

# MASLAN ASSOCIATES P.C.

Attorneys at Law

Robert F. Maslan, Jr.\*

\*Also Admitted In New York

30 OLD KINGS HIGHWAY SOUTH

DARIEN, CONNECTICUT 06820

TELEPHONE (203) 656-3800

FACSIMILE (203) 656-1624

*Legal Assistants*

Suzann C. Maslan

Writer's e-mail:

maslan@maslanlaw.com

December 21, 2020

Tammy Maldonado, Acting Zoning Inspector  
Planning and Zoning Department  
125 East Avenue  
Norwalk, CT 06854

**Re: Variance Application  
6 Golden Court  
Rowayton, CT**

Dear Tammy:

We represent Buell and Tracy Duncan, who are the record owners of the property at 6 Golden Court, and the applicants on the above-referenced application. The application and proposed zoning location survey and architectural plans are attached.

This letter describes the zoning history of the property and the hardship supporting the application.

The subject property is located at 6 Golden Court in the B Residence Zone. The nonconforming lot area is 3,834± square feet, in lieu of the minimum 6,250 square feet. Golden Court is a private, 10-foot passway from South Beach Drive. Single-family residences abut the site to the north and south, and the Long Island Sound abuts the site to the west, and the eastern side of Golden Court. The entire property is in Flood Zone VE (el. 15). The existing single-family house consists of two and one half stories, with an open carport under the northern portion of the structure.

The original house was built in 1932, according to the Tax Assessor's field card. In 1953, the Zoning Board of Appeals granted setback variances to enlarge the house and to erect a detached, one-car garage. In 2010, a zoning permit was issued for additions and alterations, and in 2013, a zoning permit was issued to elevate the house and rebuild the foundation. The work allowed in the 2010 and 2013 zoning permits did not require variances, as the additions remained within the existing footprint. Copies of the current Tax Assessor's Field Card, the 1953 Variance, and the 2010 and 2013 Zoning Approvals are attached.

The applicants propose to build an addition over the existing open garage, and to place break-away walls around the garage. The proposed addition will

match the height of the existing highest peak and the existing midpoint between the peak and eave.

The proposed work includes raising the outside HVAC unit along the north side of the house to elevation 16, and to replace the existing wood patio behind the garage with an at grade patio. New steps are proposed at the northwest corner of the garage to transition from the at grade walk along the north side of the house to the patio, and from the patio to the rear entrance above the garage.

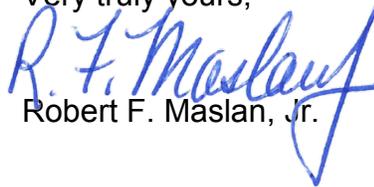
The hardship supporting the requested variance arises from the adoption and amendment of the Building Zone Regulations that have resulted in increased setbacks. In addition, the establishment of the Flood Hazard Zone Regulations, and increase in base flood elevations have resulted in a need to increase the height of finished floor space and building heights. Over time the regulations have rendered the subject property nonconforming with respect to lot area, setbacks, and building height. The proposed addition is above the base flood elevation, and the proposed break-away walls around the garage will comply with the Flood Hazard Regulations.

In 1953, the Zoning Board of Appeals implicitly found a hardship sufficient to support the construction of the original garage and an addition to the original house.

The proposed addition and related work are consistent with the more recently built homes in the area, and will be located on the same footprint as the existing house. We request that the Board approve this application in all respects.

Thank you.

