



ZONING BOARD OF APPEALS  
DECEMBER 11, 2013  
MEETING MINUTES  
CITY OF BRIDGEPORT

45 Lyon Terrace, Room  
210  
Bridgeport, CT 06604  
(203) 576-7217 Phone  
(203) 576-7213 Fax

**ATTENDANCE:** Michael Piccirillo, Chair; Commissioners: Linda Grace; John Carolan; James Eagen; Rob Russo

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

**CALL TO ORDER**

Chair Michael Piccirillo called the meeting to order at 6:05 p.m. and introduced the four (4) commission members present. There was a quorum. He announced that item #5 has been deferred until the January 14, 2014 meeting.

**CONTINUED ITEMS**

**C-1(#3) 5 – 15 Grant St. – Petition of Connecticut Mustang – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on 06/12/07, which established a storage area for up to 50 tax lien vehicles at the existing used car dealership in an I-L zone.**

Atty. Ray Rizio presented on behalf of the applicant. He indicated this was a continuation of the presentation from last month's meeting. The commission asked for a chance to visit the site. Chair Piccirillo indicated no arrangements were made for the visit so they have not been able to see the area.

Atty. Rizio reviewed the details, provided pictures of the property, and indicated that the owner has been working with N. Bonney to clean up the property. His client wishes to fence in an additional area behind the existing holding area for storage of dumpsters.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

None came forward.

Chair Piccirillo asked if anyone wished to speak against the petition.

Chair Piccirillo read a letter from City of Bridgeport OPED in to the record in opposition of this application saying this storage is not compatible in this area in light of future plans for this area by the City of Bridgeport.

Atty. Rizio withdrew the application.

### **DEFERRED BUSINESS**

**D-1 (#1) 2450 – 2458 and 2460 Main St. – Petition of Lillian Iodice – Appealing under Sec. 14-10 of the Zoning Regulations and Sec. 8-7 of the CT General Statutes that the Zoning Official erred in the processing of a liquor application for a change of ownership at an established business in an OR-G zone.**

Dennis Buckley, Zoning Official for the City of Bridgeport appeared representing the Zoning Office. He indicated this was a challenge to his processing of a liquor permit and how a resident of the City was aggrieved by the processing of the application.

Mr. Buckley reviewed the timeline associated with the business relevant to this application, including the history of permittee's and the continuity of the business at this location. He added there has been no break in activity at the café at this address nor has there been any attempt to abandon the business at this location.

Mr. Buckley stated there are no grounds for a challenge to the processing of the liquor application. The 30 day window for comment by a constituent was not utilized.

Subsequently, Judge Dale Radcliffe said in a 2 part decision that a Zoning Official cannot personally decide if the applicant is aggrieved. That decision is for the ZBA to make.

Atty. Ed Schmidt, Assistant City Atty. for the City of Bridgeport appeared and further explained Judge Radcliffe's decision and instructions for the ZBA commission.

Chair Piccirillo asked if anyone wished to speak in support of the COB Zoning Official's action.

1. Mr. Carmen Massimino, owner of the building in question, came forward in support. He said the main issue in the complaint concerns the continuity of a

liquor license for the establishment. He presented copies of his liquor licenses for 2006 thru 2008, the time in question. He added that he has had an exotic dancer license since 1991.

2. Mr. Vincent Fazio, owner of the holding company for the subject café. He indicated he did a lot of due diligence when he purchased the business. He did not find any lapse of liquor license for the time in question. He added that he did close down for a short time for renovation. The State of CT Liquor Commission was advised of this per their procedures.

Mr. Fazio submitted a letter from Dennis Buckley dated 11/19/12 summarizing the testimony, a copy of the Motion to Dismiss prepared by his Attorney, not able to attend this evening, and copies of liquor permits.

Chair Piccirillo asked if anyone wished to speak in opposition of the COB Zoning Official's action.

1. Atty. J. Klein appeared, representing Ms. Lillian Iodice who is appealing an action of the Zoning Enforcement officer of the City of Bridgeport. He said he believes the agenda is mischaracterizing the intent of the appeal. He also believes Mr. Buckley is mischaracterizing the intent.

