

APPLICATION OF:
Robert and Ashley McNeal
879 Valley Rd., New Canaan, CT 06840

Statement of Hardship

The Applicant respectfully requests that the Zoning Board of Appeal vary section 3.5.E.3 of the New Canaan Zoning Regulations to allow a barn / storage unit, to be located 12' from the side yard property line, and an open-air pool pavilion / pergola, to be located 29' from the side yard property line in lieu of the 35' setback.

SITE & BACKGROUND:

The Applicant's lot was created in the year 2000, as shown on Map #7054. The property is a rear lot and sits at the end of a private drive, shared by two other residences. The property resides in a 2-acre zone. The property is 3.73 acres, with approximately 2.5 of the 3.73 acres defined as either conservation area, wetlands, easement, and access area. The shape of the lot is narrow in nature and generally characterized as irregular and non-conforming. The total allowable coverage area is 7,361 square feet. Existing building structures total 3,200 square feet (43% of total allowable coverage). Current structures include a single-family residence, attached three car garage, and pool.

PROPOSAL:

The Applicant requests a setback variance on the north side of the property in order to add two structures. First, a 22'x22' barn / storage shed. Second, an 18'x14' open-air pool pavilion / pergola. The proposed structures would add 736 square feet of coverage (22'x22' = 484sqft and 18'x14'= 252sqft). This would increase total coverage from 3,200 square feet to 3,936 square feet. An increase from the current 43% coverage to 53% of total allow building coverage. The proposed structures have been decreased in size after preliminary discussions and feedback from the New Canaan Town Planner. Preliminary concessions were made to the plans and structures, and adjustments are reflected in the proposed and updated survey. The proposed barn and pavilion have been designed to complement the existing residence and will provide functional and aesthetic enhancements to the overall property. The Applicant's direct neighbor, whereby the structures are proposed has provided a letter of support and endorsement with respect to the Applicant's proposed structures and request for a setback variance.

HARDSHIP:

The Applicant claims hardships to warrant the granting of the requested variance for one or more of the following reasons:

1. **Non-Conforming:** The lot is non-conforming and irregular in nature, thus limiting the locations possible for additional structures.
2. **Significant Conservation Area / Wetlands:** Roughly 2.5 acres of the 3.73 overall acres (67%) are defined as unusable; classified as either wetlands, conservation area, access, or easement.
 - a. Of the ~1.2 acres considered "Upland / West of Wetlands", a significant portion of that is the front yard, which houses the septic area and leaching fields; also unusable.
3. **Narrow:** The lot is narrow in nature, and considerably so at the location point of the residence, limiting the available areas for additional building coverage.
4. **Rear Lot:** The property sits on a rear lot, at the end of a private drive, which is shared by two other residences.

Based on the aforementioned hardships and lack of available locations, the Applicant requests that the Zoning Board of Appeals vary Section 3.5.E.3 of the zoning regulations to allow the barn to be placed 12' from the property line and the open-air pool pavilion / pergola to be placed 29' from the property in lieu of the 35' setback.