



ZONING BOARD OF APPEALS
APRIL 8, 2014
REGULAR MEETING MINUTES
CITY OF BRIDGEPORT

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

ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, Secretary;
John Carolan, Robin Shepard, John Calcutt

STAFF: Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning
Official, Atty. Ed Schmidt, Associate City Attorney; Diego
Guevara, Design Review Coordinator

CALL TO ORDER.

Mr. Piccirillo called the meeting to order at 6:06 p.m. A quorum was present. Mr. Piccirillo then introduced the ZBA members seated.

ITEM D-1 (#3) RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – 3115 Fairfield Avenue, LLC – Seeking variances of the maximum height requirement of 35 ft.; floor ratio requirement of .75 sq. ft. of property per residential unit, and 35 of the required on-site parking spaces under Sec. 6-1-3, and also seeking variances of the ground floor window requirements under Sec. 6-1-4; the minimum parking area setback landscaping of Sec. 11-1-13 and compliance with Sec. 6-2-1 to permit the construction of a 5-story, 58-unit apartment building with 61 on-site parking spaces in an OR zone and coastal area.

Mr. Piccirillo announced that a request for this application to be deferred to May 20, 2014 had been received.

ITEM D-2 (#12) RE: 533 – 541 CENTRAL AVENUE – Ontra Stone Concepts, LLC & Hajmereg Management Co, & Rusty Oxer, Inc. - Seeking to legalize the nonconforming store and grant a fabrication business with related office and warehouse use under Sec. 4-12-3c in a portion of the existing freight terminal in an R-BB zone and coastal area.

Mr. Piccirillo announced that a request for this application to be deferred to May 20, 2014 had been received.

Mr. Piccirillo then reviewed the process for the public.

#1 RE: 533-541 CENTRAL AVENUE – Hajmereg Management Co, & Rusty Ozer, Inc. - Seeking under Sec. 14-54 of the State of CT. General Statutes and a variance of Sec. 14-12-3a to permit the repair of motor vehicles and the issuance of a general repairer’s license in the existing freight and trucking terminal in an R-BB zone coastal area.

Atty. Joseph Coppolo, turned in the green cards and introduced himself. He said that the property has been continuously operating as a truck terminal since the 1960's. The applicant has to have a mechanic on site to perform repairs. The Federal Highway Use Act requires that the mechanic be certified by the State. Atty. Coppolo said that the request was for permission for the repairing license. The use will continue, but without State oversight. Atty. Coppolo said that on the advise of the staff, he was applying for mechanics repairing permission.

Mr. Piccirillo said that the owner could then go out and advertise the business. Atty. Coppolo said that the owner, Mr. Ozer, has a freight business and works on his own clients’ trucks. He is not looking for additional business.

Atty. Coppolo said that there was no landscaping involved.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the public hearing on 533-541 Central Avenue.

#2 RE: 4 PIERCE PLACE – Kurt Guytan - Seeking a variance of the required 2,700 sq. ft. of property per residential unit (1,000) and waiving 2’ of the required 20’ setback under Sec. 5-1-3, and also seeking variances of the interior landscaping, perimeter landscaping, and the minimum setback requirements under Sec. 11-1-13, as well as a variance of the maximum fence height within the front setback under Sec. 11-8-3 for the dumpster enclosure to permit the construction of a 4-story, 24-unit apartment house in an R-C zone.

Atty. Rizio came forward and turned in the green cards. He introduced himself to the Commission and said that he was representing Kurt Guytan, the owner. He reviewed the location of the parcel in an RC zone and behind three very tall condominiums. The single family homes on the opposite side of Pierce are in a different zone.

Atty. Rizio said that the RC zones have a high density. The application is for 24 units. He distributed a list showing the density of the three buildings in front of the property. One building is on .7 of an acre and has over 50 units. The next building is on one acre of land and has over 80 apartments. The third building is on .75 of an acre and has over 50 units.

There will be 8 units per floor, with parking underneath. The parcel is .55 acres with 24 units in the building. He distributed photos of the building at 1070 Park to the Commissioners.

Atty. Rizio then reviewed the impact the new building would be on the neighbors, and distributed several photos of the surrounding buildings. He said that the applicant was looking for a variance of the rear property set back. The property adjoins a cemetery and the existing building is within three feet of the property line. The new construction would have an 18 foot border between the property line and the building.