He stated this appeal is based on the ZEO denying her request to discontinue the application because of her discovery of a lapse in the proper licensing of the establishment, including the approval for exotic dancers.

Mr. Klein then thoroughly reviewed the timeline of events and facts based on his research including, and in addition to, change of permittee's, CO's and Certificates of Zoning Compliance for the establishment, and other facts pertinent to this application.

He submitted a packet of 11 documents, with a copy to each commissioner, containing evidence that this establishment was not used as a venue for exotic dancers. The documents include: application 3/90, Lease 4/90, application renewal 10/97, application renewal 11/00, application renewal 10/01, parental complaint of underage drinking at establishment without any reference to exotic dancers, DCP Permit 11/02, application for transfer of stock 5/09, lease 3/09 thru 2/14, and others.

Atty. Klein stated they are asking the ZEO to prove continual use of establishment including exotic dancers.

2. Carlos Silva, former City Councilman from the 136<sup>th</sup> District - familiar with this bar/establishment for the past 10 years since he was elected to represent the district in 2003. Has been a patron many times and never saw exotic dancers, said in 2005/2006 they started to promote the establishment with different theme nights, trying to attract a younger crowd. In 2007 the establishment was closed for a time and he was told they were closed for renovation. In 2008 it was changed to an adult establishment and Mr. Silva received many calls of concern from his constituents.

Atty. Klein asked the commission if they had any questions.

Mr. Buckley spoke and stated he felt the presentation by Atty. Klein is getting away from the issue of abandonment. He added that he personally did an inspection in 1990 and personally witnessed exotic dancers. Mr. Buckley said Mr. Klein has not proved they have abandoned the use of adult entertainment.

### **NEW BUSINESS**

**#1 371 Northfield Dr. – Petition of Gustavo A. Carvajal – Seeking a variance of Sec. 11-8-3(b) and (i) to legalize the existing 6’ privacy fence within the front setback (on a corner lot) in an R-A zone.**

Mr. Carvajal appeared to present his application. He provided proof of mailings.

Mr. Carvajal said the 6’ high fence was put in to provide privacy and security for his family. The area previously had a natural fence and when it was removed it improved the visibility for drivers in the neighborhood.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Mr. Angelo Coco, neighbor of Mr. Carvajal – said Mr. Carvajal is a good and helpful neighbor, and said the removal of the natural fence greatly improved visibility for the drivers in the neighborhood.
2. Mr. James Scheitinger, neighbor – said Mr. Carvajal is a good neighbor and this fence causes no issues, and the visibility has been improved by removing the natural fence.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the public hearing was closed.

**#2 665 West Taft Ave. – Petition of Rhonda Kiest – Seeking a variance of accessory uses under Sec. 4-8-5(b) and (3), and also seeking a variance of the maximum allowable site coverage under Sec. 4-9-1(c) to permit an art studio in the existing 2-car garage in an R-A zone.**

Mr. Abel Chaparro, contractor for the owner appeared to present the application. He provided proof of mailings.

He stated the owner wishes to convert the garage in to an art studio for her own use. She will be using it 3 seasons of the year. She will not be renting it out.

Chair Piccirillo said if approved there is nothing to keep it from becoming a rental property in the future, once the property is sold. He asked if her painting is a business.

Mr. Chaparro said painting is her hobby and she will not be running a business from the structure. There will be a bathroom and a single heat/AC unit installed in the wall of the structure.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. A letter of support from the neighbor at 655 W. Taft Avenue was read in to the record.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the public hearing was closed.

**#3 616-618 Colorado Ave. – Petition of Mohammed A. Huq – Seeking variances of the number of required off-street parking under Sec. 11-1-2, and also seeking to waive the minimum parking space dimension of Sec. 11-1-10 to legalize the 3<sup>rd</sup> residential use of a 2-family dwelling in an R-BB zone.**

Mr. Kaz Oda, Architect appeared to present on behalf of applicant. He provided proof of mailings.

