

CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
REGULAR MEETING
MAY 14, 2019

ATTENDANCE: Maria Alves, Chair; Edward McLain, Robin Shepard,
Michael
Nastu, John Carolan

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

OTHERS: City Attorney Mike Jankovsky; Nicholas Sampieri, Zoning
Inspector

I. CALL TO ORDER

Commissioner Alves called the meeting to order at 6:23 p.m.

II. ROLL CALL.

Commissioner Alves called the roll. All five board members were present.

III. DEFERRED ITEMS.

D-1 (3J): 55 Henderson St. – Petition of Boston Hill Development, LLC – Seeking a variance of Sec. 4-2-2 which prohibits the reduction in size of a conforming lot into three (3) nonconforming lots and seeking a variance of the minimum lot area and width under Sec. 5-1-3 of the proposed lots and also a use variance of Sec. 5-1-2 to permit the construction of three 2-family dwellings in an R-A zone.

Atty. Rizio asked to withdraw this matter.

D-2 (1A): 479 Wayne St. (proposed lot "B") – Petition of 179 Wayne Street, LLC – Seeking a variance of Sec. 4-2-2 which prohibits the reduction in size of a

conforming lot to create two (2) nonconforming lots and also seeking a variance of Sec. 5-1-3 to legalize the existing single-family dwelling in a nonconforming lot in an R-B zone.

D-3 (2A): 479 (aka 473) Wayne St. (proposed lot "A") – Petition of 179 Wayne Street, LLC – Seeking variances of the minimum lot size and minimum frontage requirements of Sec. 5-1-3 to permit the construction of a single-family dwelling on a nonconforming lot in an R-B zone.

Atty. Raymond Rizio asked the Commissioners to consider these two items together as they are both part of the same project. He informed the Commissioners that the property owners wished to split the parking lot in order to build an additional two story home. Atty. Rizio further explained that each lot will be 4700 square feet each, with the current property having 50 feet of frontage and the new property 150 feet of frontage.

Commissioner Alves asked the Atty. Rizio to show the board the driveway layout for the property. Atty. Rizio presented seven photos, a GPS map, and a blueprint of current property and the intended changes for it.

Commissioner Alves also asked if the owners plan on doing any landscaping for this project. Atty. Rizio replied affirmatively.

Commissioner Alves asked if any member of the public who wished to speak in favor or in opposition of these items. Hearing none, she closed the public hearing on 479 (aka 473) Wayne St. (proposed lot "A") and 479 Wayne St. (proposed lot "B").

D-4 (3A):580 North Ave. – Petition of 580 North Avenue, LLC – Seeking a variance of 6' of the required front setback requirement, as well as the maximum size of an accessory structure under Sec. 4-9-1a & c and also seeking a variance of the minimum perimeter landscaping requirements of Sec. 11-1-13 to permit the construction of an 1,820-sq. ft. pump island with canopy at the gas station building currently under construction in an I-L zone.

Attorney Charles Willinger asked to defer this matter until the next meeting on June 11, 2019.

IV. NEW ITEMS.

28 Ondek St. – Petition of DT Pro Builders, LLC – Seeking a variance of Sec. 4-2-2 which prohibits the reduction in size of a conforming lot to create two (2) nonconforming lots and a variance of Sec. 5-1-3 to legalize the existing single-family dwelling in a nonconforming lot in an R-B zone.;

38 Ondek St. – Petition of DT Pro Builders, LLC – Seeking variances of the minimum lot size and frontage requirements of Sec. 5-1-3 to permit the construction of a single-family dwelling on a nonconforming lot in an R-B zone.

Mr. Marcos Reinheimer of DTS Pro Builders asked the Commission to consider both of these items together as they are both a part of the same project. He informed the Commission each lot will be 5000 square feet and that the property falls within the permitted setbacks from the street as advised by zoning regulations. He also stated that there will be a two-family house built on the property as well. He submitted photos and a blueprint of the current and intended changes for the property.

Commissioner Alves asked if the owners plan on doing any landscaping for this project and if there will be any fencing around the property. Mr. Reinheimer replied affirmatively regarding the landscaping and negatively regarding the fencing.

Commissioner Alves asked if any member of the public wishes to speak in favor or opposition of these items. Hearing none, she closed the public hearings on 28 and 38 Ondek St.