The balance of the variances have to do with the interior parking. Atty. Rizio said that the landscaping coverage requirement is 30% of the landscaping. Atty. Rizio said that Mr. Guevara wanted the building to be moved forward on the parcel but the building in front of it has a blank wall. Atty. Rizio said that the owner would be willing to screen the front property line with a three foot berm and arbor vitae on the berm.

Atty. Rizio said that Mr. Guevara wanted the dumpster moved, but the current location is situated at the end of the cul de sac. It will be contained in either brick or block. The parcel is back up to a commercial lot, and surrounded by tall apartment buildings.

Ms. Grace asked for clarification on the parking. Atty. Rizio reviewed the traffic flow pattern with her. The owner will replace the property line fence to shield the area.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application.

Mr. Guytan came forward and said that he had owned the parcel for over 14 years. He said that he has seen the condos build up around his property.

Mr. Piccirillo asked if there was anyone present who wished to speak against the application.

Atty. Joel Green of Green and Gross came forward and said that he represented the Regency Condo Association. Atty. Green asked the residents of the Regency to stand. There were 18 residents in attendance.

Atty. Green said that there was an easement for a road that was only 16 feet wide. Atty. Green then listed a number of possible developments that could be done on the property and said that this was agreed on the part of the owner for the excessive number of units. He said that all the applications have to play by the same rules in the Zoning regulations. He then listed the requirements for hardship and said that there was no hardship involved since currently there was a single family home on the property. Atty. Green said that there would be an impact on the neighbors.

Atty. Green pointed out that all five of the hardship requirements were not satisfied. He then cited the case of Hillard Bloom vs. the City of Norwalk regarding variances. He also cited Haines vs. the ZBA of the Town of Oxford in terms of the granting of a variance to individual owners.

Atty. Green said that he had a petition signed by 60 residents of the Regency Condominiums that said that the project was too large for the parcel along with other reasons for their objections. Atty. Green said that he did not believe that the residents of all the 77 units. Mr. Boucher said that the notice had been sent to the Condominium Association and there was a list of the residents in the file.

Mr. Kevin Book said that he was the president of the Regency Condominium. He said that he had received a hand delivered letter regarding the application. He said that he had contacted Atty. Rizio about this, but never received a return call.

Mr. Book said that there were numerous problems with the width of the road. If one vehicle is parked along Pierce Place, a vehicle coming down the road has to go on the lawn. He also said that Mr. Guyton's children trespass on the Regency property to get to the bus

Ms. Yvette Brantley came forward to speak in opposition of the development. She said that she was a former City Council member and had received several calls about the unpaved road at Briarwood. She said that she would like the Board to consider what would happen if there was a fire back on that parcel. Ms. Brantley said that the parcel was only half an acre and encouraged the Board members to consider how many units should be on this parcel.

Ms. Lucille Bock said that she served on the Board of Directors for the Regency. She said that while the residents of 2929 Madison had expressed strong concerns about a proposal for their area. Ms. Bock said that the Regency was built in the 1960's and that there have been several

Ms. Loretta Jay came forward and said that she resided at the Regency. She pointed out that her name and her husband's were not on the petition. She also said that she had not received notice of the hearing. Ms. Jay then pointed out that Pierce Place was not designed for high impact use and would be unable to meet the demands of an additional 24 units.

Ms. Jay then disagreed with the description of the property being surrounded by high density building, but pointed out that there were single family homes there, also

Council Member Patricia Swain said that she was a resident of the Regency and that she was also representing her constituents. She expressed concern about the lack of notification regarding the hearing. Just because there had been variation in the past had been given, it wasn't necessary to continue giving variances.

Mr. Michael Jakes of 24 North Avenue, came forward and said that he had just found out about the hearing an hour before it started. He said that he was very concerned about egress and would fight this as a taxpayer.

Council Member Robert Halstead said that he lived in the neighborhood and had not received notice of this project. He said that the cemetery was on the border of the historic district and

there was also a water problem back there. Mr. Halstead said that Mr. Jakes had told him that he had to put in a retaining wall because of the water issue.

Atty. Rizio came forward and said that he would request a continuance of the application due to the technical detail regarding the individual notification of the residents of the Regency.

