CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
REGULAR MEETING
OCTOBER 13, 2015

ATTENDANCE: Linda Grace, Chair; John J. Carolan; Kelly Perez; Maria Alves; Leticia Colon

STAFF: Dennis Buckley, Zoning Administrator; Diego Guevara, City Design Review Coordinator

CALL TO ORDER

The Chair called the meeting to order at 6:05 PM. A quorum was present.

NEW ITEMS

#3 645 Pine St. – Petition of 645 Pine Street, LLC – Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and Sec. 8-7 of the CT General Statutes, whereby is alleged that the Zoning Enforcement Officer erred in his issuance of an Order to Comply regarding the erection of an on-premises roof sign without a special permit for the building housing the advertized use in an I-L zone.

Attorney Raymond Rizio came forward and requested a deferment, as the petitioner is currently out of state. There was some discussion as to whether it was appropriate to defer the item given its history.

**** COMMISSIONER COLON MOVED TO DEFER AGENDA ITEM #3 RE: 645 PINE ST. - PETITION OF 645 PINE STREET, LLC- APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND SEC. 8-7 OF THE CT GENERAL STATUTES, WHEREBY IS ALLEGED THAT THE ZONING ENFORCEMENT OFFICER ERRED IN HIS ISSUANCE OF AN ORDER TO COMPLY REGARDING THE ERECTION OF AN ON-PREMISES ROOF SIGN WITHOUT A SPECIAL PERMIT FOR THE BUILDING HOUSING THE ADVERTIZED USE IN AN I-L ZONE.**
**** COMMISSIONER CAROLAN SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

The Chair announced that Item #3 would not be heard.

#1 921 – 923 Briarwood Ave. – Petition of Chalon Bonhomme – Seeking a use variance under Sec. 5-1-2 and also seeking variances of the maximum site coverage and minimum landscaping requirement under Sec. 5-1-3; the minimum perimeter landscaping under Sec. 11- 1-3 and waive two (2) of the required five (5) off-street parking spaces required under Sec.11-1- 2 to legalize the 3rd living unit in the existing non-conforming two-family dwelling in an R-A zone.

Chalon Bonhomme came forward with the man who rendered his architectural drawings. The man stated that Mr. Bonhomme purchased the house slightly under a year ago, and provided photos of the existing house. He stated that they fixed the damage that they could, and that the three stories provided very sufficient space for three families. The architect stated that since Mr. Bonhomme is involved in construction, he has been diligent about the restoration and has been landscaping nicely. He stated that they are requesting a variance of the parking, as if they add a parking space they will lose the appropriate percentage of landscaping, and vice versa. He further stated that as only three cars are being driven, there is no current issue with parking, and that there are also spaces available on the street.

The Chair asked Mr. Bonhomme if he lives in the home, and Mr. Bonhomme answered in the affirmative, on the second floor. The Chair asked how long he has lived on the property, and Mr. Bonhomme stated that he had lived there since 2000. The Chair asked what the property was purchased as, and Mr. Bonhomme stated that it was advertised as an unfinished three family home.

Commissioner Carolan inquired about the electric meters, and Mr. Bonhomme stated that there are 3, 1 for the landlord and 2 residential. Commissioner Carolan asked about the placement of the staircase to the third floor, and Mr. Bonhomme stated that it was in the house. Commissioner Carolan noted that he saw on the renderings that there is also an outside stairwell.

Commissioner Perez asked why Mr. Bonhomme made the house a three family home when he began making repairs, as he was in a single family zone. Mr. Bonhomme stated he did not think it would be an issue, as the house remained the same size, and when he bought the property it was advertized as two family.

The Chair asked if there was a second family living there upon his initial move in, and Mr. Bonhomme answered in the negative. The Chair asked if it was a fire that cause the need for repairs, and Mr. Bonhomme answered in the affirmative, in 2013. The Chair clarified that he

then made the property a three family building, and Mr. Bonhomme answered in the affirmative. The Chair clarified that he had done so without permits, and Mr. Bonhomme stated that he had permits. Mr. Bonhomme turned in the permits, and the Chair stated that the permits only permit a two family dwelling, not a three family dwelling.

Commissioner Carolan asked if Mr. Bonhomme built the outside porch, and Mr. Bonhomme answered in the affirmative. The Chair asked if this was done pre or post fire, and Mr. Bonhomme stated it was done post-fire.