He said the owner purchased this home in 2002 as a 3-family dwelling. In 2009 he got a permit to renovate the basement. The owner was notified that the home is only approved as a 2 family and there are also fire code issues that need to be fixed.

Mr. Oda said they are looking for parking waivers and to legalize the 3<sup>rd</sup> family space.

Chair Piccirillo asked Mr. Oda how long ago the owner was notified and he replied 4 years ago.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

None appeared.

Chair Piccirillo asked if anyone wished to speak against the petition.

1. Ms. Vanessa Lyle, West Side NRZ appeared – she said the NRZ is working diligently to adhere to the city’s Master Plan and keep the Zoning as 2 family. She added they are trying to restore the neighborhood to its historical comfort level.
2. Chair Piccirillo read a letter of opposition from Frank Borres, Chair of the West Side NRZ.

The public hearing was closed.

**#4 769-771 Colorado Ave. – Petition of Charbel Heraoui – Seeking a variance of the minimum area of 2,700 sq. ft. per unit required under Sec. 5-1-3, and also seeking to waive two (2) of the five (5) off-street parking spaces of Sec. 11-1-2, and the minimum driveway width of Sec. 11-1-11 to legalize the 3<sup>rd</sup> residential unit use of an existing 2-family dwelling in an R-C zone.**

Mr. Mario Paniccia, Architect appeared to present on behalf of the applicant. He provided proof of mailings.

Mr. Paniccia said the house was built in 1892. The owner received a letter from the Fire Marshall saying it was an illegal 3 family dwelling. The owner purchased the home as a 3 family and has been paying taxes as a 3 family home. Tax documents were provided as exhibits. The 1991 tax assessment shows it as a 3 family.

Mr. Paniccia explained the home has 3 gas meters, 3 hot water units, and 2 electric meters. The electrical panel for the 3<sup>rd</sup> floor is tied into the 2<sup>nd</sup> floor meter. The 3<sup>rd</sup> floor has a dormer to allow headroom for the bathroom, a dormer in the living room and front and back gables.

Mr. Paniccia says the hardship in this case is that the dormer on the 3<sup>rd</sup> floor was built in to allow for a third floor apartment. He also said the owner of the home stopped leasing the 3<sup>rd</sup> floor apartment once he was notified by the Fire Marshall, and until he can get this issue resolved.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Mr. Wilfredo Adams, next door neighbor – said there is enough parking in the neighborhood to allow the waiver that is sought.

Chair Piccirillo asked if anyone wished to speak against the petition.

1. Ms. Vanessa Lyle, West Side NRZ – she said she would like to explore the records to see if it was originally built as a 3 family. She also said she understands the hardship but not at the sacrifice of the entire neighborhood.
2. Chair Piccirillo read a letter of opposition from Frank Borres, Chair of the West Side NRZ.

The public hearing was closed.

**#5 25 & 27 Burr Court– Petition of 118 Burr Court, LLC – Seeking a use variance under Sec. 6-1-2 and a height and front setback variance as required by Sec. 6-1-3 to permit the construction of a 6,398 sq. ft. industrial building in an OR zone.**

Deferred until January 14, 2014 meeting.

**#6 240 (aka 139) Ocean Terrace – Petition of City of Bridgeport Board of Education (Longfellow School) – Seeking variances of the minimum front setback requirement of Sec. 5-1-3; the minimum number of off-street parking spaces of Sec. 11-1-2; the landscape buffering abutting and across from a residential zone requirements of Sec. 12-8(g) and (h); the minimum landscaping requirement of Sec. 11-1-13; and the maximum height requirement for fencing under Sec. 11-8-3 to permit the construction of a new modern elementary school on an existing school site in an R-C zone and coastal area.**

Scott Baillie, of O&G Industries, representing the Board of Education for the City of Bridgeport appeared to introduce Dan Casinelli, Principal of Fletcher-Thompson Architects, architectural designer of the proposed school, and Barry Blades, Principal of Blades & Goven, landscape architect for the proposed school. Proof of mailings were submitted.

Mr. Casinelli gave a brief review of the project. They will be demolishing the existing Longfellow facility and building a new 76,000 square foot school for 550 students.