#3 RE: 2031 EAST MAIN STREET – Melvin Gordils - Seeking multiple variances waiving the front setback requirement of Sec. 6-1-3; the store front character requirement of Sec. 6-1-4a(1); the required window coverage of Sec. 6-1-4b(1); two (2) of the required off-street parking spaces; the minimum parking space size and vehicle maneuvering space requirements of Sec. 11-1-10; and the minimum parking setbacks and landscaping perimeter requirement of Sec. 11-1-13 for the construction of a 3-story apartment building in an OR zone.

Atty. Rizio said that his client was seeking a variance regarding a three story building. There is currently a building permit for a four unit, two bedroom, six parking spaces. The client would like to convert the project to eight single bedroom units. He said that there was an inequity because there would still be eight bedrooms, but more parking needed. This building is in a OR zone, but the lot is long and narrow. The only reason that this project works is because the parking is underneath the building. A retail store on the first floor would not work because the parking issue.

Atty. Rizio said that there had been a request to make the building more attractive and there are multi-families on either side of the parcel. He distributed copies of a photograph. There are six parking spaces for the vehicles and there is a market for single bedroom units in the downtown area. There is parking on the street. There is adequate landscaping.

Ms. Grace requested clarification on the previous application. Atty. Rizio said that since these are single bedrooms, it would be marketed to single residents. There is handicapped parking in the rear. There is no elevator in the building.

Mr. Calcutt asked about the required window coverage. Atty. Rizio said that if the first floor was retail, there would be a requirement for window coverage.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo asked if there was anyone present who wished to speak against the application.

Ms. Helen Losiak, the Neighborhood Watch coordinator, came forward and said that she had taken a look at the property. She noted there was broken sidewalks and the posted notice was low to the ground and bent over. The property is littered. She said that leaving the property like this and asking to put an apartment building on this might not be taken care of property. She said that some people had not received their letters until a week before the hearing and she read about it in the newspaper.

Ms. Losiak said that the neighborhood felt that there were too many units and that a multiple family house would be a better choice. There are a number of available apartments in Bridgeport.

She then spoke about an apartment building on a narrow piece of land next to a market. This area is narrow and the concern is the traffic. The area is congested with a great deal of traffic. She said that this project would adversely affect the neighborhood's quality of life. Across from this site, there was a daycare center that moved out because of the traffic congestion and parking.

People speed on this road, there are also ATVs and motorbikes using it. Another concern is the litter and the garbage. Ms. Losiak said that the site was too small for an apartment building and would promote a family orientation in the neighborhood.

No one else came forward to speak against the application.

Atty. Rizio came forward that a two family home would not be appropriate on the parcel. He said that the building permit for the six unit building had already been granted. He reviewed the dimensions of putting a retail building on the parcel. This would be the hardship.

Mr. Piccirillo closed the public hearing on 2031 East Main Street.

#4 RE: 42 RITA AVENUE – Lucien Investors - Seeking a variance of Sec. 4-12-5a for the use of an existing nonconforming lot, and also seeking variances of the minimum frontage and cumulative side yard setback requirements of Sec. 5-1-3 to permit the construction of a single family dwelling on a 5,400 sq. ft. lot in an R-A zone.

#5 RE: 50 RITA AVENUE – Seeking a variance of Sec. 4-12-5a for use of an existing nonconforming lot, and also seeking variances of the minimum frontage and cumulative side yard setback requirements of Sec. 5-1-3 to permit the construction of a single family dwelling on a 5,400 sq. ft. lot in an R-A zone.

Atty. Joseph Coppola came forward and turned in the green cards. He displayed the site plan for the Board members. He said that the variance on the minimum of the frontage.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the public hearing on 42 and 50 Rita Avenue.

#6 RE:(744, 746) & 750 MADISON AVENUE – Requesting under Sec. 12-10 of the Liquor Control Regulations the extension of the license and use into an adjoining space to be utilized as a game room with pool tables in conjunction with the existing restaurant in an OR zone.

Atty. Joseph Coppolo came forward to present the application for the applicant. He explained the two parcels were joined and approved as a restaurant use. The parcel was then separated out for a store use. The applicant wants to rejoin the two parcels for a restaurant and recreational use. This will also necessitate a liquor

Council Member Thomas McCarthy said that he was present to speak in opposition for the neighbors and his constituents. Council Member Thomas McCarthy said that the owners have flouted all the restrictions, such as a full bar, the patrons drinking on the patio and bottles and cans being thrown every week-end. Granting this application would make the situation worse. There were 12 neighbors present.

