

**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
JULY 11, 2017**

ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, John Carolan; Robin Shepard; Maria Alves

STAFF: Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning Official

CALL TO ORDER

Mr. Piccirillo called the meeting to order at 6:06 p. m. A quorum was present.

DEFERRED ITEMS

447 GRAND STREET – Seeking a use variance under Sec. 6-1-2 and also seeking a variance of the maximum setback requirement of 10’ of Sec 6-1-3 and variances of the building siting and required windows of Sec. 6-1-4 to permit the construction of a pre-manufactured industrial building on a vacant lot in an OR zone.

Attorney Raymond Rizio came forward in favor of the item. He stated that the location used to be residential, and the house there was torn down. He stated that the lot is 42 feet wide and his client plans on putting up a 3,000 sq. ft. building. It will be a warehouse type building. He stated that there will be no outside storage in front of the building, and that 15% of the lot will have landscaping.

Attorney Rizio presented a petition in favor of the item which had six signatures.

Mr. Chris Taylor came forward in favor of the item. He stated that the putting up the building would have a positive influence on the neighborhood.

Ms. Juliette Kirby came forward in favor of the item. She stated that the building would have no negative impact on the neighborhood, and will be a stabilizing influence on the neighborhood.

The public hearing was closed.

1603 (#1617) BARNUM AVENUE – Seeking a change of the type of liquor license under Sec. 12-10c to establish a café lounge and the issuance of a café liquor permit in the existing restaurant with a full service liquor permit in an OR zone.

Attorney Steve McKenzie came forward in favor of the item. He stated that his client wishes to downgrade the current liquor license. He stated that the location will change from a restaurant to a café. Atty. McKenzie stated that the restaurant that was there did not serve full meals. Instead, appetizers were the only food offerings available.

Mr. Piccirillo stated that when the restaurant at this location was granted a liquor permit, conditions attached to the approval required the paving of the parking area and other improvements to the outside

of the building. He stated that the conditions were not met and that the condition of the parking lot, driveway aprons and sidewalks, as well as the exterior of building is unacceptable.

Ms. Juliette Kirby came forward in favor of the item. She stated that the café will be a great asset for the community.

Mr. Philip Lender came forward in favor of the item. He stated that the appetizers that the restaurant serves are of high quality.

NEW ITEMS

381 BISHOP AVENUE – Seeking a variance of all of the minimum landscaping requirements and maximum site coverage requirements of Sec. 7-1-3 and also seeking a variance of all nine (9) off street parking spaces of Sec. 11-1-2 to legalize the retail sales, mounting, balancing and installation of used tires in the existing commercial building in an I-L zone.

The petitioner failed to establish an unusual condition or valid hardship associated with the subject premises.

Mr. Luis Carrena came forward in favor of the item. He stated that he is the landlord at this location. He stated that the building is 5,000 square feet. He stated that new and used tires are sold, with all work being done inside of the building. He stated that the ramp is in the public right of way on the sidewalk, but does not interfere with pedestrian traffic on the sidewalk.

Ms. Juliette Kirby came forward in favor of the item. She stated that customers are not allowed to drop off their cars and pick them up later. They must stay and wait for the work to be completed. Employees park their cars on the street. She stated that old tires are stored inside and removed once a week.

Mr. Buckley counted two people present and in favor of the item.

3422 MAIN STREET – Seeking a variance of the maximum setback requirement of 10 feet under Sec. 4-3-2a1 and also seeking a variance of the minimum five (5) off-street parking space requirement under Sec. 11-1-2 and all of the minimum parking setback and perimeter landscaping requirements of Sec. 11-1-13 to permit the conversion of the existing single-family dwelling into a professional office building in an OR zone.

Attorney Rizio came forward and requested that the item be deferred.

DECISION SESSION

ITEM D-1 (#1)

447 GRAND STREET – Seeking a use variance under Sec. 6-1-2 and also seeking a variance of the maximum setback requirement of 10' of Sec 6-1-3 and variances of the building siting and required windows of Sec. 6-1-4 to permit the construction of a pre-manufactured industrial building on a vacant lot in an OR zone.

**** COMMISSIONER CAROLAN MOVED TO APPROVE 447 GRAND STREET – SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING A VARIANCE OF THE MAXIMUM SETBACK REQUIREMENT OF 10’ OF SEC 6-1-3 AND VARIANCES OF THE BUILDING SITING AND REQUIRED WINDOWS OF SEC. 6-1-4 TO PERMIT THE CONSTRUCTION OF A PRE-MANUFACTURED INDUSTRIAL BUILDING ON A VACANT LOT IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE FRONT SETBACK SHALL BE CONSISTENT WITH THE PREVAILING (10 FT.) SETBACK OF OTHERS IN THE IMMEDIATE AREA.**
- 2. THE 10 FT. SETBACK AREA SHALL BE LANDSCAPED WITH LOW LYING SHRUBBERY IN FRONT OF THE BUILDING AS WELL AS A LAWN OR GREEN AREA TO THE NEW CONCRETE WALKWAY.**
- 3. THE FRONT OF THE BUILDING SHALL HAVE A WINDOW WITH SHUTTERS ON EITHER SIDE AS WELL AS A DOOR WITH SOME ARCHITECTURAL FEATURE TO SOFTEN THE APPEARANCE OF THIS INDUSTRIAL BUILDING IN THIS OFFICE RETAIL ZONE.**
- 4. THERE SHALL BE NO OUTSIDE STORAGE OF VEHICLES, EQUIPMENT OR MATERIALS AT THIS SITE FOR ANY REASON.**
- 5. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 6. THE PETITIONER SHALL INCORPORATE ALL RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 05/11/17.**

FOR THE FOLLOWING REASONS:

- 1. THE SUBJECT SITE IS SURROUNDED BY INDUSTRIAL USE FACILITIES AND CONTRACTOR STORAGE YARDS**
- 2. THE PROJECT AS APPROVED COMPLIES WITH SIMILAR USES IN THE IMMEDIATE AREA.**
- 3. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.**

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

ITEM D-2 (#2)

BARNUM AVENUE – Seeking a change of the type of liquor license under Sec. 12-10c to establish a café lounge and the issuance of a café liquor permit in the existing restaurant with a full service liquor permit in an OR zone.

