



ZONING BOARD OF APPEALS
NOVEMBER 12, 2013
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace, Room
210
Bridgeport, CT 06604
(203) 576-7217 Phone
(203) 576-7213 Fax

ATTENDANCE: Michael Piccirillo, Chair; Commissioners: Linda Grace; John Carolan; James Eagen; Robin Shepard; Rob Russo 7:30 p.m.

STAFF: Dennis Buckley, Zoning Administrator; Paul Boucher, Assistant Zoning Clerk; Diego Guevara, Design Review Coordinator; Neil Bonney, ZEO; Edmund Schmidt, Assistant City Attorney

CALL TO ORDER

Chair Michael Piccirillo called the meeting to order at 6:10 p.m. and introduced the four (4) commission members present. There was a quorum.

CONTINUED ITEMS

C-1 (#5) 853 Fairfield Ave. – Petition of Firetree, LTD – Seeking a modification of the approved plan of development for the use applicable to the granting of variances by the Zoning Board of Appeals on 07/10/2012, which permitted a 12-bed group home (social service provider) to now be a 15-bed half-way house for convicted felons in an OR-G zone.

Application withdrawn 10/17/13.

DEFERRED BUSINESS

None

NEW BUSINESS

#1 2450 – 2458 and 2460 Main St. – Petition of Lillian Iodice – Appealing under Sec. 14-10 of the Zoning Regulations and Sec. 8-7 of the CT General Statutes that the Zoning Official erred in the processing of a liquor application for a change of ownership at an established business in an OR-G zone.

Deferred to December 10, 2013 meeting.

#2 2895 (aka 2893 – 2897) Fairfield Ave. – Petition of Joseph Farrell/Walrus & Carpenter – Seeking to establish Live entertainment in the existing liquor licensed full service restaurant with a patio permit in an OR zone.

Mr. Joseph Farrell of Walrus & Carpenter appeared to present the application. He submitted proof of mailings.

Mr. Farrell said they would like to add a music component to the existing restaurant. They would have some low-key, acoustic music, perhaps jazz or bluegrass. No more than 4 people in a band, and they would play in a back room. It would be indoors only.

Chair Piccirillo asked him what hours they would play and he replied from 9 pm to closing. There would be no dancing.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Marie Farrell – mother of applicant, believes he is doing a tremendous job; it is a wonderful addition to the neighborhood, very tasteful.

Chair Piccirillo read a letter of support from the Black Rock NRZ in to the record.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the Public Hearing was closed.

#3 5 – 15 Grant St. – Petition of Connecticut Mustang – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on 06/12/07, which established a storage area for up to 50 tax lien vehicles at the existing used car dealership in an I-L zone.

Atty. Ray Rizio appeared on behalf of the applicant. He submitted proof of mailings.

Atty. Rizio provided a copy of the map of the property to all the commissioners. He said the owner has cleaned up the property and brought it in to compliance except for the car storage area. The property has a fenced in area, along the side of the building, where the owner stores dilapidated and disabled cars. The owner would like to expand the storage area to the back by 6,000 square feet.

Chair Piccirillo proposed continuing this application to give the commissioners a chance to visit the property.

Atty. Rizio agreed.

#4 285 Maplewood Ave. – Petition of Sycamore Housing Associates, LP – Seeking a variance of Sec. 4-12-4, regarding the replacement of nonconforming structures, and also seeking variances of the residential density requirement; the maximum height requirement, and the side setback requirements of Sec. 5-1-3 to bring the existing 12-story, 119-unit apartment building into compliance with the 2010 Zoning Regulations.

Application has been withdrawn.

#5 710 Shelton St. – Petition of Habitat for Humanity of Coastal Fairfield County, Inc. – Seeking a variance of the maximum setback requirement, as well as the cumulative setback requirements of Sec. 5-1-3 to permit the construction of a 2-story single-family dwelling on a nonconforming lot in an R-C zone.

Keith Cook, Co-President & Director of Construction for Habitat for Humanity of Coastal Fairfield County, Inc. appeared to present and turned in proof of mailings.

Mr. Cook said this home, if approved, will be the 161st home built by Habitat in the City of Bridgeport. They intend to build a 2-story single family home on this property in this high density residential neighborhood.

The hardship is that the lot is very small and the need for affordable housing is great. He added this lot currently is a dumping ground in the neighborhood.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

None appeared.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the Public Hearing was closed.