The Chair asked if Mr. Buckley had signed the certificate of zoning compliance for a two-family dwelling that Mr. Bonhomme had turned in. Mr. Buckley stated that he had, to allow him to put up two dormers in the dwelling, as of July 2, 2015. Mr. Buckley stated that it had been represented to him that Mr. Bonhomme was enlarging the attic for additional family living space. Mr. Buckley stated that, if it had been to become a three family dwelling, he would have been sent to the fire marshal. Mr. Buckley stated that he had no idea about the porch, but that if the zoning inspector had found a kitchen at the time, he would have heard about it.

The Chair told Mr. Bonhomme that the problem lay in the kitchen and bathroom being constructed. Mr. Bonhomme stated that the top floor is bigger than the first and second floors, and the Chair stated that this is not of import when it comes to the issue of it being a three family dwelling.

The Chair asked Mr. Bonhomme when he put in the kitchen, and Mr. Bonhomme stated that the area for the kitchen was there when the inspectors came, with the area quartered off, but there was no kitchen equipment.

The Chair asked if he did the work himself or if he used a contractor, and Mr. Bonhomme stated that he had used a contractor.

The Chair asked if anyone wished to speak in favor of the application. No one came forward. She then asked if anyone wished to speak in opposition. Hearing none, she closed the public hearing on 923 Briarwood Avenue.

#2 273 & 279 – 301 West Ave. – Petition of Bridgeport Neighborhood Trust, Inc – Seeking to waive under Sec. 5-1-3 the residential density requirement of 2,700 sq. ft. of property per residential unit; 3-feet of the front setback requirement and 2 ½ feet of the side setback, and also seeking to waive under Sec. 11-1-2 nine (9) of the 30 required off-street parking spaces, as well as, the minimum parking space size of 9'x20' to 9'x18' and the minimum aisle width of 24' to 20' under Sec. 11-1-10 and a variance of the interior landscaping

requirement under Sec. 11- 1-13 to permit the construction of a 3-story, 18-unit apartment building in an R-C zone.

Liz Torres, Executive Director of the Bridgeport Neighborhood Trust, came forward and turned in evidence of signage and the appropriate mailings. She stated the Steve Ellison and Chris Cantor are also present to answer questions.

Ms. Torres stated that the area is one of the city's gateways to Downtown, and is a transit oriented neighborhood, less than a half mile from the train station. She stated that this development is a followup to their successful, larger development on 570 State Street. She stated that 273 & 279-301 West Avenue are potentially a smaller scale, mid-scale building. She stated that they hope to invent the lots are two family housing in proximity to the schools. She stated that they are acquiring four parcels, and intend to develop them separately. She stated that as all the sites are non-conforming, so they will be appearing before the committee in the future, and that they plan to make these sites less dramatically inconsistent with the area, as they are now.

Thomas Arcari, architect, came forward and stated that they plan to consolidate 4 existing parcels and create 6 2-bedroom units of approximately 950 square feet with 12 townhouse flats above them, a mix of 2 and 3 bedroom units. He stated that all first floor units will feature a kitchen in the middle, a bathroom in the back and 2 bedrooms to the opposite side of the plan. He stated that there will be a front porch along West Avenue and West Liberty, giving formal access to townhouse units. He stated that all the first floor units are 100% handicap accessible. Mr. Arcari stated that the townhouse unit level takes traditional configuration with a living room, kitchen, bathroom, and 2-3 bedrooms. He stated that as it is considered a historical neighborhood, they took care to reflect that in the exterior facade, and took into account the surrounding architecture.

Chris DeAngeles stated that the lot, as it exists today, is on an l-shaped lot with an appendage on one end that doesn't lend itself to much free area. He stated that they match the other locations in the area as far as setbacks, and the only variance they are asking for in that regard is for the overhang of the stoops at 3 feet. He stated in keeping with the character of the neighborhood, they discovered most of the stoops in the area project out further. He stated that they are hobbled by the depth of the lot, and that their planned parking area of 56 feet, which could produce 2 18 foot parking stalls, with a 20 foot backup area. He stated, since the area is residential and not commercial, there is a certain predictability to the amount of parking they would need to anticipate. He stated that there would be 30 parking spaces in total, with 1 spot per unit and three for visitors. Mr. DeAngeles stated that in the back of the site, on the remaining appendage, they plan to put in a rain garden.

Mark Fischer, 2 Designs Landscape Architects, stated that the rain garden is present to accommodate runoff, and will be a nice feature. The Chair asked about further landscaping, and Mr. Fischer stated there would be some lawn areas as well, with some areas containing yard drains and others serving as a long area space where picnicking could be possible. The Chair asked about the dimensions, and Mr. Fischer stated there would be 50 by 30.

