



ZONING BOARD OF APPEALS
MAY 14, 2013
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace, Room
210
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Michael Piccirillo, Chair; Commissioners: Linda Grace; James Eagen; Robin Shepard; Robert Russo

STAFF: Dennis Buckley, Zoning Administrator; Paul Boucher, Assistant Zoning Clerk; Diego Guevara, Design Review Coordinator; Neil Bonney, ZEO; Ed Schmidt, Assistant City Attorney

CALL TO ORDER

Chair Michael Piccirillo called the meeting to order at 6:10 p.m. and introduced the commission members present. He announced Application #D-1 has been deferred to next month. Mr. Decolin Muteba, Owner for Agenda Item #7 came forward and asked to be deferred until next month because he did not send out his Notice mailings in a timely manner. Atty. Ray Rizio came forward and asked to defer Agenda Item # 1 until next month. He said the owners had approached him earlier that day to represent them and he has not had enough time to gather information, etc.

DEFERRED ITEMS

D-1 (#4) 5456 Park Ave. – Petition of Adam Blank – Appealing under Sec. 8-7 of the CT General Statutes and Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and whereby is alleged that the Zoning Enforcement Officer erred in his decision to accept an application for the construction of a 5-story commercial parking garage in an MU-EM

Deferred until next meeting.

NEW BUSINESS

#1 328 Jackson Ave. – Petition of Pedro Omaro-Rodriquez, etal – Seeking a use variance under Sec. 5-1-2 to permit the conversion of the existing single-family dwelling into a 2-family dwelling in an R-A zone.

Deferred until next meeting.

#2 1830 Barnum Ave. – Petition of Alexandria Ruffin (Glennie’s Jazz Club) – Seeking a variance of Sec. 12-10b to permit the establishment of a café/jazz club use and the issuance of a café/beer & wine liquor license located within 1500’ of other liquor outlets, and also seeking to waive the number of off-street parking spaces under Sec. 11-1-2 and all of the required landscaping requirements of Sec. 6-1-3 to allow the change of use from mixed use retail and warehousing use to a place of public assembly in an OR zone.

Leo Rodriguez, Architect appeared to present on behalf of the applicant. He furnished proof of mailings. He indicated Ms. Alexandria Ruffin has leased the space to operate a Jazz Club. When getting permits to occupy the space she learned she needed to apply for a special permit from the ZBA. There is very little parking in the back, only 12 spaces. The owner of the building only uses the parking until 5 p.m. and can use all of the spaces after 5 p.m. There are on-street parking spaces available in the neighborhood. He also added that because she is leasing the space she has no control over the landscaping of the lot.

Chair Piccirillo asked him to describe the operations of the club. He referenced plans and said there will be a small service bar, seating, and a stage for performances on the second floor. There is also room for performances on the first floor but they will not be using them at the same time.

Ms. Ruffin spoke and said there will be 55” TV’s on both floors, performances can be held either upstairs or downstairs. There are no cooking facilities on site but she will be offering catered food. She plans on being open 7 nights a week, from 6 p.m. – 1:30 a.m.

Ms. Grace asked about parking. Mr. Rodriguez showed them the location of the 12 spaces in the rear of the building.

Chair Piccirillo asked if anyone wished to speak in favor.

James Holloway, City Council – spoke in favor of the application, said there are a number of restaurants, etc. in the neighborhood with limited parking, and also said he welcomed a jazz club in to Bridgeport.

Chair Piccirillo asked if anyone wished to speak against.

No one appeared. Mr. Piccirillo said he received a letter that was not signed and was not legible.

The Public Hearing was closed.

#3 365 Seaview Ave. – Petition of John Szyszka – Seeking a variance of Sec. 12-10b to establish an outdoor café and the establishment of a café liquor permit, and also seeking to waive all required off-street parking spaces under Sec. 11-1-2, and the minimum landscaping requirements of Sec. 8-3-3 to permit a seasonal dining facility on the deck/dock of an existing bait shop and fish market in an MU-LI zone and coastal area.