Mr. Piccirillo asked if the liquor authority and the police department had been notified.

Ms. Piccirillo said that on October 12, 2010, the ZBA approved an application with a number of conditions, which the applicant has violated, included DJs, live entertainment, mariachi bands and drinking on the patio. The police have been called to deal with patrons who leave the bar at 2 a.m. screaming and fighting with one another.

Mr. Azcati is also affiliated with a bar right across the street and they also have liquor served. Ms. Piccirillo then submitted a copy of a police report regarding an incident that took place at this location. She said that the Liquor Commission had closed the bar for a month, but did not know why this was done.

Mr. Darryl LaBelle came forward and said that when the patrons leave the bar, they argue with one another and also said that he had seen a patron smash a friend's car window.

Mr. Angelo Coco came forward and said that there had been a restaurant there previously that had a successful business where families went to eat. Since that time, the businesses have been being open to 2 a.m. in the morning. They have a restaurant license, but they are not operating a restaurant.

Mr. Charlie Franco came forward and said that he had seen drinking outside and was against this application because they have no regard for the neighbors. His property has a wall that patrons urinate on, including women. when he says something

Atty. Coppolo came forward and said that regarding some of the activities, there are other departments to deal with the problems. He said that the restaurant would still continue to exist and denying this would not change the issues.

#7 RE: 2947-2949 FAIRFIELD AVENUE – David Raymond - Seeking a variance of the minimum off-street parking space requirement of Sec. 11-1-2, and also seeking variances of the minimum parking space dimension, as well as the maneuvering aisle dimension of Sec. 11-1-10 to legalize the 3rd floor 5th dwelling unit in an OR zone.

Atty. Rizio said that that this property was sold as a five family residence. It has been inspected and his client runs a fairly tight building. Atty. Rizio distributed copies of the real estate listing for the building. He noted that there were five furnaces, five gas meters and the tax assessor's office taxing. He said that Mr. Raymond was looking to legalizing the building. There are two means of egress. the property was built in 1906 and converted to a five family apartment before Mr. Raymond. The Fire Marshal wants to have the third floor legalized. All of the meters and furnaces were permitted and the proper access ways are there.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the public hearing on 744, 746) & 750 Madison Avenue.

RECESS.

Mr. Piccirillo announced a recess at 8:13 p.m. He called the meeting back to order at 8:20 p.m.

DECISION SESSION.

ITEM D-1 (#3) RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – 3115 Fairfield Avenue, LLC – Seeking variances of the maximum height requirement of 35 ft.; floor ratio requirement of .75 sq. ft. of property per residential unit, and 35 of the required on-site parking spaces under Sec. 6-1-3, and also seeking variances of the ground floor window requirements under Sec. 6-1-4; the minimum parking area setback landscaping of Sec. 11-1-13 and compliance with Sec. 6-2-1 to permit the construction of a 5-story, 58-unit apartment building with 61 on-site parking spaces in an OR zone and coastal area.

**** MR. CAROLAN MOVED TO DEFER AGENDA ITEM D-1 (#3) RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – 3115 FAIRFIELD AVENUE, LLC – SEEKING VARIANCES OF THE MAXIMUM HEIGHT REQUIREMENT OF 35 FT.; FLOOR RATIO REQUIREMENT OF .75 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT, AND 35 OF THE REQUIRED ON-SITE PARKING SPACES UNDER SEC. 6-1-3, AND ALSO SEEKING VARIANCES OF THE GROUND FLOOR WINDOW REQUIREMENTS UNDER SEC. 6-1-4; THE MINIMUM PARKING AREA SETBACK LANDSCAPING OF SEC. 11-1-13 AND COMPLIANCE WITH SEC. 6-2-1 TO PERMIT THE CONSTRUCTION OF A 5-STORY, 58-UNIT APARTMENT BUILDING WITH 61 ON-SITE PARKING SPACES IN AN OR ZONE AND COASTAL AREA FOR A SECOND TIME TO MAY 20, 2014.**

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM D-2 (#12) RE: 533 – 541 CENTRAL AVENUE – Ontra Stone Concepts, LLC & Hajmereg Management Co, & Rusty Oxer, Inc. - Seeking to legalize the nonconforming

store and grant a fabrication business with related office and warehouse use under Sec. 4-12-3c in a portion of the existing freight terminal in an R-BB zone and coastal area.

