconstruction was undertaken from the floor of the 2nd story upwards, and was completed according to plans consistent with the mid-point height that was approved if measured from the 2nd floor up.

See attachment for more details.

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 house reconstruction has been completed, but there was a data problem in the original application. The error on the architects plans was only found after the reconstruction was completed. The architect measured grade at 1.4 feet while the surveyor measured 1.9 feet (a discrepancy of 6 in), and the 1st floor measurement was off as well by 4 inches. Without this data discrepancy of 10 inches, the reconstruction is within the limits of the variance.

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PLANNING & ZONING

Revised Sept. 9, 2020

Variance Application – Additional Explanation

To the Wilton Zoning Board of Appeals:

We are requesting an amendment to variance #18-07-11 (or a new variance, whichever is appropriate), due to a data error on the original application. Variance #18-07-11 was approved according to the architectural plans to have a mid-point roof height of 24 ft 3 in. However, the build height of the house at mid-point is 24 ft 11 in.

The original variance was granted as the house was being reconstructed after significant tree damage and destruction from the Nor'Easter storm of March 2, 2018. A dormer needed to be added in order to allow for the headroom to make the stairway to the attic code compliant. We require the new variance to get approval of the Certificate of Occupancy now that the rebuild has been completed.

The main reason behind the 8-inch difference is that when the architect produced his plans, his grade measurements were incorrect. The architect used a singular measurement and not an average grade. The As-Built survey shows 1.9 ft from average grade to the first floor, but the architect used 1.4 ft from a singular measurement. The architect had a further data error in his plans, measuring the 1st floor (from floor to ceiling) at 7 ft 8 in. The actual measurement is 8 ft 0 in. These measurements are relevant as the house was rebuilt starting from the floor level of the 2nd floor of the house; the structure of the 1st floor was left as it was.

Without these data point errors, the application should have been 25 ft 1 in; the house was built to 24 ft 11 in, 2 inches below this level.

In closing, the house was reconstructed according to plans, especially considering that the reconstruction was conducted from the bottom of the second floor going up. The height of the building is consistent with the architectural drawings that were originally submitted and is not higher from the bottom of the 2nd floor to the mid-point.