Variance Narrative and Statement of Hardship

February 11, 2020

The applicant seeks to renovate an existing detached garage, and construct an addition to the existing single family residence.

The applicant seeks variance to Sections 3.5.E.2 (Minimum Front Yard), due to the existing location of the single family residence, and 3.5.D., regarding coverage.

A Special Permit will be applied for pursuant to Section 3.4.B; the detached garage being in one of the front yards.

The lot is a non conforming 31,232 square foot area lot in a Two Acre Residence Zone. This lot, and the existing single family residence pre-dates the institution of Zoning in New Canaan. The residence was constructed on the lot in 1931; Zoning was enacted in New Canaan in 1932.

The non conforming status of the lot was further confirmed by variance in 1991 that allowed the taking of an additional 1,568 ft² by the State.

The current Zoning regulations, when imposed on such a pre-existing parcel and structure, create the nonconformities that necessitates this Variance request.

The coverage proposed is 3,279 square feet, while the allowed coverage would be 2,992 square feet.

The majority of the excess coverage can be attributed to the proposed carport, which replaces a portion of the existing driveway. The use of the property will not be increased or intensified in any way by this proposed work, as the area is currently used for the parking of automobiles.

While technically an expansion of the existing nonconformity, the requested variance is de minimus in nature. The proposed work will only enable more efficient use of the interior space of the residence, and not intensify the use of the premises.

The proposed second floor addition itself is located out of the Side Yard setbacks, and does not increase the nonconformity of the Front Yard setback. The existing setback is 37.0’, and will remain such. (The required Front Setback being 45.0’.)

The first floor footprint will remain unchanged.

The proposed addition to the single family residence will conform to all other applicable Zoning regulations.
The proposed second floor addition itself is located out of the Side Yard setbacks, and does not increase the nonconformity of the Front Yard setback.

While a Special Permit application will address the location of the detached garage, it should be noted here that no other location out of the two Front Yards would practically accommodate the structure. The topography in the southeast quadrant of the property slopes up fairly steeply, and contains ledge. The driveway would also need to be extended significantly to access any parking in that area, be it in the form of a detached garage, or integral to the residence. This would destroy the only usable, flat area of yard that exists on the property.

While the Town records could not confirm the existence of the garage prior to 1965, it is likely that it was constructed at the same time as the main residence, prior to the institution of Zoning in New Canaan.

The scale and intensity of the proposed and cumulative development is well within the nature of the Two Acre Residence zone, and the surrounding properties. Again, the pre-existing nature of the lot prevents a conforming structure or coverage, while proposing a development that is otherwise in scale and spirit with the Zone that the property is currently located in.

A B-100 Code Compliant Area Septic Plan has been submitted to the Health Department, along with the proposed connection from the detached garage to the existing septic system, to accommodate the proposed sink in the renovated detached garage.

Respectfully submitted,

Wayne D'Avanzo, P.E.
Principal
FAIRFIELD COUNTY ENGINEERING, LLC