Mr. Casinelli then reviewed each of the waivers requested. A site plan was present to for the commissioners to view.

Reduce the minimum setback frontage on 3 roads. Reduce the minimum off street parking spaces from 54 required to 45 in an effort to reduce the impact in the neighborhood. Reduce the landscape buffering abutting the residential zones. Reduce landscaping along the Cal Ripken Park border for increased visibility. Reduction of landscape along street parking to increase security and safety for the children. Requesting 8' high fence along Wordin Avenue which will give added security for classrooms. They intend to install a trellised fence.

They reviewed the drop off areas, bus areas and other exterior usage areas.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

None appeared.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the public hearing was closed.

**#7 482, 486, 488 (aka 484 – 496) East Main St. – Petition of Alexandro Mendez – Seeking under Sec. 12-10d to reestablish the café liquor use and the issuance of a café liquor permit in the exiting café/social club facility in an OR zone.**

Mr. Alexandro Mendez appeared on his own behalf. He indicated he owned a liquor store and wished to operate a café next door. He said the previous tenant was evicted, and it has been vacant for 2 years.

He would like to have neighborhood events for the children and neighbors.

Chair Piccirillo asked if there will be a stage. Mr. Mendez said there is a stage he could use for different events. He said he would have some live entertainment, maybe have children put on plays for their families.

Commissioner Grace asked if he would have food, he said maybe in the future. He is only going to be using a small area of the space initially.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Mr. Pedro Mendez, property manager of this building and grandfather of applicant, spoke in support of this application.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the public hearing was closed.

**# 8 681 East Main St. – Petition of 681 East Main St., LLC – Seeking a variance of all 34 of the required off-street parking spaces under Sec. 11-1-2 to permit the expansion from 6 to 11 residential units in the existing mixed use building in an OR zone.**

Paul Shelley and Solange Geffrard appeared on their own behalf. They submitted proof of mailings.

They indicated they have been before the ZBA concerning this project previously and have made changes to their proposal. Ms. Geffrard gave a brief review of the proposed project and indicated they have reduced the number of units in the building down to 11.

Mr. Shelley presented layouts of the proposed layouts for each of the 4 floors. There will be 1 unit on the first floor, 4 units on the 2<sup>nd</sup> floor, 4 units on the 3<sup>rd</sup> floor and 2 units on the 4<sup>th</sup> floor.

Chair Piccirillo asked if anyone wished to speak in favor of the petition.

1. Juan Hernandez – has lived in the city for 52 years, this building was an eyesore until the applicants cleaned up the exterior of the building. He also said 75% of the neighborhood houses have no off street parking.
2. Lydia Martinez, Council Representative for the 137<sup>th</sup> District – she said the area needs reasonable rents, would increase the tax base. Projects such as this are needed on the East Side.
3. Milta Feliciano, Council Representative for 137<sup>th</sup> District – is in support of this project, these type apartments are needed on the East Side.
4. Eneida Martinez-Walker – Council Representative for the 136<sup>th</sup> District – in support of this project for the East Side.
5. O’Nante Johnson – in support of this project, most residents in this area use public transportation, and appreciates they are willing to improve the neighborhood.
6. Glenn Sampson – need to bring affordable housing and jobs to this neighborhood
7. Mark Scheck, Bridgeport Property Owners Assoc., wants to encourage owners to improve their buildings such as this one.
8. Pastor Bobby Smithe – thinks this is great for the area.

Chair Piccirillo read a letter of support from David Kooris, Department of Planning and Economic Development for the City of Bridgeport in to the record.

Chair Piccirillo asked if anyone wished to speak against the petition.

Seeing none the public hearing was closed.

### **RECESS**

Committee recessed at 8:35 p.m. Chair Piccirillo called the meeting back in to order at 8:46 p.m.

### **DECISION SESSION**

**RE: C-1(#3) 5 – 15 Grant St. – Petition of Connecticut Mustang – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on 06/12/07, which established a storage area for up to 50 tax lien vehicles at the existing used car dealership in an I-L zone.**

Application was withdrawn.

