



ZONING BOARD OF APPEALS
JULY 8, 2014
REGULAR MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
(203) 576-7213 Fax

ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, Secretary;
John Carolan, Robert Russo, Jack Calcutt

STAFF: Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning
Official, Atty. Ed Schmidt, Associate City Attorney; Diego
Guevara, Design Review Coordinator

CALL TO ORDER.

Chairman Piccirillo called the meeting to order at 6:05 p.m. A quorum was present.

ROLL CALL.

Chairman Piccirillo introduced the members seated. He reviewed the process for the hearing for the public.

PUBLIC HEARING.

ITEM #1 RE: 29 FEDERAL STREET – Brazilian Sports Club - Seeking a change in liquor permit under Sec. 12-10d; a variance of all off-street parking requirements of Sec. 11-1-2; all landscaping requirements of Sec. 11-3 and Table 4 to permit the café upgrade to a restaurant café liquor permit with a consumer bar and patio permit in the existing commercial building in an OR-G zone.

Atty. John Tartaglia turned in the green cards submitted. He said that he was representing the applicant and they would like to have a full restaurant.

Mr. Dennis Buckley came forward and indicated that the plan was not the one on file. He said that he was looking at the plans and that there was not a separate and distinct restaurant. He said that it was an upgrade from a beer and wine establishment.

Atty. Tartaglia said that the Liquor Commission had been by to measure the area. He then spoke about having a patio area. He said that the kitchen would close at 10 p.m. He said that the owners have been working with the police to insure that none of the patrons bring any bottles of liquor onto the street.

Commissioner Grace asked about the parking. Atty. Tartaglia said that he had a handwritten agreement with a local business and it will be formalized into a lease by the owner. Mr. Dimetro, the owner, came forward and said that he had a deal with the business owner already, but the other property owner has been out of town and they had not had a chance to have her sign the agreement.

Commissioner Grace asked about the area in the back where the patio would be. Mr. Dimetrio explained that there was a driveway back there.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. Mr. Joe Blasko, the owner of the property and said that the applicant had done a wonderful job with it. This includes keeping it clean.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Dr. Marchett came forward and said that he was a Podiatrist and his practice was located behind the parcel. There has been a problem with the patrons parking in their lot. He said that he had spoken with the applicant about this but the patrons still park there. There are four apartments above the podiatrist office and the tenants can't find a parking place when they come home.

Commissioner Piccirillo asked about the hours. Atty. Tartaglia reviewed them with the Commission.

Commissioner Piccirillo then closed the public hearing on 29 Federal Street.

ITEM #2 RE: 470 BROOKLAWN AVENUE – Diana Gomez & Remigio Melo, Jr. - Seeking to expunge the only condition of approval to a petition granted by the Zoning Board of Appeals on 06-12-08, which legalized the installation of a 6' privacy fence in an R-A zone.

The green mailing cards were handed in by Ms. Gomez.

Mr. Buckley came forward. he said that the application had been before the ZBA before. In June 2008, the applicants came before the Board about a stockade fence that waived the 42' height so that the abutting property owner would have a line of sight when backing out. After the variance was granted, in October of 2008, a re-inspection of the fence revealed that the height had not been adjusted. Because of this, a Certificate of Compliance was not issued. In April of 2009, the applicant appealed the denial and the Board upheld the Zoning Officer. The applicant then made an appeal to the court in Stamford. Mr. Buckley then reported that the judge's decision was to uphold Mr. Buckley's original decision. Now the applicant has re-submitted an application for a variance for the fence in 2008.

Mr. Melo came forward and said that in 2007, the fence was replace and a neighbor complained. He said that the neighbor took the issue to the courts. After this, the neighboring parcel was

sold. However, the previous owner has continued to pursue the matter. He pointed out that the new owners of the parcel have no problem with the fence.

Mr. Melo then listed a number of reasons why the fence should remain. He pointed out that since he owns a corner lot, there is no way to have a fence that does not border the street. The six foot fence protects his children.

Mr. Piccirillo said that the ZBA had ruled in the manner that they did was because of the sight line issue. The Board tried to work out a compromise but the application went to court. Mr. Melo said that he had checked with the Traffic Department and they had been told there was no problem with sight lines.