#6 5060 Park Ave. – Petition of Sacred Heart University, Inc. – Seeking a use variance of Sec. 5-1-2 to permit the construction of a 3-story student learning center in an R-A zone.

Chair Piccirillo stated he needed to recuse himself from this application. The alternate commissioner who will be sitting in for him has not arrived as of this time. The Chair gave Sacred Heart the option of waiting for the alternate to arrive and then presenting or proceeding with 4 commissioners. Sacred Heart chose to wait until the alternate arrives and it seated.

#7 9 Stratfield Place – Petition of James & Ana Schietinger – Seeking a variance of the maximum height of a fence in the front setback under Sec. 11-8-3b (1) in an R-A zone.

Mr. James Schietinger appeared to present his application and furnished proof of mailings.

Mr. Schietinger said he received a letter saying a fence on his property is too high. He said the fence has been there until 1994 and got approval from the City at the time of installation.

Chair Piccirillo said the issue is that it obstructs the view of the neighbor exiting the driveway. Mr. Schietinger said the back fence belongs to the neighbor. He provided pictures of his property.

Mr. Buckley and Mr. Bonney confirmed this issue is a result of a complaint.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Angelo Coco – neighbor, says Mr. Schietinger has improved his home, and felt this fence is not a danger or an eyesore.
2. Tom Costaldo – said the fence has been there for 18 years, and questions why it is now illegal.
3. A letter of support from Tom McCarthy, President of the City Council, 133rd district, was read in to the record.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the Public Hearing was closed.

#8 917 Wood Ave. – Petition of Juliette LeCornec – Seeking a variance of the maximum setback requirement of Sec. 6-1-3, and also seeking to waive the minimum driveway width of Sec. 11-1-11, and two (2) of the five (5) required off-street parking spaces of Sec. 11-1-2 to permit the construction of the mixed use building in an OR zone

Ms. Juliette LeCornec appeared on her own behalf and submitted proof of mailings. She indicated she owns the 2 family to the left of the property.

She is proposing the construction of a 2-story mixed use building on this property. The 1st floor will be used as retail space and the 2nd floor will be an apartment. She said she does not have firm tenant for the 1st floor but is speaking with an insurance agency about renting.

Chair Piccirillo said parking is very difficult in this area. The applicant is asking for a variance to eliminate 2 of the required 5 parking spaces.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Kaz Oda – designer, helped applicant design the proposed building. Gave a brief review of the proposed design.

Chair Piccirillo suggested the applicant consider a 1 story building in light of the parking challenges.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the Public Hearing was closed.

#9 379 Bond St. (aka 1285 Boston Ave.) – Petition of City of Bridgeport Board of Education – Seeking variances of the accessory structure height; maximum building height; and maximum building coverage of 5,400 sq. ft. under Sec. 5-1-3, and also seeking variances of 91 on-site parking spaces of Sec. 11-1-2; the maximum illumination requirement of Sec. 11-8-1; the minimum landscaping requirement in the setbacks of Sec. 11-1-13; and the required accessory structure setback of Sec. 12-8(i) to permit the construction of a 4-story educational facility with related athletic and baseball fields in the proposed R-C zone.

John Everley, Stantec Consulting, Site Engineer for the project appeared to present the application.

Mr. Everley gave a brief history of the site, formerly occupied by GE, and how/why it was chosen as the new Harding High School site. He said the requested variances are a result of this being a very tight site for the school. The site is 17 acres total.

A map of the site was displayed for the commission.

The building is 155,000 sq. ft. on 4 floors with a 60,000 sq. ft. footprint. The landscape buffer variance was reviewed as well as the set back behind the bleachers (accessory structure). They are also requesting a variance for 63.6 ft. height vs. 45 ft. allowed. All requested variances were reviewed.

The Board of Education has requested a total of 161 parking spaces vs. 252 as required. There will be 100 spaces for staff, 40 for students and 21 for visitors. The illumination will be 80 ft. high stanchions, and they will not impact any residential area.

Chair Piccirillo asked the location of the bus drop off area. Mr. Everley indicated the bus drop off will be in the front of the building on Bond Street, and the parent drop off will be at the rear of the building.

Chair Piccirillo asked how many seats in the grandstands. Mr. Everley said the proposed is for 876 seats. He also said special events requiring additional seating can be accommodated with portable bleachers.