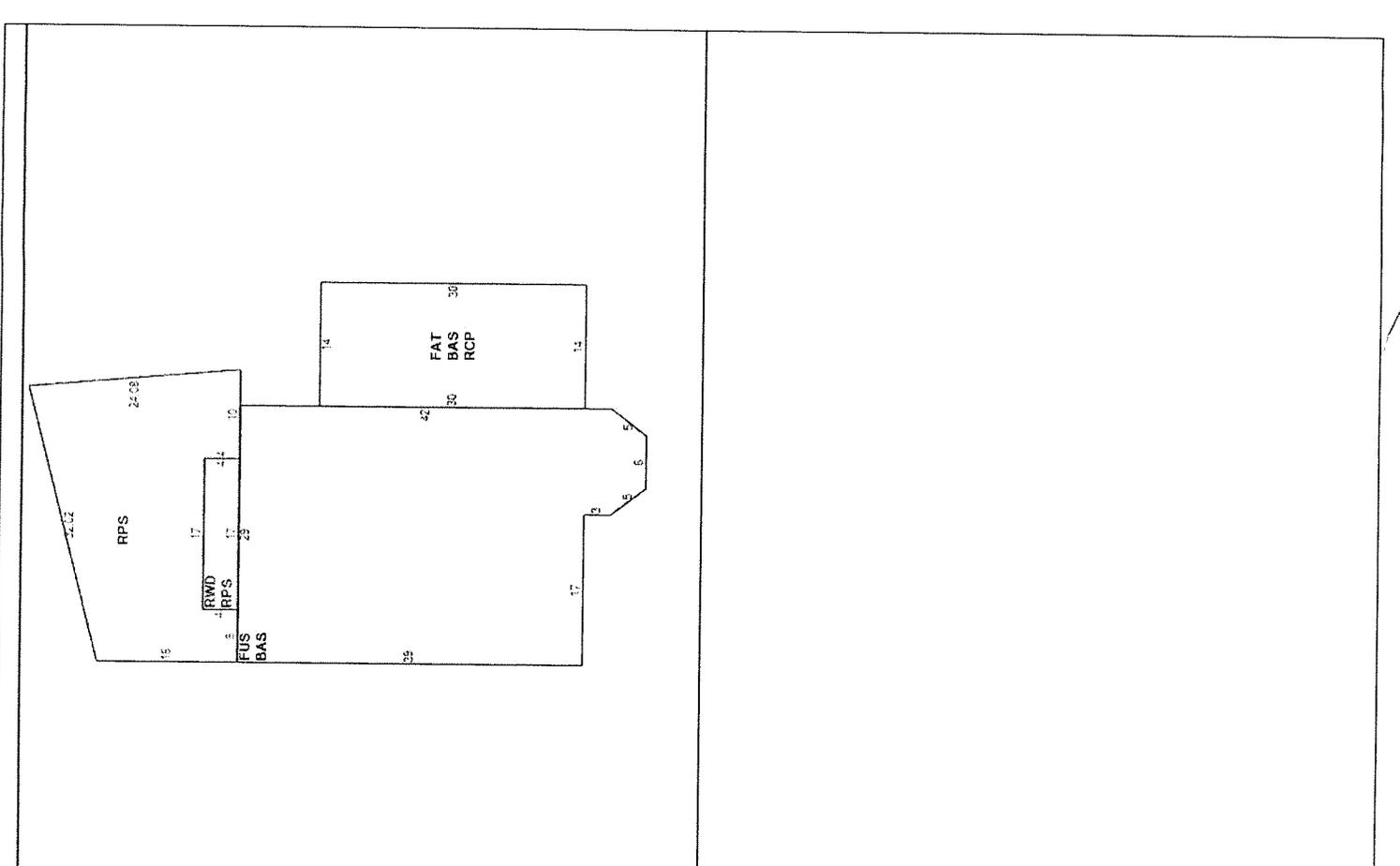
Very truly yours,

  
Robert F. Maslan, Jr.

Attachments

cc: Mr. and Mrs. Buell Duncan  
Robert A. Cardello Architects





CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)										
Element	Cd	Description	Element	Cd	Description								
Style	03	Colonial	# of Heat Syste	1.00									
Model	01	Residential	Central Vac										
Grade	16	AA-	Solar HW										
Stories	2.00		Electrical	3	Typical								
Occupancy	1		<b>MIXED USE</b>										
Exterior Wall 1	14	Wood Shingle	Code	Description	Percentage								
Exterior Wall 2			101	Single Family	100								
Roof Structure:	03	Gable			0								
Roof Cover	03	Asphalt Shingl			0								
Interior Wall 1	05	Drywall	<b>COST / MARKET VALUATION</b>										
Interior Wall 2			Adjusted Base Rate		293.53								
Interior Floor 1	14	Carpet	Section RCN										
Interior Floor 2			Net Other Adj										
Heat Fuel	02	Oil	Replacement Cost		1932								
Heat Type	04	Forced Air	Actual Year Built		2005								
AC Type	01	None	Effective Year Built		VG								
Bedrooms	3		Depreciation Code		G								
Full Baths	2		Remodel Rating		2013								
Half Baths	1		Year Remodeled		3								
Extra Fixtures	0		Depreciation %		1								
Total Rooms	7		Functional Obsolescence										
Bath Style	02	Average	External Obsolescence										
Kitchen Style	02	Average	Cost Trend Factor										
Extra Kitchens	0		Condition										
Frame	01	Wood	% Complete		97								
Insulation	2	Typical	Overall % Condition		885,480								
Bsmt Garage	0		Deprec Value										
Foundation	05	Stone	Dep % Ovr										
Heat Percent	100		Dep Ovr Comment										
FBM Quality			Misc Imp Ovr										
Fireplaces	1		Misc Imp Ovr Comment										
FBM Area			Cost to Cure Ovr										
			Cost to Cure Ovr Comment										
<b>OB - OUTBUILDING &amp; YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)</b>													
Code	Description	Su	Sub Type	L/B	Units	Unit Price	Year	Pct	Depre	Cnd.	Qu	Qual	Apprais Va
RCP	Carport			L	420	22.00	1932	50	0.00	5	3	1.00	4,620
RPS	Patio Stone			L	644	12.00	1981	50	0.00	5	3	1.00	3,860
SPA	Therapeutic			L	1	10000.00	2008	50	0.00	5	3	1.00	5,000
<b>BUILDING SUB-AREA SUMMARY SECTION</b>													
Subarea	Description	Liv./Leasable	Gross	Eff Area	Unit Cost	Undeprec Value							
BAS	First Floor	1,623	1,623	1,623	293.53	476,395							
FAT	Finished Attic	126	420	126	88.06	36,984							
FUS	Finished Upper Story	1,203	1,203	1,203	293.53	353,114							
RCP	Carport	0	420	71	49.62	20,840							
RPS	Patio Stone	0	644	77	35.10	22,602							
RWD	Wood Deck	0	68	10	43.17	2,935							
Ttl Gross Liv / Lease Area		2,952	4,378	3,110									

