

**CITY OF BRIDGEPORT  
ZONING BOARD OF APPEALS  
SEPTEMBER 11, 2018**

**ATTENDANCE:** Maria Alves, Co-Chair; John Carolan; “Boka” Oyiboka Benson; Kyle Labuff

**STAFF:** Dennis Buckley, Zoning Clerk; Paul Boucher, Assistant Zoning Official; Michael Jankovsky, City Attorney; Lynn Haig, Director of Planning

**CALL TO ORDER**

Ms. Alves called the meeting to order at 6:15 p. m. A quorum was present.

**DEFERRED BUSINESS**

**D-1 (#2) 3369-3375 Fairfield Ave. – Petition of 3369 Fairfield Avenue, LLC – Seeking a use variance under Sec. 6-1-2 to legalize the establishment of a landscaping business and also seeking to legalize the conversion of the office area into an apartment without any approvals and seeking to expunge two conditions of approval to an application granted by the Zoning Board of Appeals on June 12, 2012, which limited material storage, trucks and vehicles storage in the retail garden center in an OR zone.**

Attorney Raymond Rizio came forward. He requested that the item be opened and the commission continue the item.

**NEW BUSINESS**

**#1 2450 North Ave. – Petition of Godwin Chow – Seeking a variance of Sec. 11-8-3 which prohibits fences exceeding 48 inches in height be erected within the front setback of any residential zone.**

No one was present when the item was called.

**#2 1673-1691 Main St. – Petition of Sazon Y Mambo – Seeking an approval of location for a 20-seat dining patio and the issuance of a patio liquor permit under Sec. 12-10c at the existing full-service restaurant in an OR zone.**

Attorney Steve McKenzie came forward. He asked that the item be called later in the meeting because his client is not present.

**#3 34-36 (aka 10-14) Wilson St. – Petition of Washington Cabezas – Seeking a variance of the prohibition of establishing a nonconforming lot under Sec. 4-12-5b and also seeking variances of the minimum lot area, minimum frontage and the minimum density requirements under Sec. 5-1-3 to permit the construction of a 2-family dwelling in an R-C zone.**

Mr. Washington Cabezas came forward in support of the item. He stated that he is the land surveyor for the project. He stated that he seeks to construct a two family home. He stated that a minimum of 3

parking spaces are required. He stated that we have 4 parking spaces. Two spaces will be on each side of the lot. He stated that landscaping requirements will be met. He stated that a variance of the minimum lot area will be needed. He stated that the front stoop comes out five feet.

**#2 1673-1691 Main St. – Petition of Sazon Y Mambo – Seeking an approval of location for a 20-seat dining patio and the issuance of a patio liquor permit under Sec. 12-10c at the existing full-service restaurant in an OR zone.**

Atty. Steve McKenzie came forward in support of the item. He stated that the area is now used for smoking. He stated that a dining patio will be put in that spot. The dining patio will be enclosed with four foot high decorative fencing. There will be an exit door from the patio to the parking lot.

Ms. Alina Gutierrez came forward in support of the item. She stated that the dining patio will be open only during the hours that the kitchen is open. She stated that the kitchen will be closing at midnight.

Atty. Dennis Bradley came forward in support of the item. He stated that the business owner is professional and complies with all of the regulations that the City requires of local businesses.

**#1 2450 North Ave. – Petition of Godwin Chow – Seeking a variance of Sec. 11-8-3 which prohibits fences exceeding 48 inches in height be erected within the front setback of any residential zone.**

Mr. Godwin Chow came forward. He did not have the mailing receipts with him. He requested that the item be deferred.

**DECISION SESSION**

**ITEM D-1 (#2)**

**3369 – 3375 FAIRFIELD AVENUE – Seeking a use variance under Sec. 6-1-2 to legalize the establishment of a landscaping business and also seeking to legalize the conversion of the office area into an apartment without any approvals and seeking to expunge two conditions of approval to an application granted by the Zoning Board of Appeals on June 12, 2012, which limited material storage, trucks and vehicles storage in the retail garden center in an OR zone.**

**\*\* COMMISSONER CAROLAN MOVED TO CONTINUE 3369 – 3375 FAIRFIELD AVENUE – SEEKING A USE VARIANCE UNDER SEC. 6-1-2 TO LEGALIZE THE ESTABLISHMENT OF A LANDSCAPING BUSINESS AND ALSO SEEKING TO LEGALIZE THE CONVERSION OF THE OFFICE AREA INTO AN APARTMENT WITHOUT ANY APPROVALS AND SEEKING TO EXPUNGE TWO CONDITIONS OF APPROVAL TO AN APPLICATION GRANTED BY THE ZONING BOARD OF APPEALS ON JUNE 12, 2012, WHICH LIMITED MATERIAL STORAGE, TRUCKS AND VEHICLES STORAGE IN THE RETAIL GARDEN CENTER IN AN OR ZONE TO OCTOBER 9, 2018.**

**\*\* COMMISSIONER BENSON SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMUOSLY.**

**ITEM #1**

**2450 NORTH AVENUE – Seeking a variance of Sec. 11-8-3 which prohibits fences exceeding 48 inches in height be erected within the front setback of any residential zone.**