Mr. Melo then read a letter from the current abutting property owner in to the record as follows:

Kehine Adenitis
154 Aldine Avenue
Bridgeport, CT

July 7, 2014

RE: 450 Brooklawn Avenue Fence Petition.

Dear Bridgeport Zoning Board of Appeals,

I am the owner of the property directly behind 470 Brooklawn Avenue, located at 154 Aldine Avenue. I have owned this property since 2011. The previous owners were the only opposition to the fence under discussion when originally installed.

It is my understanding that the ZBA imposed conditions to lower several sections at the rear of the property in 2008. I am very happy with the fence as it exists today at 6 ft.

I would strongly insist that you remove the conditions and allow the fence to remain at the current height. It is an improvements to the neighborhood . Lowering the fence would make for an awkward looking fence and would have no benefit to me. I have no concerns with the current fence and would not object to allowing it to remain.

Please consider my letter as a vote in support of this fence and petition. Please vote to life the conditions and keep the fence as-is.

Thank you,

Kehinde Adenitis

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application.

Ms. Carol Coco who lives on Brooklawn Avenue. She said that the Avenue was unique area because it was the gateway to Bridgeport from Fairfield. 470 Brooklawn Avenue was an eyesore before Ms. Gomez and Mr. Melo bought it and repaired the residence. She said that the owners have done a lovely job.

State Representative Auden Grogins, since 2009 and said that she was present in favor of the applicant. She said that Mr. Melo and Ms. Gomez have tremendous pride in the area. She agreed with the previous speaker that the residence was an eyesore and the area where the fence was installed had been very overgrown. The fence is very attractive and she spoke to a number of neighbors to see if there was some opposition to this fence. She said that it was important to have a well maintained fence that gives privacy and protection to the residents, particularly since it is a safety issue for their children. Mr. Piccirillo pointed out that if the Board had followed the letter of the law, the fence would be four feet all around.

Council Member Robert Halstead came forward and said that he was the Council representative for the district. He said that he agreed with the request of waiver for a number of reasons. He then read the following statement into the record:

Dear Honorable Body,

In the case of the subject property, the petitioner is asking that the height requirement for his fence be waived and I agree, because:

- 1) Please take into consideration that there are numerous instances of non conforming height of fences on corner properties, in the immediate vicinity. Even the Town of Fairfield has allowed this exception on a property directly across Brooklawn Avenue.
- 2) The owner, at his own expense has planted a row of trees along the treelawn that buffers the fence.
- 3) Prior to the owner's purchase the property had been dilapidated for years. This owner has turned around this property with substantial investment.
- 4) Such effort should be praised as this is exactly the type of middle class demographic with children who make a neighborhood and a city great.

Thank you for your consideration as this petitioner is one of my constituents.

Sincerely,

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Robert Halstead
City Councilman 132

Council Patricia Swain came forward and said that when she had first moved to Bridgeport, the house was an eyesore and she applauded the owners for taking care of the property.

Mr. Kyle Kelly who lives across the street from the fence came forward. He said that he has lived in his house since 1979 and saw the improvements made in the residence. He said that the sidewalk was overgrown and was not passable before the fence was installed. Now the area is neat, clean and passable.

Mr. Antonio Quevas came forward and said that the fence needs to remain as it is because in the past, people walking by took things from the property.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 470 Brooklawn Avenue.

ITEM #3 RE: 1148 WILLIAM STREET – 1148 William Navapman LLC - Seeking to reduce the residential density requirement from 759 sq. ft. per unit to 663 sq. ft., and also validate the less than minimum landscaping requirements of Sec. 5-1-3 to increase the number of residential units to 24 from the existing 20 units in an R-C zone.

Atty. Rizio turned in the green cards. He said that the applicant works on taking property and turning them into desirable properties. He said that the applicant is asking to change the third floor into smaller units. The building were constructed as condominiums in the 1980s with the idea that the third floor would have been penthouses with very large units.

The variance request is for a density change. The exterior of the building will not change, however the intensity will. Right now, there are 41 parking spaces for 28 bedrooms. There is more than adequate parking available.

Atty. Rizio said that the owner already has 10% landscaping and the front of the building has been cleaned up. However the parking spaces go up to the property line because the abutting property has a 20 foot retaining wall. Atty. Rizio then distributed copies of photos to the Commission showing the retaining wall and the building immediately adjacent to it. The property is pre-existing and non-conforming. There is parking to support the additional units since there is 1 1/2 parking spaces per bedroom rather than 1 1/2 parking spaces per unit.

