

4/8/21
CK #275
5260



Zoning Board of Appeals Town of Southington

Municipal Center, 196 North Main Street, Southington, CT 06489 (860) 276-6248
Fax: (860) 628-3511 e-mail www.southington.org

mail@jezeklaw.com

Date Submitted: 4/8/21

APPLICATION

Appeal No.: 6505A

Fee: See fee schedule

Owner name and mailing address: (please print)

Applicant name and mailing address: (please print)

Troy Karwowski & Kelly Karwowski

Troy Karwowski

144 Valley View Court

144 Valley View Court

Southington, Connecticut 06489

Southington, Connecticut 06489

Telephone (860)637-0799

Telephone (860)637-0799

Email troy@sawmarct.com

Email _____

Address of Property: 144 Valley View Court

Assessor's Map # 6 Parcel # 125 Volume 1399 Page 467

Type of Application: (check one):

*Special Exception *Variance _____ Appeal Ruling of Zoning Enforcement Officer Dated: _____

Other (specify) _____

Zone: R-40 Zoning Regulation(s): Variance from Section 2-01 A A.1.

Nature and Description of Application: To allow for construction of a detached garage of approximately 1500 square feet, two feet from the rear corner property where ten feet is required

For variance application, describe how the zoning regulations impose an exceptional difficulty or undue hardship on this property. Please describe all potential difficulties or hardships (you may continue on the back of the form):

Are the premises within 500' of an adjacent municipality? No

This appeal relates to: Use Area Yards Height Setback Signs Accessory Building
 Gasoline Station/Repair Motor Vehicles Sale of Alcohol Other (specify) _____

Signature of Applicant/Owner/Agent _____

(please print)

Troy Karwowski

Please include 5 copies of a plot plan (Class A-2 survey) unless waived by the Zoning Enforcement Officer.

An approval of a special exception or variance by the ZBA only becomes effective after proper notice has been published by the Town and the applicant has filed a copy of his/her approval letter with the Town Clerk on the land records (Sect. 8-7 of the Connecticut General Statutes). The applicant must submit the Volume & Page number of the filing on the Land Records to the Planning Department when applying for a subsequent land use permit or Zoning Permit.

PLANNING STAFF ONLY

Hearing Date: 4/27/21

Received by: Jme

Sign: yes

STATEMENT OF EXCEPTIONAL DIFFICULTY OR HARDSHIP

The Applicants' site is extremely limited with respect to available, accessible and useable as the property survey clearly illustrates, the entire front yard area is compromised by a fifty foot (50') wide Algonquin gas transmission easement which itself is largely surrounded by wetlands field located January 30, 2020, by Harry E. Cole & Son. There is also a sanitary sewer easement running across the driveway at the eastern edge of the property. The easements, wetlands and regulated area limited the placement of the house to the area in which it was constructed and necessarily resulted in the driveway placement to the extreme right-hand (easterly) side of the property. These same conditions affect placement of the proposed garage.

In the rear of the yard, the property is similarly compromised by the same wetlands and regulated areas leaving only the site depicted on the survey as a viable location for the proposed garage. The topographical profile of the lot is such that the garage will have limited visibility from the street.

The utility easements; lot configuration; wetlands and associated regulated areas; and slope of the lot all make this property unique and are conditions which do not generally affect other properties in the neighborhood to the extent they impact the Applicants' property. Further, these conditions create hardships which are not the result of any conduct by the Applicants. Without relief, the Applicants are prevented from constructing a garage, an amenity typically associated with any single family residence. Construction of the garage is consistent with development in the neighborhood and would leave no adverse impact.

Law Office of Jezek & Barbi
Attorney Scott W. Jezek