- \*\* COMMISSIONER CAROLAN MOVED TO DEFER 2450 NORTH AVENUE – SEEKING A VARIANCE OF SEC. 11-8-3 WHICH PROHIBITS FENCES EXCEEDING 48 INCHES IN HEIGHT BE ERECTED WITHIN THE FRONT SETBACK OF ANY RESIDENTIAL ZONE TO OCTOBER 9, 2018.**
- \*\* COMMISSIONER BENSON SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**ITEM #2**

**1673 – 1691 MAIN STREET – Seeking an approval of location for a 20-seat dining patio and the issuance of a patio liquor permit under Sec. 12-10c at the existing full-service restaurant in an OR zone.**

- \*\* COMMISSIONER CAROLAN MOVED TO APPROVE 1673 – 1691 MAIN STREET – SEEKING AN APPROVAL OF LOCATION FOR A 20-SEAT DINING PATIO AND THE ISSUANCE OF A PATIO LIQUOR PERMIT UNDER SEC. 12-10C AT THE EXISTING FULL-SERVICE RESTAURANT IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ACCESS TO THE PATIO IS ONLY ALLOWED THROUGH THE RESTAURANT.**
- 2. THE PATIO SHALL BE CLOSED WHEN THE KITCHEN CLOSES OR BY 12 MIDNIGHT, WHICHEVER COMES FIRST.**
- 3. THE PATIO SHALL BE ENCLOSED WITH A 3-FOOT FENCE, WITH AN ALARMED EMERGENCY EXIT TO COMPLY WITH FIRE CODE.**

**FOR THE FOLLOWING REASONS:**

- 1. IT IS CUSTOMARY FOR RESTAURANTS TO BE ABLE TO OFFER OUTSIDE DINING DURING THE WARM MONTHS.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.**

- \*\* COMMISSIONER BENSON SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**ITEM #3**

**34–36 (aka 10–14) WILSON STREET – Seeking a variance of the prohibition of establishing a nonconforming lot under Sec. 4-12-5b and also seeking variances of the minimum lot area, minimum frontage and the minimum density requirements under Sec. 5-1-3 to permit the construction of a 2-family dwelling in an R-C zone.**

**\*\* COMMISSIONER CAROLAN MOVED TO APPROVE 34–36 (AKA 10–14) WILSON STREET – SEEKING A VARIANCE OF THE PROHIBITION OF ESTABLISHING A NONCONFORMING LOT UNDER SEC. 4-12-5B AND ALSO SEEKING VARIANCES OF THE MINIMUM LOT AREA, MINIMUM FRONTAGE AND THE MINIMUM DENSITY REQUIREMENTS UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING IN AN R-C ZONE.**

The motion failed.

**\*\* COMMISSIONER ALVES MOVED TO DENY 34–36 (AKA 10–14) WILSON STREET – SEEKING A VARIANCE OF THE PROHIBITION OF ESTABLISHING A NONCONFORMING LOT UNDER SEC. 4-12-5B AND ALSO SEEKING VARIANCES OF THE MINIMUM LOT AREA, MINIMUM FRONTAGE AND THE MINIMUM DENSITY REQUIREMENTS UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING IN AN R-C ZONE FOR THE FOLLOWING REASONS:**

**1. THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP WHICH WOULD WARRANT AN APPROVAL OF THIS APPLICATION.**

**2. THE GRANTING OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISES.**

**\*\* COMMISSIONER CAROLAN SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD**

**Guilan Construction - Grand Street, Wallace Street, and Madison Avenue.**

Mr. Buckley stated that the item was approved to be a storage yard in 1956. In 1985, they sought to legalize the establishment of an additional storage yard. It was approved. They were required to have a buffer but it was never installed. It was never made clear what type of material could be stored in the yard.

Mr. Buckley stated that currently, they are going to put in the buffer. They want six foot high bins to hold crushed stone and gravel.

**\*\* COMMISSIONER CAROLAN MOVED TO GRANT THE REQUEST TO PUT IN SIX FOOT HIGH BINS TO HOLD CRUSHED, STONE AND GRAVEL.**

**\*\* COMMISSIONER BENSON SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**APPROVAL OF MINUTES**

• Approval of ZBA Minutes for August 15, 2018 – Present: Acting Chairperson: Michael Piccirillo; Commissioners: Maria Alves, John Carolan, Robin Shepard, and "Boka" (B. Oyiboka) Benson. Staff: Dennis Buckley, Zoning Clerk and Paul Boucher, Assistant Zoning Official. Office of City Attorney: Russell Liskov

\*\* COMMISSIONER ALVES MOVED TO APPROVE THE AUGUST 15, 2018 MINUTES AS SUBMITTED.  
\*\* COMMISSIONER BENSON SECONDED THE MOTION.  
\*\* THE MOTION PASSED UNANIMOUSLY.

**ADJOURNMENT**

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

The meeting was adjourned at 6:55 p. m.

Respectfully submitted,

Tom Blaney  
Telesco Secretarial Services