Commissioner Piccirillo expressed concerns about the lack of windows. Atty. Rizio said that currently, there are bedrooms that are interior rooms with no windows. The re-configuration of the units will give the bedroom with no windows a window.

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Commissioner Grace asked about the gate and the security. Atty. Rizio indicated where the gate would be and reiterated that there would be 8 units per floor.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application.

Mr. Koresh, the OPED Director, said that he was present to speak against the increase in density. He said that density was an arbitrary number and the department will be moving away from that. He said that his department would much rather see form or design used to determine density than square footage.

Mr. Jamie Ross came forward and said that he lives in the building and asked why his unit was being cut in half. He said that he has been there for 10 years. He said that now he has to move and doesn't know what he will do.

Atty. Rizio said that Mr. Ross was a tenant and the property owner has the right not to renew the lease on the monthly basis. The owner hasn't told him that he has to move, but said that there could be another unit available after the renovations are done. The owners have the right to decide whether the apartments are too large.

He then reviewed the proposed layout of the units and pointed out that it would be consistent with the first two floors.

Commissioner Piccirillo then closed the public hearing on 1148 Williams Street.

ITEM #4 RE: 3488 FAIRFILED AVENUE – Chris DelMonico - Seeking a variance of Sec.12-10, to permit the establishment of a dining patio along the Fairfield Avenue frontage and the issuance of a patio liquor permit to be used in conjunction with the existing café restaurant in an OR zone and coastal area.

Atty. Rizio turned the green cards and said that Mr. DelMonico has worked very hard to turn the property around. He displayed a site plan and said that the patio would be contained and have a gate. There is a tremendous demand for patio dining. He said that the applicant would like to have this done this year. He said that if the Commission would like to have it as sit down dining as a condition of approval, that it would be fine. He said that there are no immediate neighbors.

Commissioner Grace asked about the layout, which Atty. Rizio reviewed with the Commission on the site plan. Atty. Rizio said that there would be no music played on the patio or any adult entertainment.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 3488 Fairfield Avenue.

ITEM #5 RE: 126 OGDEN STREET – Jean Clarilus - Seeking to waive the residential density requirement under Sec. 5-1-3 of 2,700 sq. ft. of property per residential unit to allow the conversion of the existing single-family dwelling into a 2-family dwelling in an R-C zone.

The green mailing cards were handed in . Ms. Sammy Clarilus came forward to speak about turning a single family house into a two family residence. It is a two story house. Everything is separated, and only a kitchen will be added.

Commissioner Piccirillo asked about parking. Ms. Clarilus said that they have enough parking.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 126 Ogden Street.

ITEM #6 RE: 93 CARROLL AVENUE – Joe Siesico - Seeking a variance of Sec. 4-12-3 to permit the change from a motion picture materials warehouse to an oil delivery truck garage facility in an R-C zone and coastal area.

Mr. Joe Giacobbe came forward representing Mr. Siesico, the owner. He said that the Mr. Siesico purchased the property and had has an oil business in Bridgeport since the 1990's. He said that they discovered that they need a variance to raise the roof 14 inches. There is no customer service and will be basically for storing the four trucks. They are not in the moving business.

Commissioner Piccirillo asked if the trucks would empty when they are in the building. Mr. Siesico said that he operates a C.O.D. business and does not store what he can't sell. His office is located in his home.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 93 Carroll Avenue.

Mr. Buckley pointed out that there may need to be a Coastal Site Review because the applicant is changing from one use to another.

ITEM #7 RE: 36 LIVINGSTON STREET – Norma Galvin and Joseph Hendrick - Seeking a variance of Sec. 11-8-3 to permit the construction of a 6’ privacy fence along a portion of the street frontage in an R-A zone.

Ms. Galvin said she would like to install a 6 foot fence. She said that they had a satellite photo of the parcel and indicated where the fence would be. Commissioner Piccirillo asked why they would not want to install a 4 foot fence. Ms. Galvin said that the issue was privacy. She said that the landscaping was destroyed during Irene and Sandy.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 36 Livingston Street.