**RE: D-1 (#1) 2450 – 2458 and 2460 Main St. – Petition of Lillian Iodice – Appealing under Sec. 14-10 of the Zoning Regulations and Sec. 8-7 of the CT General Statutes that the Zoning Official erred in the processing of a liquor application for a change of ownership at an established business in an OR-G zone.**

Assistant City Attorney Ed Schmidt suggested the commission consider 3 issues: 1) if the applications establish if the café existed, 2) did the business abandon exotic dancers from '96 – '12 and did the record support this or not and 3) abandonment regulations in many city's, town's, etc. are out of date; the Courts have held that abandonment occurs when an owner intentionally decides to stop the business and changes.

**\*\* COMMISSIONER GRACE MOVED TO TABLE ITEM D-1 (#1) 2450 – 2458 AND 2460 MAIN ST. – PETITION OF LILLIAN IODICE – APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS AND SEC. 8-7 OF THE CT GENERAL STATUTES THAT THE ZONING OFFICIAL ERRED IN THE PROCESSING OF A LIQUOR APPLICATION FOR A CHANGE OF OWNERSHIP AT AN ESTABLISHED BUSINESS IN AN OR-G ZONE TO THE JANUARY 145, 2014 MEETING TO ALLOW COMMISSIONERS TIME TO READ ALL SUBMITTED EXHIBITS.**

**\*\* COMMISSIONER EAGEN SECONDED**

**\*\*MOTION PASSES UNANIMOUSLY**

**RE: #1 371 Northfield Dr. – Petition of Gustavo A. Carvajal – Seeking a variance of Sec. 11-8-3(b) and (i) to legalize the existing 6’ privacy fence within the front setback (on a corner lot) in an R-A zone.**

**\*\* COMMISSIONER GRACE MOVED TO APPROVE ITEM #1 371 NORTHFIELD DR. – PETITION OF GUSTAVO A. CARVAJAL – SEEKING A VARIANCE OF SEC. 11-8-3(B) AND (I) TO LEGALIZE THE EXISTING 6’ PRIVACY FENCE WITHIN THE FRONT SETBACK (ON A CORNER LOT) IN AN R-A ZONE FOR THE FOLLOWING REASONS:**

- 1. THE FENCE DOES NOT INTERFERE WITH THE LINE OF SIGHT AND PROVIDES PRIVACY, AS WELL AS SECURITY FOR THE HOMEOWNERS.**

**\*\* COMMISSIONER RUSSO SECONDED**

**\*\* MOTION PASSES UNANIMOUSLY**

**RE: #2 665 West Taft Ave. – Petition of Rhonda Kiest – Seeking a variance of accessory uses under Sec. 4-8-5(b) and (3), and also seeking a variance of the maximum allowable site coverage under Sec. 4-9-1(c) to permit an art studio in the exiting 2-car garage in an R-A zone.**

**\*\* COMMISSIONER EAGEN MOVED TO DENY ITEM #2 665 WEST TAFT AVE. – PETITION OF RHONDA KIEST – SEEKING A VARIANCE OF ACCESSORY USES UNDER SEC. 4-8-5(B) AND (3), AND ALSO SEEKING A VARIANCE OF THE MAXIMUM ALLOWABLE SITE COVERAGE UNDER SEC. 4-9-1(C) TO PERMIT AN ART STUDIO IN THE EXITING 2-CAR GARAGE IN AN R-A ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PROPOSED EXPANSION OF THE ACCESSORY STRUCTURE WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISES.**
- 2. THE PETITIONER FAILED TO PRESENT AN UNUSUAL CONDITION OR EXCEPTIONAL HARDSHIP RELATING TO THIS PROPOSED USE.**

**\*\* COMMISSIONER CAROLAN SECONDED**

**\*\*MOTION PASSES 3 IN FAVOR – COMMISSIONERS EAGEN, CAROLAN, GRACE. 1 OPPOSED- COMMISSIONERRUSSO**

**RE: #3 616-618 Colorado Ave. – Petition of Mohammed A. Huq – Seeking variances of the number of required off-street parking under Sec. 11-1-2, and also seeking to waive the minimum parking space dimension of Sec. 11-1-10 to legalize the 3<sup>rd</sup> residential use of a 2-family dwelling in an R-BB zone.**