135 Washington Ave. – Petition of 135 Washington Ave Bridgeport, LLC – Seeking variances of the minimum landscaping requirements; the maximum allowable site coverage requirement and the 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 to permit the conversion of the existing office building into a five (5) unit apartment building in an R-C zone.

Atty. Raymond Rizio presented thirteen photos, a GPS map and a blueprint of the current and intended changes for the property. He also presented a copy of

an old approval of a four-family house on the property. The residence was used as a five-family house. He pointed out that although the property goes a little over the allowed density for occupancy, but that it will still be three times less dense than the surrounding properties in the neighborhood. Atty. Rizio also noted that they plan to have nine parking spaces although only eight are required due to security issues in the area. The applicant will remove the renovated property of the office and use that basement area as storage.

Commissioner Alves asked how many bedrooms will be in the new building. Atty. Rizio said that there will be three two-bedroom and one one-bedroom apartments on the property. He also stated that the wood shed in back that will be used to store landscaping equipment.

Commissioner Shepard asked the petitioner to clean up shed and make cosmetic changes as a stipulation of approval for this project. Atty. Rizio agreed to this.

Commissioner Alves asked if the owners plan on doing any landscaping for this project. Atty. Rizio replied affirmatively. Commissioner Alves also informed the petitioner that a recent engineering report marked that the sidewalk was in disrepair. Atty. Rizio suggested to include having this fixed as a stipulation of approval for this project.

Commissioner McLain asked if the property owner intended to install fencing that was similar to other properties in the area. Atty. Rizio agreed to this as a stipulation of approval for this project.

Commissioner Alves also stressed the importance of a backlight on the property. Atty. Rizio agreed to this as a stipulation of approval for this project.

Commissioner Alves asked if any member of the public wishes to speak in favor or opposition of these items. Hearing none, she closed the public hearing on 135 Washington Avenue.

DECISION SESSION

D-1 (3J): 55 Henderson St. – Petition of Boston Hill Development, LLC – Seeking a variance of Sec. 4-2-2 which prohibits the reduction in size of a

conforming lot into three (3) nonconforming lots and seeking a variance of the minimum lot area and width under Sec. 5-1-3 of the proposed lots and also a use variance of Sec. 5-1-2 to permit the construction of three 2-family dwellings in an R-A zone.

**** COMMISSIONER MCLAIN MOVED TO ACCEPT THE WITHDRAWAL OF AGENDA ITEM D-1 (3J): 55 HENDERSON ST. – PETITION OF BOSTON HILL DEVELOPMENT, LLC – SEEKING A VARIANCE OF SEC. 4-2-2 WHICH PROHIBITS THE REDUCTION IN SIZE OF A CONFORMING LOT INTO THREE (3) NONCONFORMING LOTS AND SEEKING A VARIANCE OF THE MINIMUM LOT AREA AND WIDTH UNDER SEC. 5-1-3 OF THE PROPOSED LOTS AND ALSO A USE VARIANCE OF SEC. 5-1-2 TO PERMIT THE CONSTRUCTION OF THREE 2-FAMILY DWELLINGS IN AN R-A ZONE.**

**** COMMISSIONER SHEPARD SECONDED.**

**** MOTION APPROVED UNANIMOUSLY.**

D-2 (1A): 479 Wayne St. (proposed lot "B") – Petition of 179 Wayne Street, LLC – Seeking a variance of Sec. 4-2-2 which prohibits the reduction in size of a conforming lot to create two (2) nonconforming lots and also seeking a variance of Sec. 5-1-3 to legalize the existing single-family dwelling in a nonconforming lot in an R-B zone.

****COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM D-2 (1A): 479 WAYNE ST. (PROPOSED LOT "B") – PETITION OF 179 WAYNE STREET, LLC – SEEKING A VARIANCE OF SEC. 4-2-2 WHICH PROHIBITS THE REDUCTION IN SIZE OF A CONFORMING LOT TO CREATE TWO (2) NONCONFORMING LOTS AND ALSO SEEKING A VARIANCE OF SEC. 5-1-3 TO LEGALIZE THE EXISTING SINGLE-FAMILY DWELLING IN A NONCONFORMING LOT IN AN R-B ZONE WITH THE FOLLOWING CONDITION:**

THE PETITIONER SHALL FILE AN A-2 SURVEY ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT, ESTABLISHING THE NEW LOT LINES, PRIOR TO ANY DEVELOPMENT OF LOT A.