Mr. DeAngeles stated that the team has worked hand in hand with the City's Engineering staff, and that public safety is paramount to them.

Mr. Arcati stated that they have addressed the exterior fenestration, and added full stone at the ends of the building. He stated that they changed the siding from vinyl, added curved dormers with metal roofs over each of the bays, and edited exterior entrances, per the advice of Mr. Guevara. Mr. Aracti stated that they propose to use off white siding, with a black entrance, white trim, and black shutters and stone ends.

Commissioner Alves asked if they plan to have a pitched or flat roof. Mr. Arcati stated that they plan to have a low pitched roof.

The Chair asked about entrances for each of the units. Mr. Arcati stated that the townhouses have access from the rear of the site, and via internal stairs. He stated that in the front of the building, there is an option to add a door to access the flat, though that isn't configured at the moment.

The Chair asked about the ratio of townhouses by bedroom, and Mr. Arcati stated that there would be 6 3-bedrooms and 6 2-bedrooms.

The Chair asked if there would be enough room for extra parking if there wasn't the additional lean. Mr. Arcati stated that they could possibly pick up a foot or so by squeezing the unit further back on the lot.

Ms. Torres stated that the Bridgeport Neighborhood Trust primarily addresses the affordable housing crisis, and that when they have a parcel of this nature they try to be sensitive to the neighborhood and its residents. She stated that they want to offer people a wonderful place to live, but that they also have to maintain a certain scale in terms of occupancy in order to compete for funding. She stated that more than half of the funding is coming from the state of Connecticut, and that 5 units are set aside for families making less than 25% AMI. She stated that 20% of the units are going to be advertised at market value. She stated that they have the full support of Carmen Nieves, president of the South End NRZ, as well as Bill Coleman, who wrote a letter in support. Ms. Torres provided copies of the letter to the commissioners.

Commissioner Alves asked if there was only one entrance into the parking lot planned, and Ms. Torres answered in the affirmative. Mr. Arcati stated that they plan on placing evergreens to block the residences on the other side. He further stated that they went from using vinyl to a hardier siding that looks like real clapboard.

The Chair asked if anyone wished to speak in favor of the application.

Council Member Jack Banta came forward and offered his full support, and extended the support of his partner, Council Member Denise Taylor-Moye.

The Chair asked if anyone wished to speak in opposition.

Eve Kinalis (252 West Avenue) came forward and stated that their lack of adequate parking concerns her. She stated that the townhouses they presented are not in keeping with the character of the historical district that she calls home, and is concerned about the potential traffic implications of their on-street parking overflow. She further stated that she believes they did not present an adequate hardship, and thinks the development would be akin to a whale in a can of sardines.

Irwin Neeson (298 Prospect Street) stated that he is not opposed to the project, but is opposed to zoning relief regarding the parking. He stated that a lot of on-street parking is already utilized, and that once the streets become congested, it is near impossible to fix. He stated that he would be in favor of the development if they could find a way to make the amount of parking acceptable, otherwise he would oppose it.

The Chair asked if they wished to offer a rebuttal. Mr. Arcari stated, in regards to the parking, that they do have a reserved area on site to add more if they need to, however the 21 spots are based on key factors such as walking and multiple points of public transport. He stated that he thought they spelled out their hardships well, and that they took specific care to attend to the scale and character of the historic streetscape.

The Chair asked if the tenants would be assigned a space, and Mr. Arcata stated that they would, with three floating parking spaces in addition to legal on-street parking. Commissioner Perez stated that this would cause massive congestion, and if people came to visit, the street could potentially turn into a one lane street. Commissioner Perez suggested that they make the project a hair smaller to balance the parking with the living space, and that if they made the green space smaller, the homes could potentially be a bit bigger. Ms. Torres stated that she believes the proposed units to be sensitive to all of those needs.

The Chair closed the public hearing on 273 & 279-301 West Avenue.

#4 168 Union Ave. & 119 Carroll Ave. – Petition of 119 Carroll Avenue, LLC – Seeking to change a nonconforming manufacturing facility to a warehouse use for furniture and household goods under Sec. 4-12-3c, and also seeking to waive the landscaping and site coverage requirements under Sec. 5-1-3 in an R-C zone and coastal area.