**\*\*COMMISSIONER GRACE MOVED TO DENY ITEM #3 616-618 COLORADO AVE. – PETITION OF MOHAMMED A. HUQ – SEEKING VARIANCES OF THE NUMBER OF REQUIRED OFF-STREET PARKING UNDER SEC. 11-1-2, AND ALSO SEEKING TO WAIVE THE MINIMUM PARKING SPACE DIMENSION OF SEC. 11-1-10 TO LEGALIZE THE 3<sup>RD</sup> RESIDENTIAL USE OF A 2-FAMILY DWELLING IN AN R-BB ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PETITIONER FAILED TO PRESENT AN EXCEPTIONAL DIFFICULTY OR UNUSUAL HARDSHIP RELATING TO OR DIRECTLY AFFECTING THIS PARCEL OF LAND.**
- 2. THE GRANTING OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISES.**
- 3. THERE IS CRITICAL TRAFFIC CONGESTION IN THIS AREA AND THE ADDITION OF MORE OFF-STREET PARKING OF VEHICLES WOULD ONLY SERVE TO INCREASE A FURTHER DETRIMENT TO PUBLIC SAFETY.**

**\*\*COMMISSIONER EAGEN SECONDED  
\*\*MOTION PASSES UNANIMOUSLY**

**RE: #4 769-771 Colorado Ave. – Petition of Charbel Heraoui – Seeking a variance of the minimum area of 2,700 sq. ft. per unit required under Sec. 5-1-3, and also seeking to waive two (2) of the five (5) off-street parking spaces of Sec. 11-1-2, and the minimum driveway width of Sec. 11-1-11 to legalize the 3<sup>rd</sup> residential unit use of an existing 2-family dwelling in an R-C zone.**

**\*\*COMMISSIONER EAGEN MOVED TO DENY ITEM #4 769-771 COLORADO AVE. – PETITION OF CHARBEL HERAOUI – SEEKING A VARIANCE OF THE MINIMUM AREA OF 2,700 SQ. FT. PER UNIT REQUIRED UNDER SEC. 5-1-3, AND ALSO SEEKING TO WAIVE TWO (2) OF THE FIVE (5) OFF-STREET PARKING SPACES OF SEC. 11-1-2, AND THE MINIMUM DRIVEWAY WIDTH OF SEC. 11-1-11 TO LEGALIZE THE 3<sup>RD</sup> RESIDENTIAL UNIT USE OF AN EXISTING 2-FAMILY DWELLING IN AN R-C ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PETITIONER FAILED TO PRESENT AN EXCEPTIONAL DIFFICULTY OR UNUSUAL HARDSHIP RELATING TO OR DIRECTLY AFFECTING THIS PARCEL OF LAND.**
- 2. THE GRANTING OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISES.**
- 3. THERE IS CRITICAL TRAFFIC CONGESTION IN THIS AREA AND THE ADDITION OF MORE OFF-STREET PARKING OF VEHICLES WOULD ONLY SERVE TO INCREASE A FURTHER DETRIMENT TO PUBLIC SAFETY.**

**\*\*COMMISSIONER GRACE SECONDED  
\*\*MOTION PASSES UNANIMOUSLY**

**RE: #5 25 & 27 Burr Court– Petition of 118 Burr Court, LLC – Seeking a use variance under Sec. 6-1-2 and a height and front setback variance as required by Sec. 6-1-3 to permit the construction of a 6,398 sq. ft. industrial building in an OR zone.**

**\*\*COMMISSIONER EAGEN MOVED TO DEFER ITEM #5 25 & 27 BURR COURT– PETITION OF 118 BURR COURT, LLC – SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND A HEIGHT AND FRONT SETBACK VARIANCE AS REQUIRED BY SEC. 6-1-3 TO PERMIT THE CONSTRUCTION OF A 6,398 SQ. FT. INDUSTRIAL BUILDING IN AN OR ZONE TO THE JANUARY 14, 2014 MEETING.**