FOR THE FOLLOWING REASON:

City of Bridgeport
Zoning Board of Appeals
Regular Meeting
May 14, 2019

THE LOT SIZE WILL CONFORM WITH THE OTHER LOTS IN THE
NEIGHBORHOOD.

** COMMISSIONER MCLAIN SECONDED.

** THE MOTION PASSED UNANIMOUSLY.

D-3 (2A): 479 (aka 473) Wayne St. (proposed lot "A") – Petition of 179 Wayne Street, LLC – Seeking variances of the minimum lot size and minimum frontage requirements of Sec. 5-1-3 to permit the construction of a single-family dwelling on a nonconforming lot in an R-B zone.

** COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM
D-3 (2A): 479 (aka 473) WAYNE ST. (PROPOSED LOT "A") – PETITION OF
179 WAYNE STREET, LLC – SEEKING VARIANCES OF THE MINIMUM LOT
SIZE AND MINIMUM FRONTAGE REQUIREMENTS OF SEC. 5-1-3 TO
PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING ON A
NONCONFORMING LOT IN AN R-B ZONE WITH THE FOLLOWING
CONDITIONS:

THE REDEVELOPMENT OF THE NEWLY CREATED LOT SHALL BE
IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND
APPROVED BY THE BOARD;

THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR
THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE
AND A BUILDING PERMIT;

THE FRONT OF THE SUBJECT PREMISES SHALL BE PLANTED
WITH LOW LYING SHRUBS, PROPERLY MAINTAINED AND
REPLACED WHEN NECESSARY;

AN AS-BUILT SURVEY SHALL BE SUBMITTED TO THE ZONING
DEPARTMENT PRIOR TO THE ISSUANCE OF A CERTIFICATE
OF OCCUPANCY.

FOR THE FOLLOWING REASON:

THE DEVELOPMENT AS APPROVED WOULD HAVE NO ADVERSE
IMPACT ON THE SURROUNDING PROPERTIES.

**** COMMISSIONER MCLAIN SECONDED.**

****MOTION APPROVED UNANIMOUSLY.**

D-4 (3A):580 North Ave. – Petition of 580 North Avenue, LLC – Seeking a variance of 6’ of the required front setback requirement, as well as the maximum size of an accessory structure under Sec. 4-9-1a & c and also seeking a variance of the minimum perimeter landscaping requirements of Sec. 11-1-13 to permit the construction of an 1,820-sq. ft. pump island with canopy at the gas station building currently under construction in an I-L zone.

**** COMMISSIONER SHEPARD MOVED TO DEFER D-4 (3A):580 NORTH AVE. – PETITION OF 580 NORTH AVENUE, LLC – SEEKING A VARIANCE OF 6’ OF THE REQUIRED FRONT SETBACK REQUIREMENT, AS WELL AS THE MAXIMUM SIZE OF AN ACCESSORY STRUCTURE UNDER SEC. 4-9-1A & C AND ALSO SEEKING A VARIANCE OF THE MINIMUM PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF AN 1,820-SQ. FT. PUMP ISLAND WITH CANOPY AT THE GAS STATION BUILDING CURRENTLY UNDER CONSTRUCTION IN AN I-L ZONE ON JUNE 11, 2019.**

**** COMMISSIONER MCLAIN SECONDED.**

**** MOTION APPROVED UNANIMOUSLY.**

28 Ondek St. – Petition of DT Pro Builders, LLC – Seeking a variance of Sec. 4-2-2 which prohibits the reduction in size of a conforming lot to create two (2) nonconforming lots and a variance of Sec. 5-1-3 to legalize the existing single-family dwelling in a nonconforming lot in an R-B zone.;

38 Ondek St. – Petition of DT Pro Builders, LLC – Seeking variances of the minimum lot size and frontage requirements of Sec. 5-1-3 to permit the construction of a single-family dwelling on a nonconforming lot in an R-B zone.