Chair Piccirillo asked how the Board of Ed determined 40 parking spaces for students. Mr. Everley said the Board of Education felt 40 spaces for students was adequate for this school. There are a total of 813 students currently at Harding High School

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. D. Kooris, Director City of Bridgeport OPED – said the City strongly supports this application. He gave a brief overview of the identification process of an appropriate site for this school.

Ms. Grace asked Mr. Kooris if parking will be allowed on Bond Street. Mr. Kooris said there is a street improvement project in the works which will change and improve the traffic flow and parking in this area.

2. Ms. Carmen Lopez came forward to ask a number of questions. She asked if the map shown is considered a rendering and if it was part of the record. She also

wondered what “this type of school” meant when referring to the number of parking spaces allowed to students.

Chair Piccirillo asked if anyone wished to speak against the petition.

1. Clyde Richardson – is concerned with the environmental clean-up of this property and the potential health hazards.
2. Chris ? - works for Bridgeport Healthcare, located at the end of Bond Street. They employ 600 people and they experience excessive traffic issues during the shift changes. He felt the addition of this school in this area will just make it worse.

Mr. Everley said they have done a traffic study which will be presented to the P&Z. They will be proposing modifications to the signal at the intersection.

Mr. Carter ? of Trident Environmental Consulting came forward and gave a brief review of the environmental clean-up process. He said GE is responsible, working with the CT DEEP, for designing a remediation action plan and cleaning the site up to a Residential Standard.

The Public Hearing was closed.

#10 98 Grovers Ave. – Petition of K. Oni Chukwu – Seeking a variance of Sec. 5-1-3 to increase the building coverage from 7,518 sq. ft. to 8,499 sq. ft., and also seeking a coastal site plan review under Sec. 14-3-4 to permit the construction of a single-family dwelling in an R-AA zone.

Atty. Greg Cava was present to present the application. He provided proof of mailings.

Atty. Cava said he has been before the commission 2 times previous and requested the notes from the July and August, 2013 meetings become part of this record. He said when he previously presented the applications he understated the total square footage of the main building. The corrected square footage is 8,499 square feet.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

None appeared.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the Public Hearing was closed.

Chair Piccirillo recused himself at 7:30 p.m. Alternate Commissioner Russo joined the meeting. Commissioner L. Grace will be acting Chair for Item #6.

#6 5060 Park Ave. – Petition of Sacred Heart University, Inc. – Seeking a use variance of Sec. 5-1-2 to permit the construction of a 3-story student learning center in an R-A zone.

Atty. Michael Bologna, of Fitzpatrick Fray & Bologna appeared to present the application. Proof of mailings was submitted.

Atty. Bologna said Sacred Heart is proposing a Learning Literacy Center on this site. He asked Mr. Patrick Rose of Rose Tiso Architects to present the plans.

Mr. Rose provided a handout to all the commissioners and reviewed the proposed plans. He said the building will have 3 floors. The upper two floors will be used as a learning center where Sacred Heart students can go for help with their studies. The lower level will be a Literacy Center for elementary school age children. The Literacy Center will have their own entrance.

The building will be made of stone and brick, comparable to the SHU Health and Wellness Center and the SHU President's Residence located on this same block of Park Avenue.

The Parking will be in the rear of the building with access off of St. Nicholas Street. The parking lot will be for Staff, Faculty, the teachers who will be working in the Literacy Center and the parents of the school age children serviced by the Literacy Center.

Mr. Russo asked if they considered access to the building off of Park Avenue instead of St. Nicholas. Mr. Tiso said the topography prohibited access from the front of the lot.

Atty. Bologna said there will be two sets of operations going on in this building. The Learning Center is operated by the University and satisfies the ADA requirement to provide academic support for students with disabilities. The Center will operate 5 days a week from 8:30 – 4:30. Staff will leave no later than 6 pm.

The Literacy Center provides a place for school teachers, enrolled in the School of Education Literacy Certification program, to offer help in Literacy to elementary age school children from Bridgeport and surrounding communities. There is no charge for City of Bridgeport school children. The center operates 2 days a week, after school until 7 p.m.

Atty. Bologna said legal hardship is found in the regulations. Present regulations no longer allow this type of operation in an R-A Zone. He said they are here for a variance and not seeking a change in regulations or a zone change.

Ms. Shepard asked the ages of the children attending the Literacy Center. Mr. Jim Carl, Dean of College of Education came forward and replied the ages and Pre-K through the upper elementary grades.

