

TOWN OF WILTON

ZONING BOARD OF ADJUSTMENT

MAY 12, 1993

VOTING BOARD: Chairman Neil Faiman; members Steve Blanchard & Tom Mitchell;
alternate members Joanna Eckstrom & Jim Tuttle.

CLERK: Diane Nilsson

AGENDA: Herbert T. & Phoebe J. Hodge, Jr. - request for a variance.

Chairman Faiman called the meeting to order at 7:30 p.m. and announced that Jan Grossman would be providing sign language translation. He also stated that all voting members with the exception of Mr. Tuttle have visited the site.

Case # 5/12/93-1 HODGE

Herbert T. & Phoebe J. Hodge, Jr., Lot K-010 in the Residential/Agricultural District, requested a variance to the terms of Section 6.2.4 of the Wilton Zoning Ordinance to permit constriction of a garage (replacing an existing shed) 15 feet from the rear lot line.

Mr. Hodge explained that he wants to remove his existing tool shed and replace it with a 26' X 24' garage. The shed is presently 19' from the rear lot line. The garage would be 15' from the same lot line. Mr. Hodge's lot is $\frac{1}{2}$ acre in size and in order to site the garage 35' from all lot lines he would have to bring in fill and make a new access.

The Board felt that this garage was an update of a grandfathered building (the shed) and that the Board would simply be extending a non-conforming use in many ways. They also felt that this request was consistent with the character of the neighborhood which more resembles Residential than Residential/Agricultural, and in fact borders a Residential District.

Abutters Anna & Wayne Silva, Sr. stated that they had no objection to the Board granting the variance.

MOTION: Mr. Blanchard moved to approve the variance, seconded by Mr. Tuttle with all in favor.

Mr. Faiman stated that the application was approved unanimously and the applicants will receive a written notice of approval from the Board within a few days. He also stated that the Selectmen, any party to the action or proceedings, or any person affected thereby may apply for a rehearing of this decision. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment on or before June 1, 1993, and must fully specify all grounds on which the rehearing is requested.

The Board found the following reasons for approval:

1. The proposed use would not diminish the surrounding property value because **the garage would enhance the surrounding property values with a more agreeable structure.**
2. Granting this variance would be in the public interest because **the garage would improve the Hodge's property and improve the appearance of the neighborhood.**

3. Denial of the variance would cause unnecessary hardship because of the following circumstances which make the Hodge's property unique from other properties in the same zone: **The Hodge's have only $\frac{1}{2}$ acre of land. The site for the garage is flat and has the best access. Building the garage on the site of the present toolshed is an upgrade of a grandfathered use.**
4. Granting the variance would do substantial justice because **Mr. Hodge would not have to work out in the elements when working on his vehicles.**
5. The use is not contrary to the spirit of the ordinance because **this building will be used to house Mr. Hodge's vehicles and his tools. The character and placement of the building is consistent with the character of the neighborhood.**

MOTION: Ms. Eckstrom moved to accept the modifications to the reasons, seconded by Mr. Mitchell with all in favor.

NEW BUSINESS

MINUTES - April 14, 1993

MOTION: Mr. Blanchard moved to approve the 4/14/93 minutes as written, seconded by Mr. Tuttle with all in favor.

There was a motion to adjourn the meeting, duly seconded and passed with all in favor. The meeting was adjourned at 8 p.m.

Respectfully submitted,



Diane Nilsson, Clerk

Posted: May 18, 1993