**\*\*COMMISSIONER CAROLAN SECONDED  
\*\*MOTION PASSES UNANIMOUSLY**

**RE: #6 240 (aka 139) Ocean Terrace – Petition of City of Bridgeport Board of Education (Longfellow School) – Seeking variances of the minimum front setback requirement of Sec. 5-1-3; the minimum number of off-street parking spaces of Sec. 11-1-2; the landscape buffering abutting and across from a residential zone requirements of Sec. 12-8(g) and (h); the minimum landscaping requirement of Sec. 11-1-13; and the maximum height requirement for fencing under Sec. 11-8-3 to permit the construction of a new modern elementary school on an existing school site in an R-C zone and coastal area.**

**\*\*COMMISSIONER GRACE MOVED TO APPROVE ITEM #6 240 (AKA 139) OCEAN TERRACE – PETITION OF CITY OF BRIDGEPORT BOARD OF**

**EDUCATION (LONGFELLOW SCHOOL) – SEEKING VARIANCES OF THE MINIMUM FRONT SETBACK REQUIREMENT OF SEC. 5-1-3; THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES OF SEC. 11-1-2; THE LANDSCAPE BUFFERING ABUTTING AND ACROSS FROM A RESIDENTIAL ZONE REQUIREMENTS OF SEC. 12-8(G) AND (H); THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 11-1-13; AND THE MAXIMUM HEIGHT REQUIREMENT FOR FENCING UNDER SEC. 11-8-3 TO PERMIT THE CONSTRUCTION OF A NEW MODERN ELEMENTARY SCHOOL ON AN EXISTING SCHOOL SITE IN AN R-C ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND GRANTED 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. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

**FOR THE FOLLOWING REASONS:**

- 1. THE PROJECT, AS GRANTED, WOULD BE A MORE EFFICIENT USE OF THIS UNIQUE SHAPED PARCEL OF PROPERTY.**
- 2. THIS PROPOSED STATE-OF-ART EDUCATIONAL FACILITY WILL REPLACE AN OUT OF DATE STRUCTURE IN NEED OF EXTENSIVE RENOVATION.**

**\*\*COMMISSIONER RUSSO SECONDED  
\*\*MOTION PASSES UNANIMOUSLY**

**RE: #7 482, 486, 488 (aka 484 – 496) East Main St. – Petition of Alexandro Mendez – Seeking under Sec. 12-10d to reestablish the café liquor use and the issuance of a café liquor permit in the exiting café/social club facility in an OR zone.**

**\*\*COMMISSIONER RUSSO MOVED TO APPROVE WITH CONDITIONS  
ITEM #7 482, 486, 488 (AKA 484 – 496) EAST MAIN ST. – PETITION OF  
ALEXANDRO MENDEZ – SEEKING UNDER SEC. 12-10D TO REESTABLISH  
THE CAFÉ LIQUOR USE AND THE ISSUANCE OF A CAFÉ LIQUOR PERMIT  
IN THE EXITING CAFÉ/SOCIAL CLUB FACILITY IN AN OR ZONE WITH  
THE FOLLOWING CONDITIONS:**

- 1. LIVE AND MUSICAL ENTERTAINMENT SHALL BE LIMITED TO ACOUSTICAL (NON-AMPLIFIED) 3 PIECE BANDS, JUKE BOX, AND PIPED-IN MUSIC.**

**FOR THE FOLLOWING REASONS:**

- 1. CONTINUATION OF AN ESTABLISHED USE UNDER NEW OWNERSHIP.**
- 2. PROVIDES A SOCIAL OUTLET FOR AREA RESIDENTS.**

**\*\*COMMISSIONER EAGEN SECONDED**

**\*\*MOTION PASSES UNANIMOUSLY**

**RE: # 8 681 East Main St. – Petition of 681 East Main St., LLC – Seeking a variance of all 34 of the required off-street parking spaces under Sec. 11-1-2 to permit the expansion from 6 to 11 residential units in the existing mixed use building in an OR zone.**