Mr. Russo stated his concern about college students, the speed at which they drive, and the traffic impact on St. Nicholas Street. Atty. Bologna said the SHU students will be walking to the building. Parking in the rear of the building is for Staff, Faculty and the Literacy Center participants.

Actin Chair Grace read a letter from M. Lyons, District Council Person in to the record. It summarized a meeting held between SHU and the neighborhood concerning this project and other concerns. Atty. Bologna said he believes they have addressed the neighbors' concerns that were raised at the meeting.

Acting Chair Grace asked if anyone wished to speak in favor of the petition.

1. D. Kooris, Director City of Bridgeport OPED –said they continue to work with SHU on a variety of plans and support this project as an integral step in creating a destination campus for SHU.
2. Atty. Bologna submitted a letter of support from the President of Holy Trinity Church, located on Park Avenue. Ms. Grace read it in to the record.

Chair Piccirillo asked if anyone wished to speak against the petition.

1. Katie Smith – lives across the street from the University and voiced her concern of the City continuing to grant variances to the University and allowing them to continue to buy up property in their neighborhood. She said there continues to be lots of noise, destruction and excessive traffic.

Atty. Bologna said SHU has addressed all Zoning Issues and have tried to be good citizens.

Public Hearing was closed.

RECESS

Committee recessed at 8:03 PM. Acting Chair Grace called the meeting back in to order at 8:10 p.m.

DECISION SESSION

RE: #6 5060 Park Ave. – Petition of Sacred Heart University, Inc. – Seeking a use variance of Sec. 5-1-2 to permit the construction of a 3-story student learning center in an R-A zone.

****COMMISSIONER RUSSO MOVED TO APPROVE ITEM # #6 5060 PARK AVE. – PETITION OF SACRED HEART UNIVERSITY, INC. – SEEKING A USE VARIANCE OF SEC. 5-1-2 TO PERMIT THE CONSTRUCTION OF A 3-STORY STUDENT LEARNING CENTER IN AN R-A ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. SHRUBBERY TO BE PLANTED IN ACCORDANCE WITH THE L-3 STANDARD ALONG THE NEAR PROPERTY LINE AS NEEDED.**
- 2. THE PETITIONER SHALL PROPERLY MAINTAIN THE VACANT PARCELS OF UNIVERSITY OWNED LAND ALONG NANCY DRIVE.**
- 3. THE HOURS OF OPERATION FOR THIS FACILITY SHALL BE LIMITED TO 8AM TO 6PM, MONDAY – FRIDAY.**
- 4. THE PARKING LOT SHALL ONLY BE USED FOR FACILITY STAFF AND CLIENTS OF THE LEARNING CENTER. USE OF THE PARKING LOT BY UNIVERSITY STUDENTS IS STRICTLY PROHIBITED.**

FOR THE FOLLOWING REASONS:

- 1. THIS PROPERTY IS NO LONGER SUITABLE FOR A SINGLE-FAMILY RESIDENCE.**
- 2. THIS EXPANSION OF THE UNIVERSITY WILL BE PROVIDING A PUBLIC SERVICE TO BRIDGEPORT RESIDENTS.**
- 3. THE PROJECT, AS APPROVED, WILL BE AN IMPROVEMENT TO THE IMMEDIATE AREA.**

****COMMISSIONER EAGEN SECONDED**

Assist. City Atty. E. Schmidt said he has observed over time the use of hardship variances that are questionable. He suggested the ZBA ask that the P&Z look at these trends and consider these to be allowed by special permit with definitive criteria. After further discussion it was agreed that Zoning Staff will speak to P&Z concerning this issue.

****THE MOTION PASSED UNANIMOUSLY**

Commissioner Russo left the meeting at 8:24 p.m. Chair Piccirillo re-joined the meeting at this time.

RE: C-1 (#5) 853 Fairfield Avenue – seeking a modification of the approved plan of development for the use applicable to the granting of variances by the Zoning Board of Appeals on 07/10/2012, which permitted a 12-bed group home (social service provider) to now be a 15-bed half-way house for convicted felons in an or-g zone.

ITEM WITHDRAWN.

RE: #1 2450 – 2458 and 2460 Main St. – Petition of Lillian Iodice – Appealing under Sec. 14-10 of the Zoning Regulations and Sec. 8-7 of the CT General Statutes that the Zoning Official erred in the processing of a liquor application for a change of ownership at an established business in an OR-G zone.

