

**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
SEPTEMBER 13, 2016**

ATTENDANCE: Michael Piccirillo, Chairman; B. Oyiboka “Boca” Benson; Linda Grace; Maria Alves; Robin Shepard; John Carolan

STAFF: Dennis Buckley, Zoning Official; Edmund Schmidt, City Attorney; Paul Boucher, Assistant Zoning Official; Diego Guevara, Design Review Coordinator

CALL TO ORDER

Chairman Piccirillo called the meeting to order, and called the roll at 6:00 p. m. A quorum was present.

CONTINUED ITEMS

No continued items were brought forward.

DEFERRED ITEM

461 & 479 HUNTINGTON TURNPIKE & 161 EVERS STREET – Seeking a variance of the minimum sq. ft. of 2,700 sq. ft. of property per residential unit under Sec. 5-1-3 and also seeking a variance of two (2) of the required 23 off-street parking spaces required under Sec. 11-1-2; variances of all interior and parking lot interior landscaping, as well as the minimum parking setback requirements and perimeter landscaping requirements of Sec. 11-1-3 to permit the construction of a 2-story 11-unit apartment building on the same lot as a 2-story 3-unit apartment building in the proposed OR zone.

No action was required by the Bridgeport Zoning Board of Appeals as the above-referenced application was withdrawn.

NEW BUSINESS

1849 MAIN STREET – Seeking a use variance under Sec. 6-1-2, as well as a variance of the minimum perimeter landscaping of Sec. 11-1-13 to permit the construction of a 9,733 sq. ft. automotive repair facility with related office and retail space in an OR zone.

Atty. Pierre Louis Guidetti came forward in favor of the item. He stated that repairs, brakes, and tires will be worked on at the location. There will be two main entrances. One will be on Main Street and the other will be from the parking lot. Brick will be used in the building, and the design will be done as to make the building more inviting than a large concrete box store. There will be nice signage and lighting.

622 – 624 BROOKS STREET – Seeking to waive the residential density requirement of 2,700 sq. ft. of property per residential unit as required under Sec. 5-1-3, and also seeking a variance of the

prohibition of stacked parking of Sec. 11-1-7, as well as waiving one (1) of the required five (5) off-street parking spaces under Sec. 11-1-2 to legalize 3rd floor residential unit in an R-C zone.

Mr. Sergio Castro came forward in favor of the item. He stated that he wants to legalize the 3rd floor residential unit. He stated that he will bring the building up to code with all the necessary electrical meters, stairs, and dedicated egress.

905 NORTH AVENUE – Seeking variances of the location requirement, height requirement and the site coverage requirement under Sec. 6-1-3 and also seeking a variance of the size and location on an accessory structure under Sec. 4-9-1, as well as a variance of the prohibition of enlarging a nonconforming structure under Sec. 4-12-4 to permit the installation of a new canopy structure over the existing fueling islands in an OR zone.

Atty. Dainius Virbickas came forward in favor of the item. He stated that he would like to tear down the current canopy, and put a slightly taller and dimensionally bigger canopy in its place. He stated that the new canopy will be more inviting and let in more natural light. Landscaping will also be done at the location.

339 – 343 ORCHARD STREET – Seeking variances of the maximum site coverage and the minimum landscaping requirements of Sec. 5-1-3, and also seeking a variance waiving four (4) of the five (5) off-street parking spaces required under Sec. 11-1-2 to permit the establishment of a group day care center on the 1st floor in the existing 3-family dwelling in an R-C zone.

Ms. Belinda Martinez came forward in favor of the item. She stated that she would like to establish a group day care center at the location. The day care center would be on the first floor while the second floor would have apartments. She stated that she understood that this would require the building to have significant improvements because it would become a mixed use building.

27 NEWTON STREET – Seeking a variance of the prohibition of creating a nonconforming lot under Sec. 4-2-2, and also a variance of creating a lot with less than the acceptable lot area and width of Sec 5-1-3 to establish a land locked nonconforming undersized lot in an R-B zone and coastal area.

Ms. Rochine Black came forward with her father, Mr. Michael Duffy, in favor of the item. She stated that Mr. Duffy would like to have two non-conforming lots next to each other. Chairman Piccirillo stated that the two non-conforming lots cannot be next to each other. He asked Ms. Black if she would be willing to grant public access through the land locked lot. She stated that she did not want to do that.