Leo Rodriguez, Architect appeared to present on behalf of the applicant. He submitted proof of mailings. He asked to correct the application to reflect they are seeking a Café beer & wine permit, as opposed to a Café liquor permit.

He said he had the comments from the Engineering Department of which they have responded.

Chair Piccirillo asked what is new or different with this application relative to the previous applications. He added 'no more room' is not a hardship.

Mr. Rodriguez said the hardship addresses parking and landscaping. There is no more room for additional parking, however the city upgraded Seaview Ave. to add parking. He also stated that adding landscaping so close to the sea wall is not advised.

They did go to the Harbor Commission and did get approval on their second application. They also submitted the application to DEEP and they received a permit as long as they provided public access.

Chair Piccirillo asked for seating numbers. Mr. Rodriguez said they have reduced the seating to 14 tables with 4 people per table, roughly 56 in total. They will have an outdoor cooking grill and a service bar. They also will have bathroom facilities available to the public.

He added once they receive ZBA and PNZ approvals they will have to get a structural engineer to evaluate the decking.

Ms. Grace said the changes are reduced seating and now it is a service bar only. She asked how many parking spaces there are on site. Mr. Rodriguez said they had planned

to share parking with a neighbor but that is on hold due to other issues. There are now 4 parking spaces. They will need 1 handicap space and room for 2 additional spaces.

He also said they will be open depending on the weather. There will be no alcohol service if they are not cooking. The lighting will be upgraded.

Mr. Eagen asked hours of operation. Mr. Rodriguez said week-ends not past 1 am, week days not past 11 or 12 PM. They will be open for lunch.

Chair Piccirillo asked if anyone wished to speak in favor.

James Holloway, City Council – spoke in favor of the application and said the City widened Seaview Avenue and added parking lanes so he did not think parking would be a problem. He liked the concept, no neighborhood residents against the idea, and the way the street was redone does not allow room for additional landscaping.

Chair Piccirillo asked if anyone wished to speak against.

1. Urdell Key, lives on Seaview Avenue, said parking on the street on a summer week-end if very difficult. She also had a concern for loud music, large numbers of people. Also said not sure her neighbors even knew this application was made.

Chair Piccirillo said the applicant has not asked for music and the sign was posted and noticed in the paper.

2. Arlene ? – also lives on Seaview Avenue and said loud music at night is a big problem.

Mr. Rodriguez said the proper mailings were made to the neighbors, and loud music is coming from another restaurant.

The Public Hearing was closed.

#4 186 – 188 (aka 196) East Ave. – Petition of Habitat for Humanity of CFC – Seeking a use variance of Sec. 7-1-2 to permit the construction of a 2-family dwelling in an I-L zone.

Maria Yrigoyen Site Manager, and Keith Cook, Dir. Construction for HFH appeared and provided pictures to commission and proof of mailings.

Mr. Cook said this site was previously granted a variance for a 1 family home. They are asking to switch it back to a 2 family house. It meets all setback and parking requirements.

He said they intend to build a 2-family home in harmony with other homes in the neighborhood. They intend to sell each unit as a condo meaning the owners would need to make joint decisions. If either owner chooses to move/sell Habitat for the 1st right to purchase and re-sell to maintain the affordability status of the unit.

Chair Piccirillo asked if anyone wished to speak in favor. None came forward.

Chair Piccirillo asked if anyone wished to speak against. None came forward.

The Public Hearing was closed.

#5 90 – 92 Edwin St. (aka 1856 – 1858 Stratford Ave.) – Petition of Habitat for Humanity of CFC – Seeking a variance of the required minimum front setback requirement of Sec. 5-1-3 to permit the construction of a 2-family dwelling on a nonconforming lot in an R-BB zone

Maria Yrigoyen Site Manager, and Keith Cook, Dir. Construction for HFH appeared and provided pictures to commission and proof of mailings.