****COMMISSIONER GRACE MOVED TO DEFER ITEM #1 2450 – 2458 AND 2460 MAIN ST. – PETITION OF LILLIAN IODICE – APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS AND SEC. 8-7 OF THE CT GENERAL STATUTES THAT THE ZONING OFFICIAL ERRED IN THE PROCESSING OF A LIQUOR APPLICATION FOR A CHANGE OF OWNERSHIP AT AN ESTABLISHED BUSINESS IN AN OR-G ZONE UNTIL THE DECEMBER 10, 2013 MEETING.**

****COMMISSIONER EAGEN SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #2 2895 (aka 2893 – 2897) Fairfield Ave. – Petition of Joseph Farrell/Walrus & Carpenter – Seeking to establish Live entertainment in the existing liquor licensed full service restaurant with a patio permit in an OR zone.

****COMMISSIONER EAGEN MOVED TO APPROVE ITEM #2 2895 (AKA 2893 – 2897) FAIRFIELD AVE. – PETITION OF JOSEPH FARRELL/WALRUS & CARPENTER – SEEKING TO ESTABLISH LIVE ENTERTAINMENT IN THE EXISTING LIQUOR LICENSED FULL SERVICE RESTAURANT WITH A PATIO PERMIT IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ANY MUSIC OR ENTERTAINMENT IS STRICTLY PROHIBITED IN THE PATIO AREA OR BEYOND THE CONFINES OF THE REAR OF THE SUBJECT BUILDING.**

2. BANDS OR GROUPS ARE LIMITED TO A MAXIMUM OF FOUR (4) MUSICIANS AND ALL MUSIC SHALL BE ACOUSTIC (NON-AMPLIFIED) ONLY.

FOR THE FOLLOWING REASONS:

1. THE GRANTING OF THIS PETITION, AS PRESENTED, WILL HAVE NO UNACCEPTABLE IMPACT ON THE AREA.
2. PROVIDES SOME SPECIAL ENTERTAINMENT OPTIONS FOR AREA RESIDENTS.

****COMMISSIONER GRACE SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #3 5 – 15 Grant St. – Petition of Connecticut Mustang – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on 06/12/07, which established a storage area for up to 50 tax lien vehicles at the existing used car dealership in an I-L zone.

****COMMISSIONER EAGEN MOVED TO CONTINUE ITEM #3 5 – 15 GRANT ST. – PETITION OF CONNECTICUT MUSTANG – SEEKING TO EXPUNGE A CONDITION OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON 06/12/07, WHICH ESTABLISHED A STORAGE AREA FOR UP TO 50 TAX LIEN VEHICLES AT THE EXISTING USED CAR DEALERSHIP IN AN I-L ZONE TO THE DECEMBER 10, 2013 MEETING TO ALLOW COMMISSIONERS TIME TO VISIT THE PROPERTY.**

****COMMISSIONER GRACE SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #4 285 Maplewood Ave. – Petition of Sycamore Housing Associates, LP – Seeking a variance of Sec. 4-12-4, regarding the replacement of nonconforming structures, and also seeking variances of the residential density requirement; the maximum height requirement, and the side setback requirements of Sec. 5-1-3 to bring the existing 12-story, 119-unit apartment building into compliance with the 2010 Zoning Regulations.

ITEM WITHDRAWN.

RE: #5 710 Shelton St. – Petition of Habitat for Humanity of Coastal Fairfield County, Inc. – Seeking a variance of the maximum setback requirement, as well as the cumulative setback requirements of Sec. 5-1-3 to permit the construction of a 2-story single-family dwelling on a nonconforming lot in an R-C zone.