**** COMMISSIONER MCLAIN MOVED TO DENY THE FOLLOWING APPLICATIONS:**

28 ONDEK ST. – PETITION OF DT PRO BUILDERS, LLC – SEEKING A

VARIANCE OF SEC. 4-2-2 WHICH PROHIBITS THE REDUCTION IN SIZE OF A CONFORMING LOT TO CREATE TWO (2) NONCONFORMING LOTS AND A VARIANCE OF SEC. 5-1-3 TO LEGALIZE THE EXISTING SINGLE-FAMILY DWELLING IN A NONCONFORMING LOT IN AN R-B ZONE.

38 ONDEK ST. – PETITION OF DT PRO BUILDERS, LLC – SEEKING VARIANCES OF THE MINIMUM LOT SIZE AND FRONTAGE REQUIREMENTS OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING ON A NONCONFORMING LOT IN AN R-B ZONE.

DUE TO PETITIONER NOT DEMONSTRATING A VALID HARDSHIP.

** COMMISSIONER CAROLAN SECONDED.

** THE MOTION WAS DENIED WITH THREE IN FAVOR (MCLAIN, CAROLAN AND NASTU) AND TWO (2) OPPOSED (ALVES AND SHEPARD).

135 Washington Ave. – Petition of 135 Washington Ave Bridgeport, LLC – Seeking variances of the minimum landscaping requirements; the maximum allowable site coverage requirement and the 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 to permit the conversion of the existing office building into a five (5) unit apartment building in an R-C zone.

**COMMISSIONER MCLAIN MOVED TO APPROVE THE APPLICATION FOR 135 WASHINGTON AVE. – PETITION OF 135 WASHINGTON AVE BRIDGEPORT, LLC – SEEKING VARIANCES OF THE MINIMUM LANDSCAPING REQUIREMENTS; THE MAXIMUM ALLOWABLE SITE COVERAGE REQUIREMENT AND THE 2,700-SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT UNDER SEC. 5-1-3 TO PERMIT THE CONVERSION OF THE EXISTING OFFICE BUILDING INTO A FIVE (5) UNIT APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:

1. THE REDEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD;
2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR

- THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT;
3. THE LANDSCAPING SHALL BE INCREASED AND EXTENDED TO SOFTEN THE SEA OF ASPHALT ABUTTING THE BUILDING;
 4. A FOUR-FOOT WROUGHT IRON FENCE SHALL BE INSTALLED IN FRONT OF THE EXISTING BUILDING;
 5. THE EXISTING SHED SHALL BE CLEANED UP AND PAINTED IF NECESSARY;
 6. THE PARKING AREA SHALL BE LIGHTED IN CONFORMANCE WITH SEC. 11-121D OF THE ZONING REGULATIONS;
 7. A NEW SIDEWALK SHALL BE INSTALLED ALONG THE WASHINGTON AVENUE FRONTAGE OF THIS PROPERTY.

FOR THE FOLLOWING REASONS:

1. AS APPROVED WITH CONDITIONS, THIS REDEVELOPMENT WILL RESTORE A BEAUTIFUL BUILDING TO ITS ORIGINAL GRANDEUR.
2. THIS PROJECT WILL PROVIDE NEW AND MODERN RESIDENTIAL UNITS IN AN OLD NEIGHBORHOOD SKIRTING THE DOWNTOWN AREA.

** COMMISSIONER NASTU SECONDED.

** The MOTION PASSED UNANIMOUSLY.

V. APPROVAL OF MINUTES.

Commissioner Alves presented the minutes of the December 2018 meeting for approval.

** COMMISSIONER ALVES MOVED TO APPROVE MINUTES OF DECEMBER 2018.

** COMMISSIONER CAROLAN SECONDED.

** The MOTION TO APPROVE MINUTES OF DECEMBER 2018 AS SUBMITTED PASSED UNANIMOUSLY.

Commissioner Alves presented the minutes of April 9, 2019 for approval.

** COMMISSIONER SHEPARD MOVED TO APPROVE MINUTES OF APRIL 9, 2019.

** COMMISSIONER CAROLAN SECONDED.

** The MOTION TO APPROVE MINUTES OF APRIL 9, 2019 AS SUBMITTED PASSED UNANIMOUSLY.

VI. ADJOURNMENT.

** COMMISSIONER CAROLAN MOVED TO ADJOURN.

** COMMISSIONER SHEPARD SECONDED.

** THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Danielle Kral
Telesco Secretarial Services