



- materials mailed -

September 28, 2020

Dear 21 Miles Road Neighbor:

This is a letter to the neighbors within 100 ft of 21 Miles Road to inform you that Scott & Lynne Somerville are applying for a Zoning Board of Appeals (ZBA) variance to add second floor and attic floor living space over their existing first floor. The zoning issue is that the existing and proposed trim and cladding at the SE corner of the first floor encroaches 1.8 inches into the required 10 ft minimum side yard for a R-1/3 zone. We are therefore requesting that the ZBA grant a variance for a 9.7 ft minimum side yard setback in lieu of the 10 ft setback required under Section 406 of the Darien Zoning Regulations.

Please find enclosed a copy of "Item K", the ZBA Legal Notice and the GoToMeeting login details. Please be advised that the complete application package may be viewed at www.darienct.gov/zbapendingapplications. If you need additional information, please contact me, Steve Jones, at steve@hatleyhomesdesign.com or via my cell at 203-559-7669.

Our hardship is that this is a relatively small, 1948 home on a 1/5-acre sized lot with overly restrictive R-1/3 acre setback requirements. A ZBA variance is our most prudent solution as "tucking" the 2nd floor in to avoid the SE corner encroachment presents structural, aesthetic, room size and cost issues. With a ZBA variance, we expect that the proposed alterations will be underway in late October, 2020.

A ZBA public hearing for this matter has been scheduled for 7:00 pm via GoToMeeting on Wednesday, October 14, 2020. If you would like to comment or participate in this public hearing, we recommend that you download the GoToMeeting app in advance of the meeting.

Sincerely,

Stephen K Jones, Designer & 21 Miles Road Project Leader

cc:

Lynne & Scott Somerville & eleven neighbors within 100 ft
Robert Woodside, Code Compliance Officer & ZBA staff member

Residential Design and Consulting

71 Relihan Road, Darien, CT 06820 • 203.559.7669 • steve@hatleyhomesdesign.com

HATLEYHOMESDESIGN.COM

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals (ZBA) of the Town of Darien, Connecticut will meet via Go To Meeting 609 058 693 with possible Staff only in Darien Town Hall, 2 Renshaw Road at 7:00 P.M. on Wednesday, October 14, 2020 or any adjournment or adjournments thereof, to conduct Public Hearings and/or act on the following:

CALENDAR NO. 15-2020 The application of Amy E. Souchons, John W. Knuff and Hurwitz Sagarin Slossberg & Knuff LLC on behalf of 7- Eleven Inc. and Duchess Family Restaurant of Darien, Inc. submitted on August 13, 2020 for variances of Section 935 and a determination under Section 1124 of the Darien Zoning Regulations, to allow the installation of pole signage or a monument sign, and the construction of a gas station; Section 935.d.3a: for the 7 ELEVEN pole sign 23 in lieu of 18 square feet maximum area; Section 935.d.3b: for the pole sign location 5.0 feet from the front property line in lieu of being no closer than the gas service island; Section 935.d.5a: for the fuel price sign 25 in lieu of 12 square feet maximum area; Section 935.d.5b: for the fuel price sign location 5.0 feet from the front property line in lieu of not being located between the gas island and the street; Section 935: for the 7 ELEVEN and fuel price pole sign 48 in lieu of 30 square feet combined maximum area; and Section 1124: a determination that the proposed location is acceptable for a motor vehicle service use. The property is situated on the southeast side of Boston Post Road approximately 200 feet northeast of Birch Road and is shown on Assessor's Map #32 as Lot #9, being 306 Boston Post Road and located in an SB (commercial) Zone.

CALENDAR NO. 19-2020 The application of Robert F. Maslan, Jr., Esq. and Maslan Associates PC on behalf of Gnosis Real Estate submitted on September 2, 2020 for amendments to existing variances and if necessary a variance of Section 756 of the Darien Zoning Regulations, to allow changes to the diner interior and liquor sales; Amendments to ZBA Calendar Nos. 65-1996 and 98-1997: to allow food preparation space in the basement, office space in the attic and liquor sales; and Section 756.8: 2½ in lieu of 2 stories maximum. The property is situated on the northeast side of Boston Post Road at the intersection of Richmond Drive and is shown on Assessor's Map #12 as Lot #35, being 171 Boston Post Road and located in an SB (commercial) Zone.