Chair Piccirillo asked if they have had a chance to review the comments from D. Guevara, Design Review Coordinator. Mr. Cook said they had and they are prepared to address the concerns.

Mr. Cook said they are here seeking a variance and the hardship is the need for affordable and green built Energy Star built housing in Bridgeport. They addressed Diego's recommended denial based on HFH decision to align and face the building on Edwin Street vs. Stratford Avenue.

Mr. Cook said the lot was sold to HFH by the City to build housing. Mr. Cook then reviewed pictures of housing/buildings/lots surrounding the lot in discussion.

He stated quality of life is an important piece of the properties they build. They believe the proposed siting is fitting in with the residential part of this neighborhood. The suggestion to have the house face Stratford Avenue, and stack the units is not in keeping with the philosophy of Habitat for Humanity. They stress home ownership and the

stability that goes with that, and they do not believe stacked units work within that philosophy.

To improve the view from Stratford Avenue they propose building a small triangular porch over the door and add a concrete walkway from there to Stratford Avenue, add hedges along the fence, and plant trees along the Stratford Avenue face.

They feel a one-family house will be dwarfed in the neighborhood. There is a huge house next door.

Chair Piccirillo asked if anyone wished to speak in favor. None came forward.

Chair Piccirillo asked if anyone wished to speak against.

Charles Meedbank (sp?) came forward. Not in support of this project, feels HFH comes in to neighborhoods not thinking about the people in the neighborhood. He previously leased the property and was not given notice to purchase by the City of Bridgeport.

Chair Piccirillo said this commission deals with land issue, not ownership issues.

Mr. Meedbank said he felt HFH should not be able to come in to the neighborhood and do whatever they want. He said HFH should be asking the neighbor's what they think.

Ms. Yrigoyen said she appreciates the concerns of the neighbor. Once approvals are received they send letters to the neighbors to let them know their plans. She believed a 2 family home is a benefit over abandoned lots

Mr. Cook said the proposed building is a conforming use and the view from Stratford Avenue and Edmund are vastly different, but feels their proposed changes addresses the concerns.

The Public Hearing was closed.

#6 74 Huntington Rd. – Petition of Golden Hill Foundation, Inc. – Seeking to waive all of the required off-street parking space requirements of Sec. 11-1-2 to permit the increase of occupants from 9 to 12 in the existing licensed rooming house in a mixed use property in an R-C zone.

Atty. Ray Rizio appeared to present on behalf of Golden Hill Foundation - Recovery Network of Programs. He provided proof of mailings and information on Recovery Network of programs (RNP) and the home in discussion tonight.

He said RNP has been in existence since 1972 and serve 6,000 people at 13 locations in the City of Bridgeport. These people have various mental health issues. They have owned this building since 1991 and it is a legal existing rooming house/group home. It previously housed 8 mentally challenged residents with 3 on-site full time employees.

RNP operates a 30 day program for women who suffer from assault, battered woman syndrome and develop dependency issues. When they finish the 30 day program they are generally homeless and need a place to live, post recovery. RNP proposes using this location, called The Tina Clem Serenity Home, for transitional housing for these women, for a period of 90 days.

They propose increasing the number of beds from 8 to 12. There is a 2 car garage and tandem parking on the side. This proposal will only need 1 employee per shift. The residents do not have cars so there is a decrease in parking demand.

Atty. Rizio said RNP is a stabilizing force in the neighborhood and have a staff of 13 who maintain their properties.

Ms. Grace asked if they will offer services on site. Atty. Rizio said the residents will have to go off site for medications, support services, etc.

Chair Piccirillo asked if anyone wished to speak in favor. None came forward.

Chair Piccirillo asked if anyone wished to speak against. None came forward.

The Public Hearing was closed.