****COMMISSIONER SHEPARD MOVED TO APPROVE ITEM #5 710 SHELTON ST. – PETITION OF HABITAT FOR HUMANITY OF COASTAL FAIRFIELD COUNTY, INC – SEEKING A VARIANCE OF THE MAXIMUM SETBACK REQUIREMENT, AS WELL AS THE CUMULATIVE SETBACK REQUIREMENTS OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-STORY SINGLE-FAMILY DWELLING ON A NONCONFORMING LOT IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLAN PRESENTED TO AND APPROVED BY THE BOARD.**
- 2. THE APPLICANT IS TO FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 3. SHRUBBERY/BUSHES SHALL BE PLANTED IN THE FRONT OF THE SUBJECT DWELLING IN ACCORDANCE WITH THE L-2 STANDARD AND SHALL BE PROPERLY MAINTAINED.**

FOR THE FOLLOWING REASONS:

- 1. THE UNIQUE SIZE AND SHAPE OF THIS LEGAL, NONCONFORMING LOT NECESSITATES VARIANCES FOR PROPER DEVELOPMENT.**

****COMMISSIONER CAROLAN SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #7 9 Stratfield Place – Petition of James & Ana Schietinger – Seeking a variance of the maximum height of a fence in the front setback under Sec. 11-8-3b(1) in an R-A zone.

****COMMISSIONER GRACE MOVED TO APPROVE ITEM #7 9 STRATFIELD PLACE – PETITION OF JAMES & ANA SCHIETINGER – SEEKING A VARIANCE OF THE MAXIMUM HEIGHT OF A FENCE IN THE FRONT SETBACK UNDER SEC. 11-8-3B(1) IN AN R-A ZONE FOR THE FOLLOWING REASONS:**

- 1. THE EXISTING FENCING PROVIDES SECURITY AND PRIVACY FOR THIS CORNER LOT.**
- 2. THE FENCE, IN ITS CURRENT LOCATION, HAS NO UNACCEPTABLE ADVERSE IMPACT ON THE NEIGHBORHOOD.**

****COMMISSIONER EAGEN SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #8 917 Wood Ave. – Petition of Juliette LeCornec – Seeking a variance of the maximum setback requirement of Sec. 6-1-3, and also seeking to waive the minimum driveway width of Sec. 11-1-11, and two (2) of the five (5) required off-street parking spaces of Sec. 11-1-2 to permit the construction of the mixed use building in an OR zone

****COMMISSIONER EAGEN MOVED TO DENY ITEM #8 917 WOOD AVE. – PETITION OF JULIETTE LECORNEC – SEEKING A VARIANCE OF THE MAXIMUM SETBACK REQUIREMENT OF SEC. 6-1-3, AND ALSO SEEKING TO WAIVE THE MINIMUM DRIVEWAY WIDTH OF SEC. 11-1-11, AND TWO (2) OF THE FIVE (5) REQUIRED OFF-STREET PARKING SPACES OF SEC. 11-1-2 TO PERMIT THE CONSTRUCTION OF THE MIXED USE BUILDING IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PROJECT, AS APPROVED, WOULD BE AN OVERUSE OF THE SUBJECT SITE.**
- 2. THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP RELATING TO THIS PETITION.**

****COMMISSIONER GRACE SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #9 379 Bond St. (aka 1285 Boston Ave.) – Petition of City of Bridgeport Board of Education – Seeking variances of the accessory structure height; maximum building height; and maximum building coverage of 5,400 sq. ft. under Sec. 5-1-3, and also seeking variances of 91 on-site parking spaces of Sec. 11-1-2; the maximum illumination requirement of Sec. 11-8-1; the minimum landscaping requirement in the setbacks of Sec. 11-1-13; and the required accessory structure setback of Sec. 12-8(i) to permit the construction of a 4-story educational facility with related athletic and baseball fields in the proposed R-C zone.

****COMMISSIONER CAROLAN MOVED TO APPROVE ITEM #9 379 BOND ST. (AKA 1285 BOSTON AVE.) – PETITION OF CITY OF BRIDGEPORT BOARD OF EDUCATION – SEEKING VARIANCES OF THE ACCESSORY STRUCTURE HEIGHT; MAXIMUM BUILDING HEIGHT; AND MAXIMUM BUILDING COVERAGE OF 5,400 SQ. FT. UNDER SEC. 5-1-3, AND ALSO SEEKING VARIANCES OF 91 ON-SITE PARKING SPACES OF SEC. 11-1-2; THE MAXIMUM ILLUMINATION REQUIREMENT OF SEC. 11-8-1; THE MINIMUM LANDSCAPING REQUIREMENT IN THE SETBACKS OF SEC. 11-1-13; AND THE REQUIRED ACCESSORY STRUCTURE SETBACK OF SEC. 12-8(I) TO PERMIT THE CONSTRUCTION OF A 4-STORY EDUCATIONAL FACILITY WITH RELATED ATHLETIC AND BASEBALL FIELDS IN THE PROPOSED R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT SITE SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE APPLICANT IS TO FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 3. LANDSCAPING AND BUFFERING IS TO BE INCREASED WHEREVER POSSIBLE, PARTICULARLY ALONG THE PROPERTY BOUNDARIES.**