ITEM #8 42 Rennel St., 472 & 490 University Ave., and 585 Atlantic St. – The University of Bridgeport - Seeking variances of the maximum 10’ setback from street requirement; the maximum height requirement of 35’; the maximum building coverage from 50% to 65%; and the maximum floor ratio from 1.0 to 3.5 under Sec. 8-2-3 to permit the construction of three, 5-story, 250-room dormitories with adequate on-site parking spaces in an MU-EM zone.

Atty. Studer came forward and handed in the green card. Commissioner Piccirillo said that the updated plans would require the application to be deferred. A brief discussion followed. Atty. Studer then requested that the application be deferred to the next scheduled ZBA meeting.

RECESS.

Commissioner Piccirillo announced a recess at 7:49 p.m. He called the meeting back to order at 7:58 p.m.

CA-1 RE: 585 – 587 COLORADO AVENUE – Seeking that the Zoning Board of Appeals grant the legal use to a 3-family dwelling having been used and taxed as a 3-family for over 50 years.

The house was built in the early 50's as a single residence. In the 1963, there was a kitchen installed on the other floors. In 1991, it was bought and paid for it as a three family. The Fire Marshal recently informed the owner that it was an illegal apartment. There were two electric meters. Atty. Schmidt pointed out that because the Tax Assessor was assessing this as a three family doesn't mean it was right. He pointed out that the criteria for taxing is different from the zoning assessment.

**** COMMISSIONER CALCUTT MOVED TO GRANT CA-1 RE: 585 – 587 COLORADO AVENUE – SEEKING THAT THE ZONING BOARD OF APPEALS GRANT THE LEGAL USE TO A 3-FAMILY DWELLING HAVING BEEN USED AND**

TAXED AS A 3-FAMILY FOR OVER 50 YEARS WITH THE FOLLOWING CONDITIONS:

- 1. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 2. THE OWNER SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

**** COMMISSIONER RUSSO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #1 RE: 29 FEDERAL STREET – Brazilian Sports Club - Seeking a change in liquor permit under Sec. 12-10d; a variance of all off-street parking requirements of Sec. 11-1-2; all landscaping requirements of Sec. 11-3 and Table 4 to permit the café upgrade to a restaurant café liquor permit with a consumer bar and patio permit in the existing commercial building in an OR-G zone.

**** COMMISSIONER RUSSO MOVED TO GRANT ITEM #1 RE: 29 FEDERAL STREET – BRAZILIAN SPORTS CLUB - SEEKING A CHANGE IN LIQUOR PERMIT UNDER SEC. 12-10D; A VARIANCE OF ALL OFF-STREET PARKING REQUIREMENTS OF SEC. 11-1-2; ALL LANDSCAPING REQUIREMENTS OF SEC. 11-3 AND TABLE 4 TO PERMIT THE CAFÉ UPGRADE TO A RESTAURANT CAFÉ LIQUOR PERMIT WITH A CONSUMER BAR AND PATIO PERMIT IN THE EXISTING COMMERCIAL BUILDING IN AN OR-G ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. USE OF THE PATIO IS PRIMARILY FOR DINING ONLY AND ALL FOOD AND BEVERAGES SHALL BE SERVED BY THE WAIT STAFF ONLY.**
- 2. THERE SHALL BE NO ENTERTAINMENT OF ANY KIND, FOR ANY REASON, AND THE PATIO SHALL CLOSE AT 10PM.**
- 3. THE PATIO PERMIT SHALL EXPIRE WHEN THE OFF-SITE PARKING LEASE EXPIRES.**

FOR THE FOLLOWING REASON:

THE GRANTING OF THIS PETITION SHALL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.

**** COMMISSIONER GRACE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

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ITEM #2 RE: 470 BROOKLAWN AVENUE – Diana Gomez & Remigio Melo, Jr. - Seeking to expunge the only condition of approval to a petition granted by the Zoning Board of Appeals on 06-12-08, which legalized the installation of a 6’ privacy fence in an R-A zone.

