

**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
APRIL 4, 2017**

ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, John Carolan; Robin Shepard; Boca Benson

STAFF: Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning Official; Russell Liskov, City Attorney;

CALL TO ORDER

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

CONTINUED ITEMS

C-1 (#1) 1534 Seaview Ave. – Petition of Bridgeport Neighborhood Trust – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on April 14, 2015, which permitted community room use by residents only in the office space on the 1st floor in a mixed use building with no on-site parking in an I-L zone.

Atty. Ray Rizio came forward to request a continuance on the item. He stated that he waives his right to any requirements related to opening and closing a public hearing.

DEFERRED ITEMS

No items were brought forward.

NEW ITEMS

#1 186 & 196 Ohio Ave. – Petition of V&L Properties, LLC – Seeking to request a rehearing on 2 petitions which were denied by the Zoning Board of Appeals on 12/13/16, which sought to divide a conforming lot into two (2) nonconforming lots and erect a 2-family dwelling in an R-B and an R-C zone.

The item was withdrawn on April 4, 2017.

#2 265 Frank St. – Petition of Voka Plumbing & Heating – Seeking a use variance under Sec. 5-1-2 and also seeking variances of the minimum landscaping and maximum site coverage requirements of Sec. 5-1-3; the maximum fence height requirements of Sec. 11-8-3 and the minimum number of off-street parking space requirement of Sec. 11-1-2 to permit the establishment of a plumbing contractor business in an R-C zone.

Mr. Louis Garcia came forward in favor of the item. He provided photos of the location. He stated that the building will be used to store plumbing supplies. He stated that the existing fence will be taken down and a wrought iron fence will be put up. The new fence will have slats. He stated that the parking area will be empty for most of the day time hours. The employees will be leave early in the morning and be on the road for most of the day. He stated that several trucks will be parked outside and additional trucks can be parked inside. He stated that there will not be any retail sales done at the location.

#3 410 Hollister Ave. – Petition of Franklin Velez – Seeking a variance of the minimum off-street parking requirement under Sec. 11-1-2 and the vehicle maneuvering space requirement of Sec. 11-1-10 to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in an OR-G zone.

Mr. Louis Garcia came forward in favor of the item. He stated that the property is an eye sore in the neighborhood. He stated that the house had a fire, which caused extensive damage. He stated that when the house is renovated, there will be a 3rd floor apartment with a separate entrance. The footprint of the house will stay the same. A new roof will be put on and will have a height of 31 feet at the mid-point.

#4 4556, 4570, 4580, 4590, 4600 Main St. and 77 & 87 Oliver St. – Petition of 4600 Main Street, LLC – Seeking a variance of the minimum area requirement of 2,700 sq. ft. of property per residential unit and the minimum rear setback requirements under 5-1-3 and also seeking to waive 18 of the required on-site parking spaces of Sec. 11-1-2 and variances of the building siting and ground floor window requirements of Sec. 6-1-4 to permit an 85' x 138' 3-story addition and the conversion of an existing medical office building with adequate off-site parking into a 45-unit apartment building in an OR-R zone and an R-A zone.

Atty. Rizio came forward to request a continuance on the item. He stated that he waives his rights to any requirements related to the opening and closing of the public hearing.

#5 557 Harral Ave. & 187 Center St. – Petition of Felix Morel – Seeking variances of the minimum front setback requirement; the maximum building coverage requirement; the maximum site coverage requirement; the minimum landscaping requirement of Sec. 5-1-3; and also seeking a variance of the prohibition of enlarging a nonconforming structure of Sec. 4-12-4a to legalize the construction of a 1-story 204 sq. ft. addition to the existing mixed use building in an R-C zone.

Mr. Felix Morel came forward and requested that the item be deferred.

#6 25 Wade Ter. – Petition of Fausto Jarrin – Seeking another variance of the prohibition of enlarging a nonconforming structure under Sec. 4-12-4a, as well as another variance of the minimum side set back requirement under Sec. 5-1-3 to permit the construction of a 35' x 27' one-story addition to the existing nonconforming single family dwelling in an R-A zone.

Mr. Fausto Jarrin came forward in favor of the item. He stated that a legal addition had been put on the house. He stated that he now seeks to put another addition on the house. He stated that he wants to put on the addition because his wife is sick and needs a bedroom on ground level. He stated that the living room is the old addition. The new addition will be a bedroom.

Mr. Jon Wason came forward in opposition to the item. He stated that both additions have already been completed. The second addition was done without approval from the city. He stated that he does not know if the additions complied with the fire code and he has concerns about safety. He stated that had Mr. Jarrin sought approval for the second addition that he would have come forward in opposition, asking that no windows be put in facing his property. Mr. Wason stated that he would like Mr. Jarrin to be required to erect a fence, at his own expense, on the property line.