CONSENT AGENDA

404 – 408 CHARLES STREET – Seeking to legalize the use of the 1967 approved 22-unit apartment building into 24-units.

Mr. Buckley stated that the building originally had 22 apartments, and at some point in time, the community room was turned into two apartments.

DECISION SESSION

1849 MAIN STREET – Seeking a use variance under Sec. 6-1-2, as well as a variance of the minimum perimeter landscaping of Sec. 11-1-13 to permit the construction of a 9,733 sq. ft. automotive repair facility with related office and retail space in an OR zone.

COMMISSIONER GRACE MOVED TO APPROVE 1849 MAIN STREET – SEEKING A USE VARIANCE UNDER SEC. 6-1-2, AS WELL AS A VARIANCE OF THE MINIMUM PERIMETER LANDSCAPING OF SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 9,733 SQ. FT. AUTOMOTIVE REPAIR FACILITY WITH RELATED OFFICE AND RETAIL SPACE IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:

1. The development of the subject premises to be in strict accord with the plans submitted to and approved by the Board.
2. Landscaping to be reinstalled between the repair facility and the car wash building. Furthermore, all landscaping must be maintained and replaced as needed in perpetuity.
3. Rear gate of car wash to be kept closed at all times and only used in the event of an emergency.
4. Privacy slats in gate and all chain link fencing shall be replaced now and as needed in the future.

FOR THE FOLLOWING REASONS:

1. Immediate area composed of used car dealerships and automobile related uses.
2. The approval of this petition will not only be an asset to the area, but will have no adverse impact to the neighborhood.

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

622 – 624 BROOKS STREET – Seeking to waive the residential density requirement of 2,700 sq. ft. of property per residential unit as required under Sec. 5-1-3, and also seeking a variance of the prohibition of stacked parking of Sec. 11-1-7, as well as waiving one (1) of the required five (5) off-street parking spaces under Sec. 11-1-2 to legalize 3rd floor residential unit in an R-C zone.

**** COMMISSIONER CAROLAN MOVED TO APPROVE ITEM 622 – 624 BROOKS STREET – SEEKING TO WAIVE THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AS REQUIRED UNDER SEC. 5-1-3, AND ALSO SEEKING A VARIANCE OF THE PROHIBITION OF STACKED PARKING OF SEC. 11-1-7, AS WELL AS WAIVING ONE (1) OF THE REQUIRED FIVE (5) OFF-STREET PARKING SPACES UNDER SEC. 11-1-2 TO LEGALIZE 3RD FLOOR RESIDENTIAL UNIT IN AN R-C ZONE 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. All construction activity shall comply with the 2005 Basic Building Code of the State of CT.
3. The electrical service shall be upgraded so that each apartment has its own electrical meter.

FOR THE FOLLOWING REASONS:

1. Three-family dwellings are allowed in the R-C zone as a matter-of-right.
2. The granting of this petition shall have no adverse impact on the neighborhood.

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

905 NORTH AVENUE – Seeking variances of the location requirement, height requirement and the site coverage requirement under Sec. 6-1-3 and also seeking a variance of the size and location on an accessory structure under Sec. 4-9-1, as well as a variance of the prohibition of enlarging a nonconforming structure under Sec. 4-12-4 to permit the installation of a new canopy structure over the existing fueling islands in an OR zone.

**** COMMISSIONER CAROLAN MOVED TO APPROVE ITEM 905 NORTH AVENUE – SEEKING VARIANCES OF THE LOCATION REQUIREMENT, HEIGHT REQUIREMENT AND THE SITE COVERAGE REQUIREMENT UNDER SEC. 6-1-3 AND ALSO SEEKING A VARIANCE OF THE SIZE AND LOCATION ON AN ACCESSORY STRUCTURE UNDER SEC. 4-9-1, AS WELL AS A VARIANCE OF THE PROHIBITION OF ENLARGING A NONCONFORMING STRUCTURE UNDER SEC. 4-12-4 TO PERMIT THE INSTALLATION OF A NEW CANOPY STRUCTURE OVER THE EXISTING FUELING ISLANDS IN AN OR ZONE 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. All construction activity shall comply with the 2005 Basic Building Code of the State of CT.
3. The landscaping must be installed and maintained on both of the North Avenue “corners” of the property.