**** COMMISSIONER GRACE MOVED TO DENY BARNUM AVENUE – SEEKING A CHANGE OF THE TYPE OF LIQUOR LICENSE UNDER SEC. 12-10C TO ESTABLISH A CAFÉ LOUNGE AND THE ISSUANCE OF A CAFÉ LIQUOR PERMIT IN THE EXISTING RESTAURANT WITH A FULL SERVICE LIQUOR PERMIT IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. CAFÉ USE WITH ADULT ENTERTAINMENT WAS PREVIOUSLY DENIED AND THERE HAVE BEEN NO SUBSTANTIAL CHANGES TO CONSIDER IN THIS NEW APPLICATION.**
- 2. RESTAURANT USE ESTABLISHED BY-RIGHT, BUT THE “LIVE ENTERTAINMENT” PETITION TO THE PLANNING & ZONING COMMISSION WAS DENIED.**
- 3. THE PETITIONER, BY HIS AGENT’S TESTIMONY, NEVER SERVED ANY MEALS TO COMPLY WITH A FULL SERVICE RESTAURANT USE.**
- 4. PROPERTY APPEARS TO BE BLIGHTED AND THE CONDITION OF THE PARKING LOT, DRIVEWAY APRONS AND SIDEWALKS, AS WELL AS THE EXTERIOR OF BUILDING IS UNACCEPTABLE.**
- 5. THE PETITIONER FAILED TO ESTABLISH ANY REASON FOR THE BOARD TO CONSIDER APPROVING THIS APPLICATION.**

**** COMMISSIONER ALVES SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #1

381 BISHOP AVENUE – Seeking a variance of all of the minimum landscaping requirements and maximum site coverage requirements of Sec. 7-1-3 and also seeking a variance of all nine (9) off street parking spaces of Sec. 11-1-2 to legalize the retail sales, mounting, balancing and installation of used tires in the existing commercial building in an I-L zone.

**** COMMISSIONER ALVES MOVED TO DENY 381 BISHOP AVENUE – SEEKING A VARIANCE OF ALL OF THE MINIMUM LANDSCAPING REQUIREMENTS AND MAXIMUM SITE COVERAGE REQUIREMENTS OF SEC. 7-1-3 AND ALSO SEEKING A VARIANCE OF ALL NINE (9) OFF STREET PARKING SPACES OF SEC. 11-1-2 TO LEGALIZE THE RETAIL SALES, MOUNTING, BALANCING AND INSTALLATION OF USED TIRES IN THE EXISTING COMMERCIAL BUILDING IN AN I-L ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR VALID HARDSHIP ASSOCIATED WITH THE SUBJECT PREMISES.**
- 2. THE USE AS REQUESTED WOULD BE AN OVERUSE OF THE SUBJECT PREMISES.**
- 3. AN AUTO RELATED SERVICE FACILITY IS OUT OF CHARACTER FOR THIS AREA, AS WELL AS THE BUILDING IS NOT SUITABLE FOR THIS TYPE OF ACTIVITY.**

4. THE ILLEGALLY CONSTRUCTED AND DANGEROUS RAMPS INSTALLED BY THE OWNER EXTEND INTO THE PUBLIC RIGHT-OF-WAY. FURTHERMORE, THE BOARD HAS DIRECTED THAT THESE PROPOSED ILLEGAL USES AND ALL RELATED SIGNAGE BE DISCONTINUED IMMEDIATELY.

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

ITEM #2

3422 MAIN STREET – Seeking a variance of the maximum setback requirement of 10 feet under Sec. 4-3-2a1 and also seeking a variance of the minimum five (5) off-street parking space requirement under Sec. 11-1-2 and all of the minimum parking setback and perimeter landscaping requirements of Sec. 11-1-13 to permit the conversion of the existing single-family dwelling into a professional office building in an OR zone.

**** COMMISSINONER GRACE MOVED TO DEFER 3422 MAIN STREET – SEEKING A VARIANCE OF THE MAXIMUM SETBACK REQUIREMENT OF 10 FEET UNDER SEC. 4-3-2A1 AND ALSO SEEKING A VARIANCE OF THE MINIMUM FIVE (5) OFF-STREET PARKING SPACE REQUIREMENT UNDER SEC. 11-1-2 AND ALL OF THE MINIMUM PARKING SETBACK AND PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13 TO PERMIT THE CONVERSION OF THE EXISTING SINGLE-FAMILY DWELLING INTO A PROFESSIONAL OFFICE BUILDING IN AN OR ZONE TO AUGUST 8, 2017.**

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

APPROVAL OF MINUTES

June 13, 2017

**** COMMISSIONER GRACE MOVED TO APPROVE THE JUNE 13, 2017 MINUTES AS SUBMITTED.
** COMMISSIONER SHEPARD 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 7:14 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services

City of Bridgeport
Zoning Board of Appeals
July 11, 2017
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