CALENDAR NO. 20-2020 The application of Stephen K. Jones and Hatley Homes Designs on behalf of Scott & Lynne Somerville submitted on September 14, 2020 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a second and attic story addition; Section 406: 9.7 in lieu of 10.0 feet minimum required east side yard setback. The property is situated on the south side of either segment of Miles Road approximately 500 feet south of Hollow Tree Ridge Road and is shown on Assessor's Map #46 as Lot #137, being 21 Miles Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 21-2020 The application of John Long & Ashley Hinchman submitted on September 16, 2020 for a variance of Section 406 of the Darien Zoning Regulations, to

allow the reconstruction of a two story barn; Section 406: 7.7 in lieu of 55.0 feet minimum required front yard setback. The property is accessed from a common driveway situated on the east side of Mansfield Avenue approximately 400 feet south of Pembroke Road and is shown on Assessor's Map #5 as Lot #36, being 400 Mansfield Avenue and located in an R-2 (residential) Zone.

CALENDAR NO. 22-2020 The application of Sean Walters and Wagner Pools on behalf of Geoffry Beringer submitted on September 16, 2020 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a trellis, spa, and 6' fence and the installation of spa equipment and AC units; Section 406: for the trellis, 50.5 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive; for the spa, 44.5 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive; for the 6' fence 49.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive; for the spa equipment 37.5 in lieu of 40.0 feet minimum required front yard setback and 45.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive; and for the AC units, 30.0 in lieu of 40.0 feet minimum required front yard setback and 37.5 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive. The property is situated on the west side of Beach Drive approximately 200 feet south of the intersection of Outlook Drive and is shown on Assessor's Map #53 as Lots #3&4, being 36 Beach Drive and located in an R-1/2 (residential) Zone.

Plans and related application materials may be viewed at www.darienct.gov/zba/pendingapplications. At the Public Hearing, interested persons may be heard and written communication may be received.

Mike Nedder, Chair
10/1 & 10/8

September 10, 2020

Planning & Zoning Department
Town Hall, 2 Renshaw Road,
Darien, CT 06820

Re: ZBA Application of Scott & Lynne Somerville of 21 Miles Road
Parcel ID: 07897 Assessor's Map: #46 Lot: #137 Lot Size: .2 acres Zone: R-1/3

Item "K"

Overview

The Somerville family is proposing to remodel and expand their 1,884 sq ft, 2-story 1948 home at 21 Miles Road. The proposed alterations include raising the roof from 2 to 2-1/2 stories within the footprint of the existing dwelling's first floor living area.* The existing garage is to be refinished with no volumetric changes. The zoning issue is that the dwelling is slightly skewed on the lot with respect to the property lines, such that a portion of the east side cladding encroaches 1.8 inches into the R-1/3 minimum side yard setback.** This results in the southeast (left rear) corner cladding of the dwelling being at 9.85 ft versus the 10 ft minimum required side yard setback for an R-1/3 lot under Sect. 406 of the Darien Zoning regulations. Other than that side yard encroachment, the remainder of the proposed alterations are in conformance with the current R-1/3 regulations.

Darien P&Z offered that the alterations could be approved without a variance if we "shaved" 6 inches the proposed alterations. From an aesthetic, structural, economic and functional perspective, the 6 inch "shave" is not a reasonable solution. The proposed east side rooms are already narrow at a width of 10 ft - 8 in. We believe that the prudent solution is to request a ZBA variance for the side yard minimum setback requirement.

In 1982, the ZBA granted a variance that established a 9.7 ft minimum east side yard setback to address the dwelling's non-conformance and to allow for the addition of a 1-car garage to the west side of the dwelling.*** Miles Road is a neighborhood of sub-1/3 acre lots. Because the 1982 variance is specific to the garage encroachment, we must request a new minimum side yard setback variance from the ZBA.

Variance Request

We respectfully request that the ZBA approve a variance for a minimum side yard setback of 9.7 ft in lieu of the current 10 ft R-1/3 requirement under Sect. 406 of the Darien Zoning Regulations for the proposed 09-10-20 alterations.

Hardship

21 Miles Road is a 1948 home on a narrow, legally non-conforming, 1/5th acre lot that is situated in a restrictive 1/3rd acre zone. If it were not for the pre-existing 1948 conditions and the restrictive R-1/3 zoning hardship, the proposed alterations would be in compliance with current zoning regulations.

* See the attached architectural site plan, drawings and photo

** See the attached Existing & Proposed A-2 location surveys

*** See the attached copy of the 1982 ZBA variance resolution



Home is Slightly Skewed on Lot. SE Rear Corner Enchroaches 1.8 inches into the Required 10 ft Minimum Sideyard Setback

Proposed Remodel

Existing Home Profile

Existing Garage

Proposed Front Elevation

Scale: 0 5 10 Ft

Property Line

10 ft Setback

Property Line



| | | | | | | | | | | | |
|---------|---|--------|--|----------|---|---------|-----------------|---------|----------|-------|---|
| PROJECT | 21 Miles Rd Darien, CT Major Remodel | CLIENT | Lynn & Scott Somerville 21 Miles Rd, Darien CT 06820 Lynn: lynnsomerville@gmail.com 203-964-9040 | DESIGNER | Stephen Jones @ Hatley Homes Design 71 Ralston Road, Darien, CT 203-559-7669 sjones@hatleyhomesdesign.com | DRAWING | Front Elevation | RELEASE | 09.28.20 | SHEET | 1 |
|---------|---|--------|--|----------|---|---------|-----------------|---------|----------|-------|---|