#7 124 – 126 Rose St. – Petition of Decolin Muteba – Seeking a use variance under Sec. 5-1-2 and two of the required off-street requirements of Sec. 11-1-2 to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in an R-C zone.

Deferred until next meeting.

#8 1311 Park Ave. – Petition of Matilia Cenejuste – Seeking variances of the minimum driveway width required under Sec. 11-1-11 and the parking setbacks and perimeter landscaping requirements of Sec. 11-1-13 to legalize the conversion of a 2-family dwelling into a 3-family dwelling in an OR zone.

Atty. Ray Rizio appeared to present and submitted proof of mailings.

Atty. Rizio said this has been before the commission before and there was an old report in to the record in error. The owner had complied with the request of the Zoning Office.

He said this will be a 3 family in a neighborhood of 3 family homes. A neighbor, Mrs. Crawford, called his office in support of the application (she was unable to make the meeting).

He said Mrs. Cenejuste thought she bought a 3 family and it is a financial hardship to keep it as a 2 family. Mrs. Cenejuste confirmed the statement.

Chair Piccirillo asked if anyone wished to speak in favor. None came forward.

Chair Piccirillo asked if anyone wished to speak against. None came forward.

The Public Hearing was closed.

DECISION SESSION

RE :D-1 (#4) 5456 Park Ave. – Petition of Adam Blank – Appealing under Sec. 8-7 of the CT General Statutes and Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and whereby is alleged that the Zoning Enforcement Officer erred in his decision to accept an application for the construction of a 5-story commercial parking garage in an MU-EM

**** MS. GRACE MOVED TO DEFER ITEM # D-1 (#4) 5456 PARK AVE. – PETITION OF ADAM BLANK – APPEALING UNDER SEC. 8-7 OF THE CT GENERAL STATUTES AND SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND WHEREBY IS ALLEGED THAT THE ZONING ENFORCEMENT OFFICER ERRED IN HIS DECISION TO ACCEPT AN APPLICATION FOR THE CONSTRUCTION OF A 5-STORY COMMERCIAL PARKING GARAGE IN AN MU-EM TO JUNE 11, 2013 MEETING**

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

RE: #1 328 Jackson Ave. – Petition of Pedro Omaro-Rodriquez, etal – Seeking a use variance under Sec. 5-1-2 to permit the conversion of the existing single-family dwelling into a 2-family dwelling in an R-A zone.

**** MS. GRACE MOVED TO DEFER ITEM #1 328 JACKSON AVE. – PETITION OF PEDRO OMARO-RODRIQUEZ, ETAL – SEEKING A USE VARIANCE UNDER SEC. 5-1-2 TO PERMIT THE CONVERSION OF THE EXISTING SINGLE-FAMILY DWELLING INTO A 2-FAMILY DWELLING IN AN R-A ZONE TO JUNE 11, 2013 MEETING**

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

RE: #2 1830 Barnum Ave. – Petition of Alexandria Ruffin (Glennie’s Jazz Club) – Seeking a variance of Sec. 12-10b to permit the establishment of a café/jazz club use and the issuance of a café/beer & wine liquor license located within 1500’ of other liquor outlets, and also seeking to waive the number of off-street parking spaces under Sec. 11-1-2 and all of the required landscaping requirements of Sec. 6-1-3 to allow the change of use from mixed use retail and warehousing use to a place of public assembly in an OR zone.