#7 2860 Park Ave (430 Truman St.) – Petition of Daniel Pizarro – Seeking a variance of the regulation prohibiting the subdivision of a conforming property into lots having less than the minimum required lot area under Sec. 4-2-2 and also seeking to validate the existing single family dwelling on a nonconforming lot known as 430 Truman St in an R-A zone.

Atty. Rizio came forward in favor of the item. He stated that Mr. Pizarro has purchased many homes in Bridgeport over the past ten years. He fixes them up, and then sells them. He stated that he plans to do the same with this house. Atty. Rizio stated that he is seeking a variance so that there can be two 5,000 sq. ft. lots. He stated that this is necessary because the lot has a strange shape. He stated that the original house will stay up and a second house will be built. Atty. Rizio stated that the lots conform will all requirements other than lot size. He stated that the houses will fit in with the look and feel of the neighborhood. He provided seven letters of support from neighbors.

#8 2860 Park Ave. (2870 Park Ave.) – Petition of Daniel Pizarro – Seeking a variance of the minimum lots area under Sec. 5-1-3 to permit the construction of a single family dwelling on a newly created non-conforming lot in a R-A zone.

Atty. Rizio came forward and requested that all of his comments made on Item #7 2860 Park Ave (430 Truman St.) be taken into the record as also applying to Item #8 2060 Park Ave. (2870 Park Ave.)

OTHER BUSINESS OR CONSENT AGENDA

228 (230) Davenport Street; Habitat for Humanity of C. F. C. Inc.

Mr. Buckley stated that the ZBA approved the building of the house on the lot. He stated that when foundation was laid for the house, it was off by six inches.

**** MR. CAROLAN MOVED TO APPROVE THE FOUNDATION AS IT WAS LAID.
** MS. SHEPARD SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

Mr. Buckley stated that Mr. Phil Coucher is requesting a letter of compliance for his parking lot.

Mr. Buckley stated that BMT is asking if they should stripe the parking lot. Mr. Piccirillo stated that they should stripe the lot.

DECISION SESSION

1534 SEAVIEW AVENUE – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on April 14, 2015, which permitted a profession office use on the 1st floor in a mixed use building with no on-site parking in an I-L zone.

**** MS. GRACE MOVED TO CONTINUE 1534 SEAVIEW AVENUE – SEEKING TO EXPUNGE A CONDITION OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON APRIL 14, 2015, WHICH PERMITTED A PROFESSION OFFICE USE ON THE 1ST FLOOR IN A MIXED USE BUILDING WITH NO ON-SITE PARKING IN AN I-L ZONE TO MAY 9, 2017 IN ORDER TO PROVIDE THE BOARD WITH MORE SPECIFIC INFORMATION REGARDING THE PROPOSED 1ST FLOOR TENANTS.**

**** MS. SHEPARD SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

186 & 196 OHIO AVENUE – Seeking to request a rehearing on 2 petitions which were denied by the Zoning Board of Appeals on 12/13/16, which sought to divide a conforming lot into two (2) nonconforming lots and erect a 2-family dwelling in an R-B and an R-C zone.

The item was withdrawn on April 4, 2017. No action was required.

265 FRANK STREET – Seeking a use variance under Sec. 5-1-2 and also seeking variances of the minimum landscaping and maximum site coverage requirements of Sec. 5-1-3; the maximum fence height requirements of Sec. 11-8-3 and the minimum number of off-street parking space requirement of Sec. 11-1-2 to permit the establishment of a plumbing contractor business in an R-C zone.

**** MR. CAROLAN MOVED TO APPROVE 265 FRANK STREET – SEEKING A USE VARIANCE UNDER SEC. 5-1-2 AND ALSO SEEKING VARIANCES OF THE MINIMUM LANDSCAPING AND MAXIMUM SITE COVERAGE REQUIREMENTS OF SEC. 5-1-3; THE MAXIMUM FENCE HEIGHT REQUIREMENTS OF SEC. 11-8-3 AND THE MINIMUM NUMBER OF OFF-STREET PARKING SPACE REQUIREMENT OF SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A PLUMBING CONTRACTOR BUSINESS IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER MUST FILE AN APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE.**
- 2. A DECORATIVE WROUGHT IRON TYPE FENCE AND GATE SHALL BE INSTALLED IN COMPLIANCE WITH THE 15' SETBACK REQUIREMENT.**
- 3. THE 6' PAGE/CHAIN LINK FENCING ALONG THE SIDE PROPERTY LINES SHALL HAVE COLORIZED PRIVACY SLATS AND PROPERLY MAINTAINED, REPAIRED OR REPLACED AS NEEDED.**

FOR THE FOLLOWING REASONS:

- 1. NEW PRIVACY FENCING SHALL BE A VISUAL IMPROVEMENT TO THE AREA.**

2. THE PROPOSED USE IS LESS INTENSIVE THAN THE PREVIOUS USE, WHICH HELPS TO LESSEN THE NONCONFORMITY, AS WELL AS TRAFFIC TO AND FROM THE SITE.