FOR THE FOLLOWING REASONS:

- 1. THIS PROJECT IS THE HIGHEST AND BEST FOR THIS - DONATED PARCEL OF LAND.**
- 2. THE VARIANCES REQUESTED ARE NECESSARY FOR PROPER DEVELOPMENT OF THIS UNIQUELY SHAPED PROPERTY.**
- 3. A TRAFFIC SURVEY MUST BE PRESENTED TO THE PLANNING & ZONING COMMISSION ALONG WITH THE APPLICATION FOR A SPECIAL PERMIT AND SITE PLAN REVIEW.**

****COMMISSIONER GRACE SECONDED
THE MOTION PASSED UNANIMOUSLY

RE: #10 98 Grovers Ave. – Petition of K. Oni Chukwu – Seeking a variance of Sec. 5-1-3 to increase the building coverage from 7,518 sq. ft. to 8,499 sq. ft., and also seeking a coastal site plan review under Sec. 14-3-4 to permit the construction of a single-family dwelling in an R-AA zone.

****COMMISSIONER GRACE MOVED TO APPROVE ITEM #10 98
GROVERS AVE. – PETITION OF K. ONI CHUKWU – SEEKING A VARIANCE
OF SEC. 5-1-3 TO INCREASE THE BUILDING COVERAGE FROM 7,518 SQ.
FT. TO 8,499 SQ. FT., AND ALSO SEEKING A COASTAL SITE PLAN REVIEW
UNDER SEC. 14-3-4 TO PERMIT THE CONSTRUCTION OF A SINGLE-
FAMILY DWELLING IN AN R-AA ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PREVIOUS APPLICATIONS CONTAINED CLERICAL MISTAKES, WHICH NECESSITATED A RE-APPROVAL BY THE BOARD.**
- 2. THE SIZE OF THIS LARGE IRREGULAR SHAPED LOT COULD NOT BE PROPERLY DEVELOPED IF THE BUILDING COVERAGE WAS RESTRICTED BY SEC. 5-1-3.**
- 3. THE PORTION OF THE APPLICATION REGARDING THE COASTAL SITE PLAN REVIEW IS CONTINUED TO THE PUBLIC HEARING TO BE HELD ON 12/10/13, PENDING REVIEW AND APPROVAL FROM THE OFFICE OF THE LONG ISLAND SOUND PROGRAM STAFF.**

****COMMISSIONER EAGEN SECONDED
THE MOTION PASSED UNANIMOUSLY

OTHER BUSINESS

Item # OB-1 45 Seabright Avenue –

Mr. Bonney reported a patio was constructed in the front yard without approval. The owner was sent an order to comply and a cease and desist order. There was no response. It was sent to the prosecutor and the owner subsequently responded with a new plan. The plan includes removing the 2 ‘wings’ of the patio including removing the railings. They will create a pathway, steps down, and another pathway to the street.

RE: # OB-1 45 SEABRIGHT AVENUE

****COMMISSIONER CAROLAN MOVED TO APPROVE THE PROPOSED
PLAN FOR ITEM # OB-1 45 SEABRIGHT AVENUE FOR THE FOLLOWING
REASON:**

- 1. THE REDUCTION OF THE PATIO AND MODIFICATION OF THE GRADE/SLOPE IS TO BE IN STRICT ACCORD WITH THE REVISED PLAN APPROVED BY THE BOARD.**

****COMMISSIONER EAGEN SECONDED
THE MOTION PASSED UNANIMOUSLY

APPROVAL OF MINUTES

Approval of ZBA Minutes for October 8, 2013

****COMMISSIONER GRACE MOVED TO APPROVE THE MINUTES OF
OCTOBER 8, 2013**

****CHAIRMAN EAGEN SECONDED
THE MOTION PASSED UNANIMOUSLY

ADJOURNEMENT

****COMMISSIONER CAROLAN MOVED TO ADJOURN**

****COMMISSIONER GRACE SECONDED
THE MOTION PASSED UNANIMOUSLY

Meeting was closed at 8:48 PM

Respectfully submitted,

**Jill Kuzmich
Telesco Secretarial Services**