****MR. RUSSO MOVED TO APPROVE ITEM #2 1830 BARNUM AVE. – PETITION OF ALEXANDRIA RUFFIN (GLENNIE’S JAZZ CLUB) – SEEKING A VARIANCE OF SEC. 12-10B TO PERMIT THE ESTABLISHMENT OF A CAFÉ/JAZZ CLUB USE AND THE ISSUANCE OF A CAFÉ/BEER & WINE LIQUOR LICENSE LOCATED WITHIN 1500’ OF OTHER LIQUOR OUTLETS, AND ALSO SEEKING TO WAIVE THE NUMBER OF OFF-STREET PARKING SPACES UNDER SEC. 11-1-2 AND ALL OF THE REQUIRED LANDSCAPING REQUIREMENTS OF SEC. 6-1-3 TO ALLOW THE CHANGE OF USE FROM MIXED USE RETAIL AND WAREHOUSING USE TO A PLACE OF PUBLIC ASSEMBLY IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. LIQUOR LICENSE SHALL BE FOR BEER AND WINE ONLY.**
- 2. THERE SHALL BE NO CONSUMER BAR OR SERVICE BAR WITH CHAIRS IN FRONT OF IT. FURTHERMORE, ALL ALCOHOLIC BEVERAGES ARE TO BE DELIVERED TO TABLES BY THE WAIT STAFF ONLY.**
- 3. ENTERTAINMENT IS LIMITED TO JAZZ MUSICIANS OR JAZZ MUSIC ONLY.**

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

FOR THE FOLLOWING REASONS:

- 1. THE GRANTING OF THIS PETITION SHALL HAVE NO UNACCEPTABLE IMPACT ON THE AREA.**
- 2. A JAZZ CLUB OFFERS CITY RESIDENTS ANOTHER AVENUE FOR ENTERTAINMENT.**

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

RE: #3 365 Seaview Ave. – Petition of John Szyszka – Seeking a variance of Sec. 12-10b to establish an outdoor café and the establishment of a café liquor permit, and also seeking to waive all required off-street parking spaces under Sec. 11-1-2, and the minimum landscaping requirements of Sec. 8-3-3 to permit a seasonal dining facility on the deck/dock of an existing bait shop and fish market in an MU-LI zone and coastal area.

****MR. EAGEN MOVED TO PARTIALLY GRANT ITEM # 3 365 SEAVIEW AVE. – PETITION OF JOHN SZYSZKA – SEEKING A VARIANCE OF SEC. 12-10B TO ESTABLISH AN OUTDOOR CAFÉ AND THE ESTABLISHMENT OF A CAFÉ LIQUOR PERMIT, AND ALSO SEEKING TO WAIVE ALL REQUIRED OFF-STREET PARKING SPACES UNDER SEC. 11-1-2, AND THE MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 8-3-3 TO PERMIT A SEASONAL DINING FACILITY ON THE DECK/DOCK OF AN EXISTING BAIT SHOP AND FISH MARKET IN AN MU-LI ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. ALCOHOLIC BEVERAGES SHALL BE WINE AND BEER ONLY.**
- 2. THE USE OF ANY TYPE OF BAR OR SERVICE BAR IS STRICTLY PROHIBITED.**
- 3. ALCOHOLIC BEVERAGES ARE TO BE SERVED TO PATRONS FROM A COOLER OR REFRIGERATOR BY THE WAIT STAFF ONLY.**
- 4. THERE SHALL BE NO ENTERTAINMENT OF ANY TYPE FOR ANY REASON.**
- 5. SEATING IS LIMITED TO 36 PERSONS MAXIMUM.**

- 6. PORCH TYPE FENCING TO BE INSTALLED ON BOTH SIDES OF DOCK TO ENSURE SAFETY OF THE DINING PATRONS.**
- 7. THE FOOD CART/TRAILER TO BE REMOVED FROM THE SUBJECT PREMISES.**
- 8. THE FRONT YARD OF THE SUBJECT PREMISES TO BE LANDSCAPED TO THE L2 STANDARD.**
- 9. ALL CONCERNS OF THE CITY ENGINEER IN HIS LETTER OF MAY 13, 2013 ARE TO BE ADDRESSED.**
- 10. THE SERVING OF ALCOHOLIC BEVERAGES SHALL BE IN CONJUNCTION WITH THE SERVING OF MEALS ONLY.**
- 11. THE AREA FOR PUBLIC ACCESS SHALL BE CLEARLY IDENTIFIED**