**** MS. GRACE SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

410 HOLLISTER AVENUE – Seeking a variance of the minimum off-street parking requirement under Sec. 11-1-2 and the vehicle maneuvering space requirement of Sec. 11-1-10 to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in an OR-G zone.

**** MR. BENSON MOVED TO APPROVE 410 HOLLISTER AVENUE – SEEKING A VARIANCE OF THE MINIMUM OFF-STREET PARKING REQUIREMENT UNDER SEC. 11-1-2 AND THE VEHICLE MANEUVERING SPACE REQUIREMENT OF SEC. 11-1-10 TO PERMIT THE CONVERSION OF THE EXISTING 2-FAMILY DWELLING INTO A 3-FAMILY DWELLING IN AN OR-G 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. THE PARKING AREA SHALL BE HARD SURFACED AND THE PROPERTY MUST COMPLY WITH THE 65% LOT COVERAGE REQUIREMENTS.

3. THE FRONT OF THE SUBJECT PREMISES SHALL BE PLANTED TO THE L-2 STANDARD AND MAINTAINED AND REPLACED AS NEEDED.

FOR THE FOLLOWING REASONS: THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE AREA AND BE A VAST IMPROVEMENT TO THE NEIGHBORHOOD.

**** MS. SHEPARD SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

4556, 4570, 4580, 4590, 4600 MAIN STREET & 77, 87 OLIVE STREET – Seeking a variance of the minimum area requirement of 2,700 sq. ft. of property per residential unit and the minimum rear setback requirements under 5-1-3 and also seeking to waive 18 of the required on-site parking spaces of Sec. 11-1-2 and variances of the building siting and ground floor window requirements of Sec. 6-1-4 to permit an 85' x 138' 3-story addition and the conversion of an existing medical office building with adequate off-site parking into a 45-unit apartment building in an OR-R zone and an R-A zone.

**** MS. GRACE MOVED TO CONTINUE 4556, 4570, 4580, 4590, 4600 MAIN STREET & 77, 87 OLIVE STREET – SEEKING A VARIANCE OF THE MINIMUM AREA REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND THE MINIMUM REAR SETBACK REQUIREMENTS UNDER 5-1-3 AND ALSO SEEKING TO WAIVE 18 OF THE REQUIRED ON-SITE PARKING SPACES OF SEC. 11-1-2 AND VARIANCES OF THE BUILDING SITING AND GROUND FLOOR WINDOW REQUIREMENTS OF SEC. 6-1-4 TO PERMIT AN 85' X 138' 3-STORY ADDITION AND THE CONVERSION OF AN EXISTING MEDICAL OFFICE**

BUILDING WITH ADEQUATE OFF-SITE PARKING INTO A 45-UNIT APARTMENT BUILDING IN AN OR-R ZONE AND AN R-A ZONE TO MAY 9, 2017.

**** MR. CAROLAN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

557 HARRAL AVENUE & 187 CENTER STREET – Seeking variances of the minimum front setback requirement; the maximum building coverage requirement; the maximum site coverage requirement; the minimum landscaping requirement of Sec. 5-1-3; and also seeking a variance of the prohibition of enlarging a nonconforming structure of Sec. 4-12-4a to legalize the construction of a 1-story 204 sq. ft. addition to the existing mixed use building in an R-C zone.

**** MS. GRACE MOVED TO DEFER 557 HARRAL AVENUE & 187 CENTER STREET – SEEKING VARIANCES OF THE MINIMUM FRONT SETBACK REQUIREMENT; THE MAXIMUM BUILDING COVERAGE REQUIREMENT; THE MAXIMUM SITE COVERAGE REQUIREMENT; THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 5-1-3; AND ALSO SEEKING A VARIANCE OF THE PROHIBITION OF ENLARGING A NONCONFORMING STRUCTURE OF SEC. 4-12-4A TO LEGALIZE THE CONSTRUCTION OF A 1-STORY 204 SQ. FT. ADDITION TO THE EXISTING MIXED USE BUILDING IN AN R-C ZONE TO MAY 9, 2017 IN ORDER FOR YOU TO PROPERLY MAIL CERTIFIED LETTERS TO THE ABUTTING PROPERTY OWNERS.**

**** MR. CAROLAN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

25 WADE TERRACE – Seeking another variance of the prohibition of enlarging a nonconforming structure under Sec. 4-12-4a, as well as another variance of the minimum side set back requirement under Sec. 5-1-3 to permit the construction of a 35' x 27' one-story addition to the existing nonconforming single family dwelling in an R-A zone.