**** COMMISSIONER CALCUTT MOVED TO GRANT ITEM #2 RE: 470 BROOKLAWN AVENUE – DIANA GOMEZ & REMIGIO MELO, JR. - SEEKING TO EXPUNGE THE ONLY CONDITION OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON 06-12-08, WHICH LEGALIZED THE INSTALLATION OF A 6’ PRIVACY FENCE IN AN R-A ZONE FOR THE FOLLOWING REASONS:**

- 1. EXPERIENCE HAS DEMONSTRATED THAT THERE HAS NOT BEEN A SAFETY/HAZARD LINE OF SIGHT ISSUE.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.**

**** COMMISSIONER RUSSO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #3 RE: 1148 WILLIAM STREET – 1148 William Navapman LLC - Seeking to reduce the residential density requirement from 759 sq. ft. per unit to 663 sq. ft., and also validate the less than minimum landscaping requirements of Sec. 5-1-3 to increase the number of residential units to 24 from the existing 20 units in an R-C zone.

**** COMMISSIONER CALCUTT MOVED TO GRANT ITEM #3 RE: 1148 WILLIAM STREET – 1148 WILLIAM NAVAPMAN LLC - SEEKING TO REDUCE THE RESIDENTIAL DENSITY REQUIREMENT FROM 759 SQ. FT. PER UNIT TO 663 SQ. FT., AND ALSO VALIDATE THE LESS THAN MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 5-1-3 TO INCREASE THE NUMBER OF RESIDENTIAL UNITS TO 24 FROM THE EXISTING 20 UNITS IN AN R-C ZONE.**

**** COMMISSIONER CAROLAN SECONDED.
** THE MOTION TO GRANT FAILED TO PASS WITH THREE IN FAVOR (CALCUTT, CAROLAN, AND RUSSO) AND TWO AGAINST (PICCIRILLO AND GRACE).**

ITEM #4 RE: 3488 FAIRFIELD AVENUE – Chris DelMonico - Seeking a variance of Sec.12-10, to permit the establishment of a dining patio along the Fairfield Avenue frontage and the issuance of a patio liquor permit to be used in conjunction with the existing café restaurant in an OR zone and coastal area.

**** COMMISSIONER CALCUTT MOVED TO GRANT ITEM #4 RE: 3488 FAIRFIELD AVENUE – CHRIS DELMONICO - SEEKING A VARIANCE OF SEC.12-10, TO PERMIT THE ESTABLISHMENT OF A DINING PATIO ALONG THE FAIRFIELD AVENUE FRONTAGE AND THE ISSUANCE OF A PATIO LIQUOR PERMIT TO BE USED IN CONJUNCTION WITH THE EXISTING CAFÉ RESTAURANT IN AN OR ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE ENTRANCE TO AND EXIT FROM THE DINING PATIO SHALL BE THROUGH THE RESTAURANT ONLY.**
- 2. THERE SHALL BE NO ENTERTAINMENT OF ANY KIND FOR ANY REASON IN THIS PATIO.**
- 3. PATRONS WISHING TO DINE ON THE PATIO (TABLE SERVICE ONLY), SHALL BE SERVED FOOD AND BEVERAGES BY THE WAIT STAFF ONLY AND THE PATIO SHALL CLOSE WHEN THE KITCHEN CLOSES.**

FOR THE FOLLOWING REASONS:

- 1. THE USE IS CONSISTENT WITH OTHER RESTAURANTS AND CAFES ALONG THE FAIRFIELD AVENUE CORRIDOR.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

****COMMISSIONER CAROLAN SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #5 RE: 126 OGDEN STREET – Jean Clarilus - Seeking to waive the residential density requirement under Sec. 5-1-3 of 2,700 sq. ft. of property per residential unit to allow the conversion of the existing single-family dwelling into a 2-family dwelling in an R-C zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT ITEM #5 RE: 126 OGDEN STREET – JEAN CLARILUS - SEEKING TO WAIVE THE RESIDENTIAL DENSITY REQUIREMENT UNDER SEC. 5-1-3 OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT TO ALLOW THE CONVERSION OF THE EXISTING SINGLE-FAMILY DWELLING INTO A 2-FAMILY DWELLING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONERS SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

2. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED AND APPROVED BY THE BOARD.

FOR THE FOLLOWING REASON:

THE GRANTING OF THIS PETITION WILL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE NEIGHBORHOOD.

**** COMMISSIONER GRACE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #6 RE: 93 CARROLL AVENUE – Joe Siesico - Seeking a variance of Sec. 4-12-3 to permit the change from a motion picture materials warehouse to an oil delivery truck garage facility in an R-C zone and coastal area.