FOR THE FOLLOWING REASONS:

- 1. THE PETITIONER HAS MET THE CONCERNS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, AS WELL AS THE CITY OF BRIDGEPORT HARBOR COMMISSION.**
- 2. THIS WATER SIDE BUSINESS WILL OFFER A SERVICE TO THE BOATING COMMUNITY.**
- 3. THE SCALED DOWN APPROVAL SHOULD HAVE NO ADVERSE IMPACT ON THE PARKING IN THE IMMEDIATE AREA, AS THE PETITIONER IS FOCUSING ON THE NEEDS OF CURRENT PATRONS OF THIS EXISTING MARINA.**

**** MR. RUSSO SECONDED**

**** THE MOTION PASSED UNANIMOUSLY**

RE: #4 186 – 188 (aka 196) East Ave. – Petition of Habitat for Humanity of CFC – Seeking a use variance of Sec. 7-1-2 to permit the construction of a 2-family dwelling in an I-L zone.

****MR. EAGEN MOVED TO APPROVE ITEM # 4 186 – 188 (AKA 196) EAST AVE. – PETITION OF HABITAT FOR HUMANITY OF CFC – SEEKING A USE VARIANCE OF SEC. 7-1-2 TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING IN AN I-L ZONE WITH THE FOLLOWING CONDITION**

- 1. THE DEVELOPMENT OF THE SUBJECT PROPERTY 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 PETITIONER SHALL ADDRESS ALL CONCERNS OF THE CITY ENGINEER AS EXPRESSED IN HIS LETTER OF MAY 9, 2013.

FOR THE FOLLOWING REASONS:

1. THE USE CONFORMS TO OTHER HOUSING UNITS IN THE AREA.

2. THIS WILL PROVIDE MODERN AND UP TO DATE RESIDENTIAL UNITS WITHIN THE CITY LIMITS.

3. THE PROJECT, AS APPROVED, WILL HAVE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.

**** MR. RUSSO SECONDED**

**** THE MOTION PASSED UNANIMOUSLY**

RE: #5 90 – 92 Edwin St. (aka 1856 – 1858 Stratford Ave.) – Petition of Habitat for Humanity of CFC – Seeking a variance of the required minimum front setback requirement of Sec. 5-1-3 to permit the construction of a 2-family dwelling on a nonconforming lot in an R-BB zone

****MS. GRACE MOVED TO CONTINUE ITEM # 5 90 – 92 EDWIN ST. (AKA 1856 – 1858 STRATFORD AVE.) – PETITION OF HABITAT FOR HUMANITY OF CFC – SEEKING A VARIANCE OF THE REQUIRED MINIMUM FRONT SETBACK REQUIREMENT OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING ON A NONCONFORMING LOT IN AN R-BB ZONE TO TUESDAY, JUNE 11, 2013 AT 6:00PM TO ADDRESS THE FOLLOWING CONCERNS:**

- THE FRONT OF THE DWELLING SHOULD FACE STRATFORD AVE.**
- DRIVEWAY LOSE TO THE CORNER IS IN VIOLATION OF CITY ORDINANCE 12.08.030.**
- THE PROJECT AS PRESENTED WOULD BE AN OVERUSE OF THE SUBJECT PREMISES.**

**** MR. EAGEN SECONDED**

**** THE MOTION PASSED UNANIMOUSLY**

RE: #6 74 Huntington Rd. – Petition of Golden Hill Foundation, Inc. – Seeking to waive all of the required off-street parking space requirements of Sec. 11-1-2 to permit the increase of occupants from 9 to 12 in the existing licensed rooming house in a mixed use property in an R-C zone.