# City of Norwalk, Conn.

## BOARD OF APPEALS

Norwalk, Connecticut

### APPLICATION FOR VARIATION OF BUILDING ZONE REGULATIONS

Applicant Edward F. Ryke Date Feb 9 1953  
Address Pine Pt. Rd.  
Location of Property Golden Ct. Norwalk, Conn. Zone Residence "B"  
Owner Stan & Jean Shinnick Address Golden Ct.

State clearly variation requested and reasons for same

Applicant requests a variance of the Residence "B" Zone Regulations and permit to enlarge a one family dwelling and erect a one car attached garage on plot not having the required setback from street line and side yard area, premise situated at Golden Court, shown on the lot Taxing District as Block 36, Lot 75.

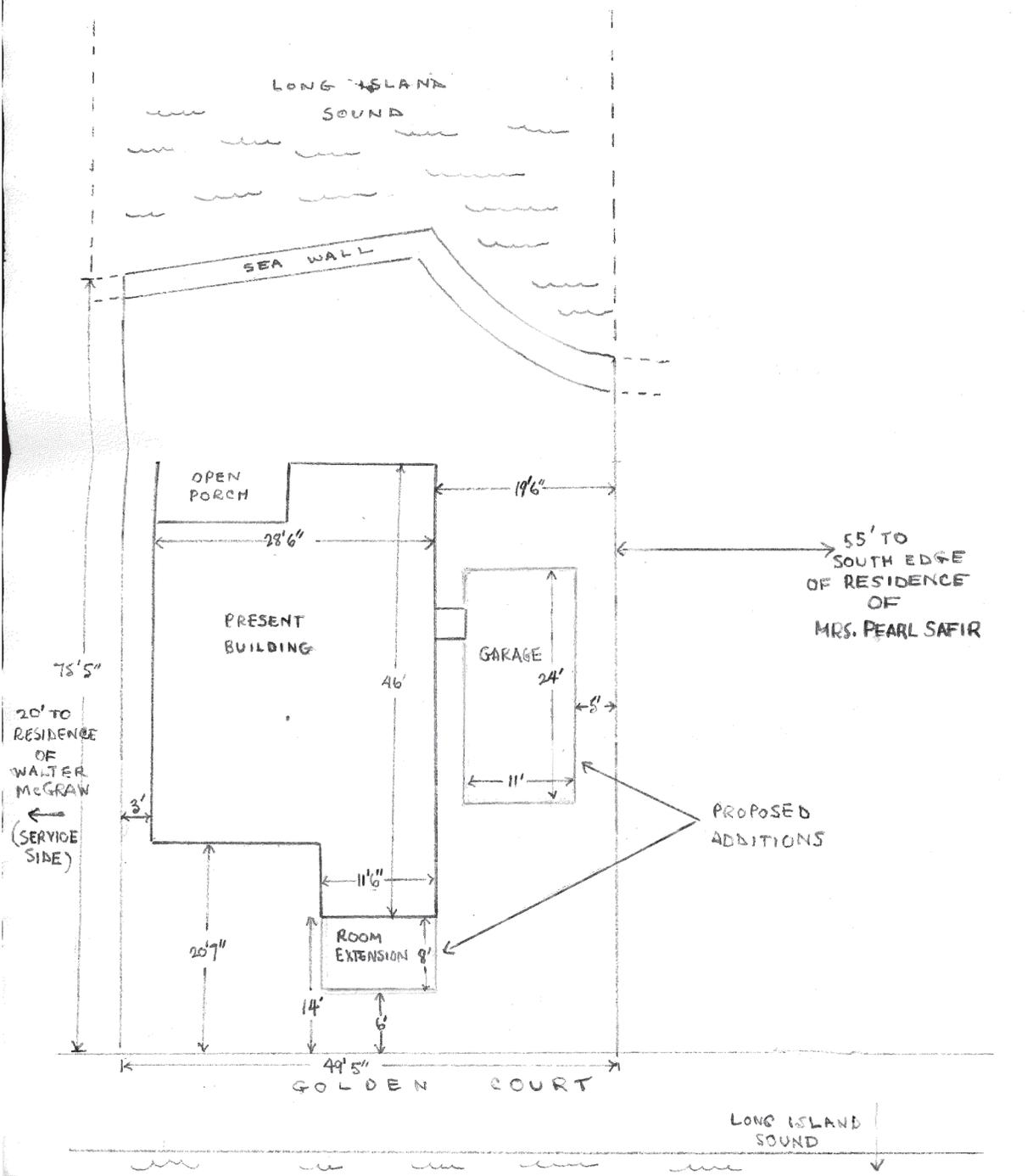
Application granted Feb 19, 1953

Robert E. Howard  
Franklin Street

Robert Riccio  
Berneth D. Thomas  
Paul E. W. Klorach

Signature of Applicant Edward F. Ryke

Indicate plat by diagram in space below, showing streets, lot lines, front yards, setbacks, building lines, zone boundary lines, dimensions, and buildings present and proposed



LONG ISLAND SOUND

SEA WALL

OPEN PORCH

28'6"

PRESENT BUILDING

46'

19'6"

GARAGE

24'

11'

5'

PROPOSED ADDITIONS

ROOM EXTENSION 8'

11'6"

20'7"

14'

6'

49'5" GOLDEN COURT

55' TO SOUTH EDGE OF RESIDENCE OF MRS. PEARL SAFIR

20' TO RESIDENCE OF WALTER MCGRAW (SERVICE SIDE)

78'5"

LONG ISLAND SOUND



CERTIFICATION OF ZONING COMPLIANCE  
THIS CERTIFICATE IS FOR ZONING ONLY