**** MS. GRACE MOVED TO DENY 25 WADE TERRACE – SEEKING ANOTHER VARIANCE OF THE PROHIBITION OF ENLARGING A NONCONFORMING STRUCTURE UNDER SEC. 4-12-4A, AS WELL AS ANOTHER VARIANCE OF THE MINIMUM SIDE SET BACK REQUIREMENT UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 35' X 27' ONE-STORY ADDITION TO THE EXISTING NONCONFORMING SINGLE FAMILY DWELLING IN AN R-A ZONE FOR THE FOLLOWING REASONS:**

THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP RELATING TO THIS PARCEL OF PROPERTY. FURTHERMORE, THE ILLEGALLY CONSTRUCTED ADDITION SHALL BE REMOVED WITHIN 60 DAYS.

**** MR. CAROLAN SECONDED THE MOTION.**

**** THE MOTION PASSED WITH TWO VOTES IN OPPOSITION (MS. SHEPARD AND MR. BENSON.)**

2860 PARK AVENUE (430 TRUMAN STREET) – Seeking a variance of the regulation prohibiting the subdivision of a conforming property into lots having less than the minimum required lot area under Sec. 4-2-2 and also seeking to validate the existing single family dwelling on a nonconforming lot known as 430 Truman St in an R-A zone.

**** MR. CAROLAN MOVED TO APPROVE 2860 PARK AVENUE (430 TRUMAN STREET) – SEEKING A VARIANCE OF THE REGULATION PROHIBITING THE SUBDIVISION OF A CONFORMING PROPERTY INTO LOTS HAVING LESS THAN THE MINIMUM REQUIRED LOT AREA UNDER SEC. 4-2-2 AND ALSO SEEKING TO VALIDATE THE EXISTING SINGLE FAMILY DWELLING ON A NONCONFORMING LOT KNOWN AS 430 TRUMAN ST IN AN R-A ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER MUST FILE AN A-2 SURVEY MAP ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT FOR BOTH NONCONFORMING LOTS.**
- 2. THE REHABILITATION OF THE EXISTING STRUCTURE WILL REQUIRE THE FILING OF APPLICATIONS AND PLANS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 3. THE FRONT OF THE SUBJECT PREMISES SHALL BE PLANTED TO THE L-2 STANDARD AND PROPERLY MAINTAINED.**

FOR THE FOLLOWING REASONS:

- 1. THE REDUCED LOT AREA COMPLIES WITH OTHER LOTS IN THE NEIGHBORHOOD.**
- 2. THE TOTAL RENOVATION OF THE EXISTING HOME WILL BE A VAST IMPROVEMENT TO THE AREA.**

**** MR. BENSON SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

2860 PARK AVENUE (2870 PARK AVENUE) – Seeking a variance of the minimum lots area under Sec. 5-1-3 to permit the construction of a single family dwelling on a newly created non-conforming lot in a R-A zone.

**** MR. CAROLAN MOVED TO APPROVE 2860 PARK AVENUE (2870 PARK AVENUE) – SEEKING A VARIANCE OF THE MINIMUM LOTS AREA UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A SINGLE FAMILY DWELLING ON A NEWLY CREATED NON-CONFORMING LOT IN A R-A ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER MUST FILE APPLICATION AND PLANS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 2. THE DEVELOPMENT OF THE NEWLY CREATED NONCONFORMING LOT AND STRUCTURE SHALL BE IN STRICT ACCORD WITH THE APPLICATION SUBMITTED TO AND APPROVED BY THE BOARD.**
- 3. THE FRONT OF THE SUBJECT PREMISES SHALL BE LANDSCAPED TO THE L-2 STANDARD AND PROPERLY MAINTAINED AND REPLACED WHEN NECESSARY.**
- 4. THE DRIVEWAY APRON SHALL BE INSTALLED ALONG THE TRUMAN STREET FRONTAGE.**

FOR THE FOLLOWING REASONS:

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

2. THE REDEVELOPMENT OF THIS SITE WILL PROVIDE A NEW RESIDENCE IN AN OLDER NEIGHBORHOOD.

**** MR. BENSON SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES

February 15, 2017

Page 1 Change "social services organization" to "tenant use"

Page 5 Change "of the Bridgeport Zoning Department" to "to the Bridgeport Zoning Department"

**** MS. GRACE MOVED TO APPROVE THE FEBRUARY 15, 2017 MINUTES AS AMENDED.
** MS. SHEPARD SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

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

The meeting was adjourned at 8:00 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services