****MS. SHEPARD MOVED TO APPROVE ITEM #6 74 HUNTINGTON RD. – PETITION OF GOLDEN HILL FOUNDATION, INC. – SEEKING TO WAIVE ALL OF THE REQUIRED OFF-STREET PARKING SPACE REQUIREMENTS OF SEC. 11-1-2 TO PERMIT THE INCREASE OF OCCUPANTS FROM 9 TO 12 IN THE EXISTING LICENSED ROOMING HOUSE IN A MIXED USE PROPERTY IN AN R-C ZONE WITH THE FOLLOWING CONDITION:**

- 1. THE MAXIMUM OCCUPANCY OF THIS FACILITY SHALL NOT EXCEED TWELVE (12).**

FOR THE FOLLOWING REASONS:

- 1. USE AS A ROOMING HOUSE WAS PREVIOUSLY ESTABLISHED.**
- 2. SINCE RESIDENTS OF THIS FACILITY DO NOT HAVE ANY VEHICLES THERE IS NO NEED TO MEET THE MINIMUM OF OFF-STREET PARKING REQUIREMENTS.**

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

RE: #7 124 – 126 Rose St. – Petition of Decolin Muteba – Seeking a use variance under Sec. 5-1-2 and two of the required off-street requirements of Sec. 11-1-2 to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in an R-C zone.

****MR. EAGEN MOVED TO DEFER ITEM #7 124 – 126 ROSE ST. – PETITION OF DECOLIN MUTEBA – SEEKING A USE VARIANCE UNDER SEC. 5-1-2 AND TWO OF THE REQUIRED OFF-STREET REQUIREMENTS OF SEC. 11-1-2 TO PERMIT THE CONVERSION OF THE EXISTING 2-FAMILY DWELLING INTO A 3-FAMILY DWELLING IN AN R-C ZONE TO JUNE 11, 2013 IN ORDER FOR YOU TO NOTIFY THE ABUTTING PROPERTY OWNERS IN A TIMELY MANNER ACCORDING TO THE ZONING REGULATIONS**

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

RE: #8 1311 Park Ave. – Petition of Matilia Cenejuste – Seeking variances of the minimum driveway width required under Sec. 11-1-11 and the parking setbacks and perimeter landscaping requirements of Sec. 11-1-13 to legalize the conversion of a 2-family dwelling into a 3-family dwelling in an OR zone.

****MR. RUSSO MOVED TO APPROVE ITEM #8 1311 PARK AVE. – PETITION OF MATILIA CENEJUSTE – SEEKING VARIANCES OF THE MINIMUM DRIVEWAY WIDTH REQUIRED UNDER SEC. 11-1-11 AND THE PARKING SETBACKS AND PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13 TO LEGALIZE THE CONVERSION OF A 2-FAMILY DWELLING INTO A 3-FAMILY DWELLING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. PETITIONER IS TO FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 2. ALL RENOVATIONS ARE TO MEET THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. PROPERTY WAS REPRESENTED TO THE BUYER AS A LEGAL 3-FAMILY DWELLING.**
- 2. SINCE THE ZONING REGULATIONS RE-WRITE OF 2010, 3-FAMILY HOMES ARE ALLOWED BY RIGHT.**

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

APPROVAL OF MINUTES

Approval of ZBA Minutes for March 12, 2013.

****MS. GRACE MOVED TO APPROVE THE MINUTES OF MARCH 12, 2013
**MR. EAGEN SECONDED
THE MOTION PASSED UNANIMOUSLY

Approval of ZBA Minutes for April 9, 2013

****MS. GRACE MOVED TO APPROVE THE MINUTES OF APRIL 9, 2013**

****MS. SHEPHARD SECONDED**

****THE MOTION PASSED UNANIMOUSLY**

ADJOURNEMENT

****MR. EAGEN MOVED TO ADJOURN**

****MR. RUSSO SECONDED**

****THE MOTION PASSED UNANIMOUSLY**

Meeting was closed at 7:55 PM

Respectfully submitted,

Jill Kuzmich
Telesco Secretarial Services