Atty. Rizio came forward and turned in the appropriate mailings. He stated that this is a previously non-conforming industrial building built in the 1970s, which served as a location for tile and marble production, before being purchased by his client. He stated that they would like to change the use from industrial to a warehouse for industrial use and facility. He stated that it would not be for self-storage, but rather for people in between moves, largely to store furniture. Atty. Rizio stated that they would build out rooms, put in parking and have trailers on site, but that there would be no employees on site on a daily basis. He stated that the site would be strictly industrial service with low intensity traffic, with maximum 1 to 2 trucks per week. He stated that the building is currently all covered, with only 2% landscaping, and that his client plans to bring that percentage up to 22%, establish a 20 foot buffer with a privacy screen. He stated that they will take a previously non-conforming property, switch it to the lightest use possible and ensure it has no impact on the neighbors.

Mr. Buckley stated that the property is in a residential zone, and as such he did not write up truck storage as a component of the application, thus it was not in the paper.

Atty. Rizio stated that they wished to make the trailers clear to the commission, and would be happy to defer, rewrite the ad and come back so things would be clear to the neighbors.

Commissioner Perez asked if the concrete encroaching in the front area had been fixed, and Atty. Rizio stated that they plan to. She further stated that the asphalt apron at the east corner subject to heavy use would need to be removed, and Atty. Rizio stated that they would be sure to address it by next month.

DECISION SESSION

#1 921 – 923 BRIARWOOD AVE. – PETITION OF CHALON BONHOMME – SEEKING A USE VARIANCE UNDER SEC. 5-1-2 AND ALSO SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING REQUIREMENT UNDER SEC. 5-1-3; THE MINIMUM PERIMETER LANDSCAPING UNDER SEC. 11-1-3 AND WAIVE TWO (2) OF THE REQUIRED FIVE (5) OFF-STREET PARKING

SPACES REQUIRED UNDER SEC.11-1- 2 TO LEGALIZE THE 3RD LIVING UNIT IN THE EXISTING NON-CONFORMING TWO-FAMILY DWELLING IN AN R-A ZONE.

**** COMMISSIONER PEREZ MOVED TO DENY AGENDA ITEM #1 921 – 923 BRIARWOOD AVE. – PETITION OF CHALON BONHOMME – SEEKING A USE VARIANCE UNDER SEC. 5-1-2 AND ALSO SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING REQUIREMENT UNDER SEC. 5-1-3; THE MINIMUM PERIMETER LANDSCAPING UNDER SEC. 11-1-3 AND WAIVE TWO (2) OF THE REQUIRED FIVE (5) OFF-STREET PARKING SPACES REQUIRED UNDER SEC.11-1- 2 TO LEGALIZE THE 3RD LIVING UNIT IN THE EXISTING NON-CONFORMING TWO-FAMILY DWELLING IN AN R-A ZONE FOR THE FOLLOWING REASONS:**

1. **THE KITCHEN WAS INSTALLED AFTER ALL THE OTHER CONSTRUCTION AND OTHER RENOVATIONS WERE INSPECTED AND AFTER THE CERTIFICATE OF ZONING COMPLIANCE AND CERTIFICATE OF OCCUPANCY WERE ALREADY ISSUED.**
2. **THE PETITIONER FAILED TO DEMONSTRATE OR ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP ASSOCIATED WITH THIS PROPERTY OR BUILDING.**

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

#2 273 & 279 – 301 WEST AVE. – PETITION OF BRIDGEPORT NEIGHBORHOOD TRUST, INC – SEEKING TO WAIVE UNDER SEC. 5-1-3 THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT; 3-FEET OF THE FRONT SETBACK REQUIREMENT AND 2 ½ FEET OF THE SIDE SETBACK, AND ALSO SEEKING TO WAIVE UNDER SEC. 11-1-2 NINE (9) OF THE 30 REQUIRED OFF-STREET PARKING SPACES, AS WELL AS, THE MINIMUM PARKING SPACE SIZE OF 9'X20' TO 9'X18' AND THE MINIMUM AISLE WIDTH OF 24' TO 20' UNDER SEC. 11-1-10 AND A VARIANCE OF THE INTERIOR LANDSCAPING REQUIREMENT UNDER SEC. 11- 1-13 TO PERMIT THE CONSTRUCTION OF A 3-STORY, 18-UNIT APARTMENT BUILDING IN AN R-C ZONE.