BOND:  
 PASSBOOK:  
 CHECK#:  
 AMOUNT:  
 BANK:

FINAL ZONING: X

CONDITIONAL:

REASONS:

OWNER'S NAME: Christopher & Kathleen Pilder

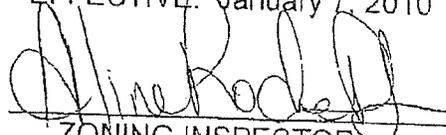
JOB LOCATION: 6 Golden Court                      ZONE: B

TAX MAP PLATE: 10SW      DISTRICT: 6      BLOCK: 36      LOT: 75

PROJECT: Additions and alterations to a single family residence with an unfinished attic. No expansion to existing footprint.

THIS WILL CERTIFY COMPLETION OF THIS PROJECT IN COMPLIANCE WITH ZONING REGULATIONS.

EFFECTIVE: January 7, 2010

  
 ZONING INSPECTOR

N.B. OCCUPANCY OF THIS BUILDING IS NOT PERMITTED UNTIL A CONSTRUCTION CERTIFICATE OF OCCUPANCY IS ISSUED BY THE BUILDING INSPECTOR.

# NORWALK

ZONING COMMISSION

## CERTIFICATION OF ZONING COMPLIANCE THIS CERTIFICATE IS FOR ZONING ONLY

BOND:  
PASSBOOK:  
CHECK#:  
AMOUNT:  
BANK:

FINAL ZONING: X

CONDITIONAL:

OWNER'S NAME: William Lawless

JOB LOCATION: 6 Golden Court

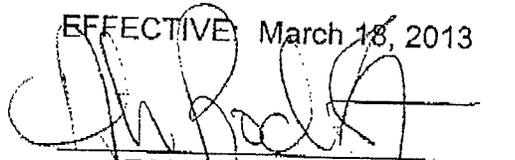
ZONE: B

TAX MAP PLATE: 10SW      DISTRICT: 6      BLOCK: 36      LOT: 75

PROJECT: Permit in 1981 to elevate existing single family residence and rebuild the foundations.

THIS WILL CERTIFY COMPLETION OF THIS PROJECT IN COMPLIANCE WITH ZONING REGULATIONS.

EFFECTIVE March 18, 2013



ZONING INSPECTOR

N.B. OCCUPANCY OF THIS BUILDING IS NOT PERMITTED UNTIL A CONSTRUCTION CERTIFICATE OF OCCUPANCY IS ISSUED BY THE BUILDING INSPECTOR.