**** MS. GRACE MOVED TO DEFER AGENDA ITEM D-2 (#12) RE: 533 – 541 CENTRAL AVENUE – ONTRA STONE CONCEPTS, LLC & HAJMEREJ MANAGEMENT CO, & RUSTY OXER, INC. - SEEKING TO LEGALIZE THE NONCONFORMING STORE AND GRANT A FABRICATION BUSINESS WITH RELATED OFFICE AND WAREHOUSE USE UNDER SEC. 4-12-3C IN A PORTION OF THE EXISTING FREIGHT TERMINAL IN AN R-BB ZONE AND COASTAL AREA FOR A SECOND TIME TO MAY 20, 2014.**

**** MS. SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#1 RE: 533-541 CENTRAL AVENUE – Hajmerez Management Co, & Rusty Oxer, Inc. - Seeking under Sec. 14-54 of the State of CT. General Statutes and a variance of Sec. 14-12-3a to permit the repair of motor vehicles and the issuance of a general repairer’s license in the existing freight and trucking terminal in an R-BB zone coastal area.

**** MR. CAROLAN MOVED TO APPROVE AGENDA ITEM #1 RE: 533-541 CENTRAL AVENUE – HAJMEREJ MANAGEMENT CO, & RUSTY OXER, INC. - SEEKING UNDER SEC. 14-54 OF THE STATE OF CT. GENERAL STATUTES AND A VARIANCE OF SEC. 14-12-3A TO PERMIT THE REPAIR OF MOTOR VEHICLES AND THE ISSUANCE OF A GENERAL REPAIRER’S LICENSE IN THE EXISTING FREIGHT AND TRUCKING TERMINAL IN AN R-BB ZONE COASTAL AREA WITH THE FOLLOWING CONDITION:**

- 1) ALL REPAIR ACTIVITY IS LIMITED TO THE OWNER’S FLEET OF VEHICLES. FURTHERMORE, ALL REPAIRS ARE TO BE CONDUCTED INSIDE THE EXISTING BUILDING.**

FOR THE FOLLOWING REASON:

THE DEPARTMENT OF TRANSPORTATION HAS MANDATED A GENERAL REPAIRER’S LICENSE FOR THE CONTINUE REPAIR OF THE OWNER’S FLEET OF VEHICLES AT THIS ADDRESS.

**** MS. SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#2 RE: 4 PIERCE PLACE – Kurt Guytan - Seeking a variance of the required 2,700 sq. ft. of property per residential unit (1,000) and waiving 2’ of the required 20’ setback under Sec. 5-1-3, and also seeking variances of the interior landscaping, perimeter landscaping, and the minimum setback requirements under Sec. 11-1-13, as well as a variance of the

maximum fence height within the front setback under Sec. 11-8-3 for the dumpster enclosure to permit the construction of a 4-story, 24-unit apartment house in an R-C zone.

**** MS. GRACE MOVED TO CONTINUE AGENDA ITEM #2 RE: 4 PIERCE PLACE – KURT GUYTAN - SEEKING A VARIANCE OF THE REQUIRED 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT (1,000) AND WAIVING 2’ OF THE REQUIRED 20’ SETBACK UNDER SEC. 5-1-3, AND ALSO SEEKING VARIANCES OF THE INTERIOR LANDSCAPING, PERIMETER LANDSCAPING, AND THE MINIMUM SETBACK REQUIREMENTS UNDER SEC. 11-1-13, AS WELL AS A VARIANCE OF THE MAXIMUM FENCE HEIGHT WITHIN THE FRONT SETBACK UNDER SEC. 11-8-3 FOR THE DUMPSTER ENCLOSURE TO PERMIT THE CONSTRUCTION OF A 4-STORY, 24-UNIT APARTMENT HOUSE IN AN R-C ZONE TO MAY 20, 2014.**

**** MR. CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#3 RE: 2031 EAST MAIN STREET – Melvin Gordils - Seeking multiple variances waiving the front setback requirement of Sec. 6-1-3; the store front character requirement of Sec. 6-1-4a(1); the required window coverage of Sec. 6-1-4b(1); two (2) of the required off-street parking spaces; the minimum parking space size and vehicle maneuvering space requirements of Sec. 11-1-10; and the minimum parking setbacks and landscaping perimeter requirement of Sec. 11-1-13 for the construction of a 3-story apartment building in an OR zone.

