



Milford Zoning Board of Adjustment

Staff Review

Date: September 1, 2023

To: Zoning Board of Adjustment

From: Terrence S. Dolan, Director of Community Development

Subject: Case #2023-13-Special Exception Request for a maximum of a 16.7-foot Front Setback Encroachment for a portion of a proposed three-bay attached garage, located @ 185 Badger Hill Road, Residence "R" Zoning District, Map 51 Lot 26-90

For the ZBA's information and consideration, the following provides my review of the above referenced case:

1. The Applicant has filed a necessary *Special Exception* Request to seek approval of a maximum 16.7-foot encroachment into the required (30') Front Setback, in the Residence "R" Zoning District, to construct a proposed three-bay (attached) garage.
2. The proposed garage footprint is approximately 38 feet wide by 26 feet deep, and shall be connected to the existing primary home via an enclosed 12' wide by 12' deep *mud room/porch area*. As observed on the attached site plan, approximately 50% of the garage footprint shall be within the required 30' front setback. (Site plans and architectural renderings are attached for your review)
3. As listed in town records, the existing homesite was built in 2002, and is .51 acre in size. The residence is located within the ***Badger Hill Community Sub Division***, comprised exclusively of single-family homes.
4. All encroachments (i.e. reduction) of a Front, Side or Rear Setback in the Residence "R" Zoning District (under Article V, Section 5.04.5.A.&B.) require a Special Exception.
5. The preferred construction approach requires the proposed three-bay garage to be situated at a slight angle along the eastern side of the front elevation of the existing home, where varying measures of the front of the garage will protrude into the 30' front setback buffer area. (Note: similar to a shallow "Wing Wall" design)
6. The homesite's eastern side lot topography drops down-slope dramatically (as noted from the existing front northeast corner of the existing home), and may be seen in the attached photographs. In order to build the proposed garage completely outside of either the front (or potentially the side setbacks), large retaining walls and massive amounts of fill material

(undetermined) would be required to backfill the lot's eastern side lot sloping area to provide a level work space, likely making the proposed project non-viable.

7. The residential lot is a large corner lot, with the nearest (eastern) neighboring home approximately 63 L.F. away from the nearest edge of the proposed garage footprint, as calculated. No impacts to the eastern side of this home's proposed garage shall impact the required 15' side setback; as it is noted on the site plan that there shall be a 38-foot side setback retained with the garage's construction on this homesite.
8. The property is served by a community-shared potable water system, and each residence has individual septic systems for wastewater treatment.
9. No existing site vegetation was proposed for removal at the application.
10. An existing tool shed is presently established within 15' feet of the NE corner of the homesite. This shed shall need to be relocated or removed from the required setback areas for the lot, depending on the outcome of the ZBA Hearing process.

Thank You

Cc: file