FOR THE FOLLOWING REASONS:

1. The existing canopy provides inadequate protection from the elements.

2. The new canopy will be an improvement to the area.

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

339 – 343 ORCHARD STREET – Seeking variances of the maximum site coverage and the minimum landscaping requirements of Sec. 5-1-3, and also seeking a variance waiving four (4) of the five (5) off-street parking spaces required under Sec. 11-1-2 to permit the establishment of a group day care center on the 1st floor in the existing 3-family dwelling in an R-C zone

COMMISSIONER ALVES MOVED TO DENY ITEM 339 – 343 ORCHARD STREET – SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND THE MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 5-1-3, AND ALSO SEEKING A VARIANCE WAIVING FOUR (4) OF THE FIVE (5) OFF-STREET PARKING SPACES REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A GROUP DAY CARE CENTER ON THE 1ST FLOOR IN THE EXISTING 3-FAMILY DWELLING IN AN R-C ZONE FOR THE FOLLOWING REASONS:

1. The granting of this petition would result in an overuse of the subject premises.
2. The petitioner failed to establish an unusual condition or unusual hardship relating to this petition.

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

27 NEWTON STREET – Seeking a variance of the prohibition of creating a nonconforming lot under Sec. 4-2-2, and also a variance of creating a lot with less than the acceptable lot area and width of Sec 5-1-3 to establish a land locked nonconforming undersized lot in an R-B zone and coastal area.

**** COMMISSIONER ALVES MOVED TO DENY ITEM 27 NEWTON STREET – SEEKING A VARIANCE OF THE PROHIBITION OF CREATING A NONCONFORMING LOT UNDER SEC. 4-2-2, AND ALSO A VARIANCE OF CREATING A LOT WITH LESS THAN THE ACCEPTABLE LOT AREA AND WIDTH OF SEC 5-1-3 TO ESTABLISH A LAND LOCKED NONCONFORMING UNDERSIZED LOT IN AN R-B ZONE AND COASTAL AREA FOR THE FOLLOWING REASON:**

The petitioner failed to establish an unusual condition or unusual hardship relating to this petition.

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

404 – 408 CHARLES STREET – Seeking to legalize the use of the 1967 approved 22-unit apartment building into 24-units.

**** COMMISSIONER ALVES MOVED TO DENY ITEM 404 – 408 CHARLES STREET – SEEKING TO LEGALIZE THE USE OF THE 1967 APPROVED 22-UNIT APARTMENT BUILDING INTO 24-UNITS FOR THE FOLLOWING REASONS:**

1. The applicant must submit an application seeking to legalize the two (2) additional apartments. In addition, the parking lot must be cleaned and striped in accordance with the Zoning regulations.

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

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD

Mr. Buckley stated that the Land Use Academy Basic Training Workshop will be held on October 17, 2016. He encouraged all commissioners to attend the workshop.

APPROVAL OF MINUTES

**** COMMISSIONER GRACE MOVED TO APPROVE MINUTES OF THE APRIL 12, 2016 MEETING.
** COMMISSIONER ALVES SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

May 11, 2016 minutes on page 6 change “buffet starting around 7:00 PM” to “buffet ending around 7:00 PM”

**** COMMISSIONER GRACE MOVED TO APPROVE MINUTES OF THE MAY 11, 2016 MEETING WITH CHANGES.
** COMMISSIONER ALVES SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

**** COMMISSIONER CAROLAN MOVED TO APPROVE MINUTES OF THE JUNE 14, 2016 MEETING.
** COMMISSIONER SHEPARD SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

**** COMMISSIONER GRACE MOVED TO APPROVE MINUTES OF THE JULY 12, 2016 MEETING WITH CHANGES.
** COMMISSIONER ALVES SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

**** CHAIRMAN PICCIRILLO MOVED TO APPROVE THE MINUTES OF THE AUGUST 10, 2016 MEETING.
** COMMISSIONER BENSON SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

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

The meeting was adjourned at 7:22 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services