**** MS. GRACE MOVED TO DENY AGENDA ITEM #3 RE: 2031 EAST MAIN STREET – MELVIN GORDILS - SEEKING MULTIPLE VARIANCES WAIVING THE FRONT SETBACK REQUIREMENT OF SEC. 6-1-3; THE STORE FRONT CHARACTER REQUIREMENT OF SEC. 6-1-4A(1); THE REQUIRED WINDOW COVERAGE OF SEC. 6-1-4B(1); TWO (2) OF THE REQUIRED OFF-STREET PARKING SPACES; THE MINIMUM PARKING SPACE SIZE AND VEHICLE MANEUVERING SPACE REQUIREMENTS OF SEC. 11-1-10; AND THE MINIMUM PARKING SETBACKS AND LANDSCAPING PERIMETER REQUIREMENT OF SEC. 11-1-13 FOR THE CONSTRUCTION OF A 3-STORY APARTMENT BUILDING IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. THE GRANTING OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISES.**
- 2. THE PROPOSED 8-UNIT APARTMENT BUILDING DOES NOT CONFORM WITH THE RESIDENTIAL CHARACTER OF THE AREA, WHICH CONSISTS OF 3-UNIT APARTMENT BUILDINGS.**
- 3. THE PROPOSED BUILDING IS IN AN AREA WHICH HAS CRITICAL**

TRAFFIC CONGESTION, AND ANOTHER USE WITH INADEQUATE PARKING WOULD BE FURTHER DETRIMENT TO THE PUBLIC SAFETY.

**** MR. CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#4 RE: 42 RITA AVENUE – Lucien Investors - Seeking a variance of Sec. 4-12-5a for the use of an existing nonconforming lot, and also seeking variances of the minimum frontage and cumulative side yard setback requirements of Sec. 5-1-3 to permit the construction of a single family dwelling on a 5,400 sq. ft. lot in an R-A zone.

**** MR. CAROLAN MOVED TO APPROVE AGENDA ITEM #4 RE: 42 RITA AVENUE – LUCIEN INVESTORS - SEEKING A VARIANCE OF SEC. 4-12-5A FOR THE USE OF AN EXISTING NONCONFORMING LOT, AND ALSO SEEKING VARIANCES OF THE MINIMUM FRONTAGE AND CUMULATIVE SIDE YARD SETBACK REQUIREMENTS OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A SINGLE FAMILY DWELLING ON A 5,400 SQ. FT. LOT IN AN R-A ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL COMPLY WITH THE RECOMMENDATION OF THE CITY ENGINEER IN HIS LETTER DATED 3/19/14.**
- 2. THE FRONT AND SIDE ELEVATIONS SHALL BE ENHANCED TO IMPROVE THE APPEARANCE OF THE STRUCTURE AND MEET WITH THE DESIGN REVIEW COORDINATOR’S APPROVAL.**
- 3. THE FRONT OF THE PROPOSED STRUCTURE SHALL BE PLANTED TO THE L1 STANDARD AND PROPERLY MAINTAINED.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT, AS APPROVED BY THE BOARD, WILL BE AN IMPROVEMENT TO THE AREA.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE NEIGHBORHOOD.**

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#5 RE: 50 RITA AVENUE – Seeking a variance of Sec. 4-12-5a for use of an existing nonconforming lot, and also seeking variances of the minimum frontage and cumulative

side yard setback requirements of Sec. 5-1-3 to permit the construction of a single family dwelling on a 5,400 sq. ft. lot in an R-A zone.

**** MR. CAROLAN MOVED TO APPROVE AGENDA ITEM #5 RE: 50 RITA AVENUE – SEEKING A VARIANCE OF SEC. 4-12-5A FOR USE OF AN EXISTING NONCONFORMING LOT, AND ALSO SEEKING VARIANCES OF THE MINIMUM FRONTAGE AND CUMULATIVE SIDE YARD SETBACK REQUIREMENTS OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A SINGLE FAMILY DWELLING ON A 5,400 SQ. FT. LOT IN AN R-A ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL COMPLY WITH THE RECOMMENDATION OF THE CITY ENGINEER IN HIS LETTER DATED 3/19/14.**
- 2. THE FRONT AND SIDE ELEVATIONS SHALL BE ENHANCED TO IMPROVE THE APPEARANCE OF THE STRUCTURE AND MEET WITH THE DESIGN REVIEW COORDINATOR’S APPROVAL.**
- 3. THE FRONT OF THE PROPOSED STRUCTURE SHALL BE PLANTED TO THE L1 STANDARD AND PROPERLY MAINTAINED.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT, AS APPROVED BY THE BOARD, WILL BE AN IMPROVEMENT TO THE AREA.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE NEIGHBORHOOD.**