**** COMMISSIONER GRACE MOVED TO GRANT ITEM #6 RE: 93 CARROLL AVENUE – JOE SIESICO - SEEKING A VARIANCE OF SEC. 4-12-3 TO PERMIT THE CHANGE FROM A MOTION PICTURE MATERIALS WAREHOUSE TO AN OIL DELIVERY TRUCK GARAGE FACILITY IN AN R-C ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE PROPERTY SHALL BE CLEANED UP AND PAVED, AND THE BUILDING PAINTED, WHICH WILL BE AN IMPROVEMENT TO THE NEIGHBORHOOD.**
- 2. A MAXIMUM OF FOUR (4) EMPTY OIL TRUCKS MAY BE PARKED OR STORED WITHIN THE EXISTING GARAGE BUILDING.**
- 3. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT FOR THE INTERIOR MODIFICATIONS.**

FOR THE FOLLOWING REASONS:

- 1. THE GRANTING OF THIS PETITION WILL NOT HAVE A NEGATIVE EFFECT ON THE NEIGHBORHOOD.**
- 2. THERE IS NO ADVERSE IMPACT ON THE COASTAL AREA.**

**** COMMISSIONER RUSSO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #7 RE: 36 LIVINGSTON STREET – Norma Galvin and Joseph Hendrick - Seeking a variance of Sec. 11-8-3 to permit the construction of a 6’ privacy fence along a portion of the street frontage in an R-A zone.

**** COMMISSIONER CALCUTT MOVED TO GRANT ITEM #7 RE: 36 LIVINGSTON STREET – NORMA GALVIN AND JOSEPH HENDRICK - SEEKING A VARIANCE OF SEC. 11-8-3 TO PERMIT THE CONSTRUCTION OF A 6’ PRIVACY FENCE ALONG A PORTION OF THE STREET FRONTAGE IN AN R-A ZONE.**

**** COMMISSIONER CAROLAN SECONDED.**

**** THE MOTION TO GRANT FAILED TO PASS WITH TWO IN FAVOR (CALCUTT AND CAROLAN) AND THREE AGAINST (PICCIRILLO, GRACE AND RUSSO) FOR THE FOLLOWING REASON:**

THE PETITIONER FAILED TO ESTABLISH A HARDSHIP OR UNUSUAL CONDITION RELATING TO THIS PROPERTY AND PETITION.

ITEM #8 42 Rennel St., 472 & 490 University Ave., and 585 Atlantic St. – The University of Bridgeport - Seeking variances of the maximum 10’ setback from street requirement; the maximum height requirement of 35’; the maximum building coverage from 50% to 65%; and the maximum floor ratio from 1.0 to 3.5 under Sec. 8-2-3 to permit the construction of three, 5-story, 250-room dormitories with adequate on-site parking spaces in an MU-EM zone.

**** COMMISSIONER GRACE MOVED TO DEFERRED ITEM #8 42 RENNEL ST., 472 & 490 UNIVERSITY AVE., AND 585 ATLANTIC ST. – THE UNIVERSITY OF BRIDGEPORT - SEEKING VARIANCES OF THE MAXIMUM 10’ SETBACK FROM STREET REQUIREMENT; THE MAXIMUM HEIGHT REQUIREMENT OF 35’; THE MAXIMUM BUILDING COVERAGE FROM 50% TO 65%; AND THE MAXIMUM FLOOR RATIO FROM 1.0 TO 3.5 UNDER SEC. 8-2-3 TO PERMIT THE CONSTRUCTION OF THREE, 5-STORY, 250-ROOM DORMITORIES WITH ADEQUATE ON-SITE PARKING SPACES IN AN MU-EM ZONE TO WEDNESDAY, AUGUST 13, 2014.**

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION TO DEFER PASSED UNANIMOUSLY.**

APPROVAL OF THE ZBA MINUTES FOR JUNE 10, 2014.

The following correction was noted:

Page 18, Item #7, Motion – Please replace the following:

**** COMMISSIONER CAROLAN SECONDED.**

WITH:

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**** COMMISSIONER CALCUTT SECONDED.**

**** COMMISSIONER CALCUTT MOVED TO APPROVE THE MINUTES OF JUNE 10, 2014 AS CORRECTED.**

**** COMMISSIONER CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** COMMISSIONER CAROLAN MOVED TO ADJOURN.**

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services.