GoToMeeting Login Details

Zoning Board of Appeals
Wed, Oct 14, 2020 7:00 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/609058693>

You can also dial in using your phone.
United States: +1 (571) 317-3122

Access Code: 609-058-693

New to GoToMeeting? Get the app now and be ready when your first meeting starts:
<https://global.gotomeeting.com/install/609058693>

Though participants can join the GoToMeeting through their browser, we've found that best practice is to install the GoToMeeting app on your computer prior to joining. Having the app installed seems to address several audio/video issues that some have been having when the app is not installed. You can install via this link -
<https://global.gotomeeting.com/install/803209805>

Application materials can be found at
<http://www.darienct.gov/zbapendingapplications>

7/27/20 AM UT

| ID | Site Address | Owner Name | Co-Owner Name | Owner Address | Owner City | Owner State | Owner Zip | Map-Lot |
|-------|-------------------|---------------------------|-----------------------------|------------------|------------|-------------|-----------|---------|
| 04211 | 17 MILES ROAD ✓ | SCHUTTE UDO H | | ✓17 MILES ROAD | DARIEN | CT | 06820 | 46 135 |
| 04640 | 18 MILES ROAD ✓ | MADDEN AMIR & | MADDEN LINDSAY | ✓18 MILES ROAD | DARIEN | CT | 06820 | 46 148 |
| 05015 | 12 MILES ROAD ✓ | BYRNE KEITH & | BYRNE DIANE | ✓12 MILES ROAD | DARIEN | CT | 06820 | 46 149 |
| 05752 | 25 MILES ROAD ✓ | OSSENBECK BRIAN PATRICK & | OSSENBECK JENNIFER ARLENE ✓ | ✓25 MILES ROAD | DARIEN | CT | 06820 | 46 139 |
| 06804 | 78 STANTON ROAD ✓ | MULDERRIG STEPHEN J & | MULDERRIG SUSAN M | ✓78 STANTON ROAD | DARIEN | CT | 06820 | 46 59 |
| 06944 | 20 MILES ROAD ✓ | MOLLICA JOHN & | SEARY TARA A | ✓20 MILES ROAD | DARIEN | CT | 06820 | 46 147 |
| 06956 | 11 STANTON ROAD ✓ | LINDBERG ROBERT A & | LINDBERG PAMELA V | ✓11 STANTON ROAD | DARIEN | CT | 06820 | 46 57 |
| 07524 | 23 MILES ROAD ✓ | CLARKE JAMES F & | CLARKE SUSAN M | ✓23 MILES ROAD | DARIEN | CT | 06820 | 46 138 |
| 08518 | 28 MILES ROAD ✓ | DACUNTO MATTHEW & | SWEET KATIE | ✓28 MILES ROAD | DARIEN | CT | 06820 | 46 146 |
| 09660 | 82 STANTON ROAD ✓ | BLACK DONALD T & | BLACK JEAN E THOMSON | ✓82 STANTON ROAD | DARIEN | CT | 06820 | 46 58 |
| 10023 | 19 MILES ROAD ✓ | RAYMOND JAMES W & | RAYMOND HEATHER | ✓19 MILES ROAD | DARIEN | CT | 06820 | 46 136 |