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#6 RE:(744, 746) & 750 MADISON AVENUE – Requesting under Sec. 12-10 of the Liquor Control Regulations the extension of the license and use into an adjoining space to be utilized as a game room with pool tables in conjunction with the existing restaurant in an OR zone.

**** MR. CAROLAN MOVED TO DENY AGENDA ITEM #6 RE:(744, 746) & 750 MADISON AVENUE – REQUESTING UNDER SEC. 12-10 OF THE LIQUOR CONTROL REGULATIONS THE EXTENSION OF THE LICENSE AND USE INTO AN ADJOINING SPACE TO BE UTILIZED AS A GAME ROOM WITH POOL TABLES IN CONJUNCTION WITH THE EXISTING RESTAURANT IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. THE ADDITION OF A GAME/POOL ROOM IS NOT IN KEEPING WITH**

THE PREVIOUS APPROVAL OF A FULL SERVICE RESTAURANT.

- 2. THIS FACILITY HAS A HISTORY OF NONCOMPLIANCE REGARDING THE CONDITIONS OF APPROVAL DATING AS FAR BACK AS 2006, AND TO THIS DAY IS NEGATIVELY AFFECTING THE QUALITY OF LIFE OF THE RESIDENTS OF THE AREA.**
- 3. NOTICE OF A REVOCATION HEARING WILL BE SENT TO THE PETITIONER UNDER SEPARATE COVER.**

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

#7 RE: 2947-2949 FAIRFIELD AVENUE – David Raymond - Seeking a variance of the minimum off-street parking space requirement of Sec. 11-1-2, and also seeking variances of the minimum parking space dimension, as well as the maneuvering aisle dimension of Sec. 11-1-10 to legalize the 3rd floor 5th dwelling unit in an OR zone.

**** MS. GRACE MOVED TO APPROVE AGENDA ITEM #7 RE: 2947-2949 FAIRFIELD AVENUE – DAVID RAYMOND - SEEKING A VARIANCE OF THE MINIMUM OFF-STREET PARKING SPACE REQUIREMENT OF SEC. 11-1-2, AND ALSO SEEKING VARIANCES OF THE MINIMUM PARKING SPACE DIMENSION, AS WELL AS THE MANEUVERING AISLE DIMENSION OF SEC. 11-1-10 TO LEGALIZE THE 3RD FLOOR 5TH DWELLING UNIT IN AN OR ZONE WITH THE FOLLOWING CONDITION:**

- 1. THE 3RD FLOOR RESIDENTIAL UNIT SHALL COMPLY WITH ALL APPLICABLE BUILDING AND FIRE CODE REQUIREMENTS.**

FOR THE FOLLOWING REASON:

- 1. WHEN THE ELECTRICAL AND MECHANICAL EQUIPMENT WAS UPGRADED THE BUSINESS 1 ZONE AT THAT TIME PERMITTED FIVE (5) RESIDENTIAL UNITS AT THIS LOCATION.**

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

ADOPTION OF MINUTES.

February 11, 2014 –

**** MS. GRACE MOVED THE MINUTES OF FEBRUARY 11, 2014.**

City of Bridgeport
Zoning Board of Appeals
Regular Meeting
April 8, 2014

**** MS. SHEPARD SECONDED.
** THE MOTION TO APPROVE THE MINUTES OF FEBRUARY 11, 2014 AS
SUBMITTED PASSED UNANIMOUSLY.**

March 11, 2014 –

**** MS. GRACE MOVED THE MINUTES OF MARCH 11, 2014.
** MS. SHEPARD SECONDED.
** THE MOTION TO APPROVE THE MINUTES OF MARCH 11, 2014 AS
SUBMITTED PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** MR. CAROLAN MOVED TO ADJOURN.
** MS. GRACE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services