**** COMMISSIONER CAROLAN MOVED TO DENY AGENDA ITEM #2 273 & 279 – 301 WEST AVE. – PETITION OF BRIDGEPORT NEIGHBORHOOD TRUST, INC – SEEKING TO WAIVE UNDER SEC. 5-1-3 THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT; 3-FEET**

OF THE FRONT SETBACK REQUIREMENT AND 2 ½ FEET OF THE SIDE SETBACK, AND ALSO SEEKING TO WAIVE UNDER SEC. 11-1-2 NINE (9) OF THE 30 REQUIRED OFF-STREET PARKING SPACES, AS WELL AS, THE MINIMUM PARKING SPACE SIZE OF 9'X20' TO 9'X18' AND THE MINIMUM AISLE WIDTH OF 24' TO 20' UNDER SEC. 11-1-10 AND A VARIANCE OF THE INTERIOR LANDSCAPING REQUIREMENT UNDER SEC. 11- 1-13 TO PERMIT THE CONSTRUCTION OF A 3-STORY, 18-UNIT APARTMENT BUILDING IN AN R-C ZONE FOR THE FOLLOWING REASONS:

1. **AN APPROVAL OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISES.**
2. **THE PETITIONER FAILED TO DEMONSTRATE OR ESTABLISH AN UNUSUAL CONDITION OR LEGAL HARDSHIP ASSOCIATED WITH THE SUBJECT PROPERTY OR PROPOSED DEVELOPMENT.**
3. **AS THIS IS A VACANT PARCEL OF PROPERTY, IT COULD BE SUITABLY DEVELOPED WITHOUT THE NEED OF SO MANY VARIANCES.**
4. **THE PROPOSED DEVELOPMENT IS IN AN AREA WITH CRITICAL TRAFFIC CONGESTION FROM WEST OF LIBERTY STREET AND WEST AVENUE DOWN TO PROSPECT STREET AND ROOSEVELT SCHOOL. THE ADDITION OF MORE ON-STREET PARKING WOULD NOT ONLY ADD TO THE TRAFFIC CONGESTION BUT WOULD BE A DETRIMENT TO PUBLIC SAFETY.**

**** COMMISSIONER PEREZ SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

#3 645 PINE ST. – PETITION OF 645 PINE STREET, LLC – APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND SEC. 8-7 OF THE CT GENERAL STATUTES, WHEREBY IS ALLEGED THAT THE ZONING ENFORCEMENT OFFICER ERRED IN HIS ISSUANCE OF AN ORDER TO COMPLY REGARDING THE ERECTION OF AN ON-PREMISES ROOF SIGN WITHOUT A SPECIAL PERMIT FOR THE BUILDING HOUSING THE ADVERTIZED USE IN AN I-L ZONE.

AGENDA ITEM #3 WAS DEFERRED TO NOVEMBER 10, 2015.

#4 168 UNION AVE. & 119 CARROLL AVE. – PETITION OF 119 CARROLL AVENUE, LLC – SEEKING TO CHANGE A NONCONFORMING MANUFACTURING FACILITY TO A WAREHOUSE USE FOR FURNITURE AND HOUSEHOLD GOODS

UNDER SEC. 4-12-3C, AND ALSO SEEKING TO WAIVE THE LANDSCAPING AND SITE COVERAGE REQUIREMENTS UNDER SEC. 5-1-3 IN AN R-C ZONE AND COASTAL AREA.

**** COMMISSIONER CAROLAN MOVED TO CONTINUE AGENDA ITEM #4 168 UNION AVE. & 119 CARROLL AVE. – PETITION OF 119 CARROLL AVENUE, LLC – SEEKING TO CHANGE A NONCONFORMING MANUFACTURING FACILITY TO A WAREHOUSE USE FOR FURNITURE AND HOUSEHOLD GOODS UNDER SEC. 4-12-3C, AND ALSO SEEKING TO WAIVE THE LANDSCAPING AND SITE COVERAGE REQUIREMENTS UNDER SEC. 5-1-3 IN AN R-C ZONE AND COASTAL AREA TO NOVEMBER 10, 2015.**
**** COMMISSIONER COLON SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES

**** COMMISSIONER ALVES MOVED TO APPROVE THE MINUTES OF THE PREVIOUS MEETING, WITH THE FOLLOWING AMENDMENTS:**

1. **PAGE TWO- THE SURNAME IS TO BE SPELLED KUCHMA. THE PROPERTY IS ADJACENT TO THE FORMER BIJOU THEATRE, NOT THE FORMER BIJOU THEATRE ITSELF.**

**** COMMISSIONER CAROLAN SECONDED THE MOTION.**
**** MOTION PASSED WITH ONE ABSTENTION (COLON).**

ADJOURNMENT

**** COMMISSIONER CAROLAN MOVED TO ADJOURN.**
**** COMMISSIONER PEREZ SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:05 PM.

Respectfully submitted,

Catherine Ramos
Telesco Secretarial Services