**\*\*COMMISSIONER EAGEN MOVED TO APPROVE WITH CONDITIONS  
ITEM # 8 681 EAST MAIN ST. – PETITION OF 681 EAST MAIN ST., LLC –  
SEEKING A VARIANCE OF ALL 34 OF THE REQUIRED OFF-STREET  
PARKING SPACES UNDER SEC. 11-1-2 TO PERMIT THE EXPANSION FROM  
6 TO 11 RESIDENTIAL UNITS IN THE EXISTING MIXED USE BUILDING IN  
AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE REDEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND GRANTED BY THE BOARD.**

**2. THE PETITIONER IS TO FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

**3. ALL CONSTRUCTION MUST COMPLY WITH THE BASIC BUILDING CODE OF STATE OF CT.**

**FOR THE FOLLOWING REASONS:**

**1. SUBJECT IS AN OLD, LARGE BUILDING CONSTRUCTED PRIOR TO THE ESTABLISHMENT OF ZONING REGULATIONS OF THE CITY OF BRIDGEPORT.**

**2. MAJORITY OF BUILDINGS IN THIS AREA WERE CONSTRUCTED WHEN PEDESTRIAN TRAFFIC AND MASS TRANSIT WERE THE MAIN SOURCES OF TRAVEL.**

**3. THIS IS A UNIQUE NEIGHBORHOOD IN THAT ON-SITE PARKING WAS NEVER A CONSIDERATION AT THE TIME OF CONSTRUCTION, AS THE MAJORITY OF PEOPLE DID NOT OWN VEHICLES.**

**\*\* COMMISSIONER RUSSO SECONDED**

**\*\*MOTION PASSES UNANIMOUSLY**

### **OTHER BUSINESS**

**ITEM OB (#10) RE: 98 GROVERS AVENUE – Seeking a variance of Sec. 5-1-3 to increase the building coverage from 7,518 sq. ft. to 8,499 sq. ft., and also seeking a coastal site plan review under Sec. 14-3-4 to permit the construction of a single-family dwelling in an R-AA zone.**

Mr. Dennis Buckley indicated Mr. John Gaucher reported the pond in the area is not tidal, there are no concerns, and the application should be referred to the Inland Wetland Commission.

**\*\*COMMISSIONER GRACE MOVED TO APPROVE A COASTAL SITE PLAN REVIEW FOR ITEM OB (#10) RE: 98 GROVERS AVENUE – SEEKING A**

**VARIANCE OF SEC. 5-1-3 TO INCREASE THE BUILDING COVERAGE FROM 7,518 SQ. FT. TO 8,499 SQ. FT., AND ALSO SEEKING A COASTAL SITE PLAN REVIEW UNDER SEC. 14-3-4 TO PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING IN AN R-AA ZONE WITH THE FOLLOWING CONDITION:**

- 1. THE PETITIONER IS TO FILE AN APPLICATION TO THE INLAND & WETLAND COMMISSION FOR APPROVALS, AS THE POND WAS DETERMINED TO BE A NON-TIDAL ISSUE.**

**FOR THE FOLLOWING REASON:**

- 1. THE PROJECT, AS PRESENTED, WILL HAVE NO ADVERSE OR UNACCEPTABLE IMPACT ON THE COASTAL AREA.**

**THE EXPIRATION DATE OF THE COASTAL SITE PLAN REVIEW, AS REQUIRED UNDER SEC. 14-3-4 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAS BEEN ESTABLISHED AS DECEMBER 16, 2014.**

**\*\* COMMISSIONER EAGEN SECONDED  
\*\*MOTION PASSES UNANIMOUSLY**

#### **APPROVAL OF MINUTES**

None available.

#### **ADJOURNEMENT**

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

**Meeting was closed at 9:12 PM**

**Respectfully submitted,**

**Jill Kuzmich  
Telesco Secretarial Services**

City of Bridgeport  
Zoning Board of Appeals  
Regular Meeting  
December 11, 2013  
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