

Dear Members of the Zoning Board,

We are writing to formally present our argument for a variance regarding the setback requirements for a proposed 128 square foot (8'x16') tool shed on our property located at 23 Hillwood Dr. The current zoning regulations stipulate a setback of 20 feet from the property line for a building this size, which we contend creates an undue hardship that warrants the granting of a variance. We are requesting that a 1.5 foot setback be allowed for the purpose of this building.

****1. Unique Physical Conditions of the Property****

The property in question possesses unique physical characteristics that make compliance with the 20-foot setback requirement impractical. Specifically, the topography of the property limits us to placing the shed next to the parking area on the only flat area that is on the same level as the main dwelling. This will meet the 75 ft setback from the front, but will require a variance for the side setback zoning regulations.

Our two story wood frame home is situated on .46 acres and located within RU-40/20 zone along with the abutting parcels. The parcel is 100 ft wide by 200 ft deep. In total the property has a 26-ft grade change between the front and rear property lines. Beginning at Hillwood Drive the property slopes up 14 ft to the middle of the property where the residence and parking is located. A landscape wall stretches across the front of the residence and along the south property line which provides level space for landscaping, and a masonry patio. On the north side of the residence the driveway levels off and currently allows just enough space for parking two vehicle. There are also large rocks at the north and east of the top of the driveway that make it nearly impossible to extend this level spot. At the rear of the residence a pool was recently removed and now contains a small grassy playing space for the family. From the top of the driveway, the grade climbs another 7 ft to another level grass area which extends to the rear property line. There are irregular stone steps to this "upper" grassy area and traversing the up to access this area is exceptionally difficult. The only available place we can have a storage shed is at the top of the driveway abutting the property line to the east.

View looking up at the residence/parking from Hillwood Dr



View overlooking the parking area from the “upper” lawn area



****2. Practical Difficulty****

The strict application of the 20-foot setback requirement imposes a practical difficulty on our ability to utilize and maintain the property effectively. The intended use of the tool shed is to store the gardening/maintenance equipment and bicycles. It is essential to have a place to store the lawn mower to upkeep the property, and the upper lawn is not accessible for a shed due to the grade change and rocky terrain. For the lawn mower and bicycles the only flat place to safely and practically store is by the home next to the parking area. The bikes are increasing in size as the kids age so keeping them in the narrow covered walkway has become dangerous. Young children moving bikes in and out of the cellar daily is also exceptionally difficult.

****3. No Detriment to the Public Good****

Granting this variance will not adversely affect the public good or the surrounding properties. The proposed location of the tool shed is on the east side of the driveway at the top of the hill. This location is adjacent to a wooden fence that was placed by our neighbor at 25 Hillwood Drive. The placement of this shed will not obstruct views, create noise, or otherwise negatively impact the area. Additionally, the shed will be designed to blend with the existing landscape and architecture of the neighborhood, ensuring that it remains aesthetically pleasing.

****4. Consistency with the Intent of the Zoning Regulations****

The intent of the zoning regulations is to promote orderly development and maintain the character of the community. Allowing a variance in this instance aligns with these goals, as it enables me to safely store and keep from getting damaged equipment like a lawn mower, rakes, shovels and also bicycles without being an eyesore. The shed will respect the overall character of the neighborhood. The proposed shed will not set a precedent for future variances, as each application will be evaluated on its own merits.

****5. Conclusion****

In conclusion, we respectfully request that the East Lyme Zoning Board of Appeals grant a variance to the 20-foot setback requirement for this proposed tool shed. The unique characteristics of the property, the practical difficulties imposed by the current regulations, and the lack of detriment to the public good all support our case for this variance. We appreciate your consideration of our request and look forward to discussing this matter further. Following are some photos of the property that should clarify our reasoning.

Thank you for your attention to this important issue.

Sincerely,

Thomas and Erica Wilson

Looking towards the parking area from the “lower” back yard

As you can see our parking area has a flat area for two cars, two trash cans (and not enough space for the neighbor's trailer we were using for the weekend). Access to the basement is difficult for children to move their bikes.



Looking across the “lower” backyard towards the masonry patio This flat area previously had a 16'x32' concrete pool but was unusable for 9 months of the year. The grass gives our family a place to play catch or kick the ball around that is not sloping.



View of the masonry patio looking South. As you can see we have tried storage solutions here on the stone patio. These two plastic storage units (32"x52") are helpful for small kids bikes but do not fit bigger kids bikes or all the garden equipment. The narrowest shed we can find is 8 feet and the distance from the chimney to the property line here is 26 feet so even if we removed the established planter box with rhododendron, the stone patio and privacy hedge a narrow 8' shed here still requires a variance. This side of the house is also far from the front and back doors for the kids' bikes.



View of the upper lawn area looking South This flat area would be ideal for a shed, but is 26 feet higher than street level and getting the kids bikes and lawnmower up here is a hardship, a shed at the top of the driveway would allow storage that is not so exceptionally difficult.