Subject Property

07897 21 MILES ROAD SOMERVILLE DOUGLAS SCOTT SOMERVILLE LYNNE 21 MILES ROAD DARIEN CT 06820 46 137
 verified 9/15/2020

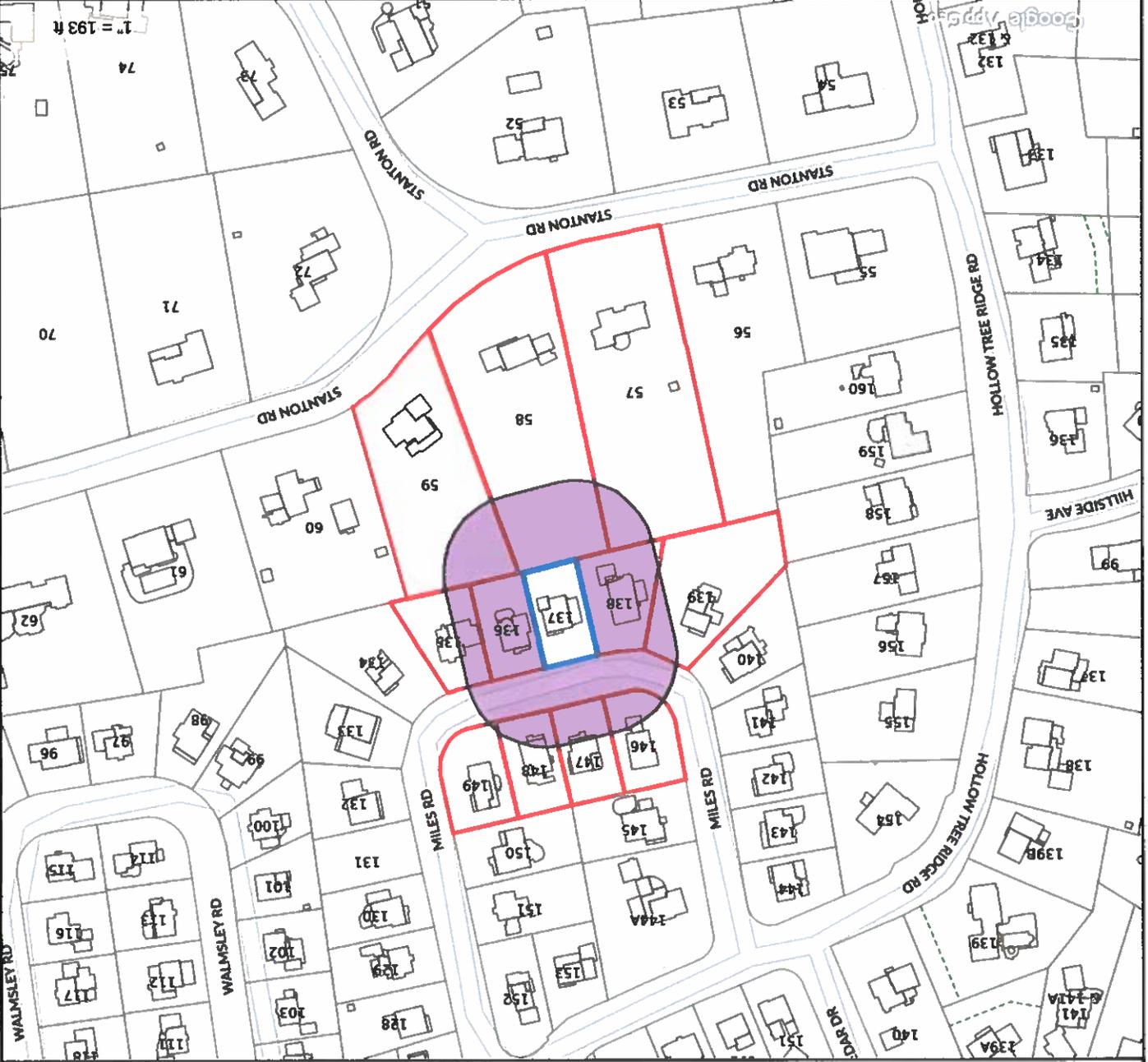
Property Information

Property ID 07897
Location 21 MILES ROAD
Owner SOMERVILLE DOUGLAS SCOTT &

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Darien, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 8/1/2019
Data updated 8/1/2019





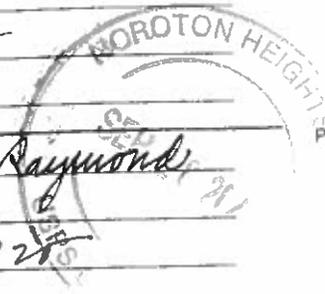
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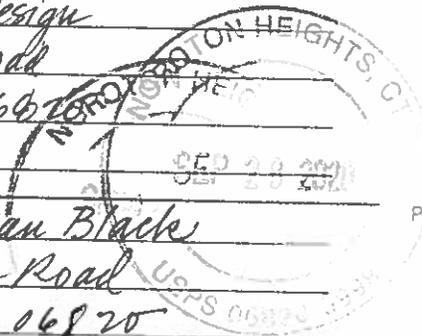
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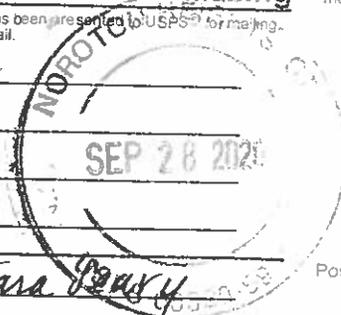
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To: *John Mellica & Tara Peary*
20 Miles Road
Darien, CT 06820

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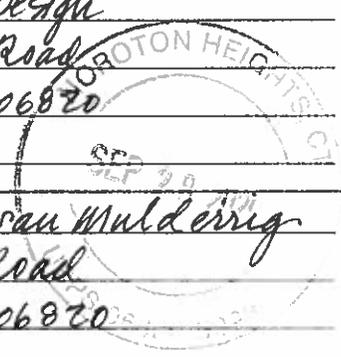
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