



ZONING BOARD OF APPEALS
MARCH 10, 2020
REGULAR MEETING
CITY OF BRIDGEPORT

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

ATTENDANCE: Maria Alves, Chair; John Carolan, Edward McLaine, Robin Shepard

STAFF: Dennis Buckley, Zoning Clerk, Paul Boucher, Assistant Zoning Official; Nicholas Sampieri, Zoning Inspector; Atty. Russell Liskov. Office of City Attorney

CALL TO ORDER

Commissioner Alves called the meeting to order at 6:07 p.m. She named the Commissioners seated. A quorum was present. She noted that there were only four Commissioners which would require all four Commissioners to vote in favor of an item. She announced that for the foreseeable future, there would only be four Commissioners at the meetings.

CONTINUED ITEM

C-1 650 & 670 Knowlton St. – Petition of 276 Ash Street, LLC – Seeking variances of the maximum site coverage requirement and the minimum landscaping requirement under Sec. 8-3-3 to legalize the 279-sq. ft. 1-story addition currently under construction in an MU-IL zone and coastal area.

Mr. Buckley said that there had been a letter received from Atty. Rizio requesting the item be continued.

DEFERRED ITEM

D-1 135 & 181 East Washington Ave. – Petition of A Royal Flush, Inc. – Seeking a use variance under Sec. 8-1-2; a variance of the prohibition of outdoor storage of portable sanitary equipment in a coastal area under Sec. 14-3-3i; a variance of the truck traffic generation under Sec. 6-3-7 to permit the establishment of portable sanitary equipment and supply business in an MU-LI zone and coastal area.

Mr. Buckley said that Atty. Willinger had requested this item be deferred.

NEW BUSINESS

#1 2856 Fairfield Ave. – Petition of Hilaris Martinez – Seeking to expunge a condition of approval to a petition granted by the Zoning board of Appeals on

03/12/13 which the establishment of a café beer and wine use with a service bar to now permit the reestablishment of a café use with a full service liquor permit and a 10-seat consumer bar in the existing mixed use building in an OR zone.

Ms. Hilaris Martinez came forward. Commissioner Alves asked if she posted the notification signs. Ms. Martinez said that she had. Ms. Martinez said she was asking to change the variance because she would like to be able to serve all kinds of liquor in her Mexican theme café. There is no kitchen and all the food served is cold.

Commissioner Alves asked for the hours of operations. Ms. Martinez reviewed the hours and said that there would be three staff members. She would like to extend the bar. The current bar has 10 stools.

The parking would be on street parking. She would like to have a D.J. and karaoke for entertainment.

Commissioner Alves asked if they had residents living above the club. Ms. Martinez said that there were tenants above them, but they will be sound proofing the ceiling as required by the owner.

Commissioner McLaine asked if the booths along the side would seat 2 or 4 people. She replied that the booths could seat 2 people.

Commissioner McLaine asked how many the tables would seat. Ms. Martinez said that she believed it would they would each seat 4.

Commissioner McLaine asked where the stage for the DJ would be located. Ms. Martinez answered that it would be near the bar by the windows. She said that she would remove the stools.

Commissioner Shepard pointed out that the documentation indicated that the occupancy was 99. Atty. Liskov said that the documents stated that 109 people were allowable.

There were no additional questions from the Commissioners.

Commissioner Alves asked if there was anyone present to speak in favor of the application. No one came forward. Commissioner Alves asked if there was anyone present to speak against of the application. Hearing none, Commissioner Alves closed the hearing on 2856 Fairfield Ave. at 6:16 p.m.

#2 134 Albion St. – Petition of Barros Motors Auto Sales, LLC. – Seeking to grant under Sec. 14-54 of the CT General Statutes a Certificate of Approval of Location for a used car dealership and the issuance of a used car dealership and repairers license at the existing commercial garage building in an I-L zone.

Mr. Tucker Chase came forward and explained that he was present with the owner. Mr. Chase turned in the mailings. The owner, Mr. Barros was also present. Mr. Chase said that they were looking to continue the business that is currently there.

Commissioner Alves asked about the camper and trailer on the property. Mr. Barros explained that the camper was on the other property that abuts his facility.

Commissioner Alves asked how many cars the owner planned to have the property. Mr. Chase said that there were 20 parking spaces and probably six would have cars for sales. All the automotive repairs would be done inside.

Commissioner Alves asked for the hours of operation. She was told they will be open 8:30 to 5:00. There will be two employees.

Commissioner McLaine asked if the applicant was operating without a license. Mr. Chase said that right now, the owner was operating without a license.

Commissioner McLaine said that he had seen someone outside repairing vehicles. The gate was open, and the garage were open on a Sunday.

Commissioner McLaine said that he did not see the notice of the public hearing on Friday or on Sunday and that there was someone there repairing a car. He said that Sunday was the third time he had passed by and there was no signage. Mr. Barrios said that there had been a lot of wind and the sign came down and later was put back up.

Commissioner Carolan asked about the two white vans on the property. Mr. Barrios said that they were not his property.

Commissioner Alves asked if there was anyone present to speak in favor of the application. No one came forward. Commissioner Alves asked if there was anyone present to speak against of the application. Hearing none, Commissioner Alves closed the hearing on 134 Albion St. at 6:28p.m

Commissioner Alves closed the public hearing portion of the meeting at 6:28 p.m.

DECISION SESSION

C-1 650 & 670 Knowlton St. – Petition of 276 Ash Street, LLC – Seeking variances of the maximum site coverage requirement and the minimum landscaping requirement under Sec. 8-3-3 to legalize the 279-sq. ft. 1-story addition currently under construction in an MU-IL zone and coastal area.

**** COMMISSIONER MCLAINЕ MOVED TO CONTINUE AGENDA ITEM C-1 650 & 670 KNOWLTON ST. – PETITION OF 276 ASH STREET, LLC – SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE REQUIREMENT AND THE MINIMUM LANDSCAPING REQUIREMENT UNDER SEC. 8-3-3 TO LEGALIZE THE 279-SQ. FT. 1-STORY ADDITION CURRENTLY UNDER CONSTRUCTION IN AN MU-IL ZONE AND COASTAL AREA.**

**** COMMISSIONER SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

D-1 135 & 181 East Washington Ave. – Petition of A Royal Flush, Inc. – Seeking a use variance under Sec. 8-1-2; a variance of the prohibition of outdoor storage of portable sanitary equipment in a coastal area under Sec. 14-3-3i; a variance of the truck traffic generation under Sec. 6-3-7 to permit the establishment of portable sanitary equipment and supply business in an MU-LI zone and coastal area.

**** COMMISSIONER MCLAINЕ MOVED TO DEFER AGENDA ITEM D-1 135 & 181 EAST WASHINGTON AVE. – PETITION OF A ROYAL FLUSH, INC. – SEEKING A USE VARIANCE UNDER SEC. 8-1-2; A VARIANCE OF THE PROHIBITION OF OUTDOOR STORAGE OF PORTABLE SANITARY EQUIPMENT IN A COASTAL AREA UNDER SEC. 14-3-3I; A VARIANCE OF THE TRUCK TRAFFIC GENERATION UNDER SEC. 6-3-7 TO PERMIT THE ESTABLISHMENT OF PORTABLE SANITARY EQUIPMENT AND SUPPLY BUSINESS IN AN MU-LI ZONE AND COASTAL AREA.**

**** COMMISSIONER CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#1. 2856 Fairfield Ave. – Petition of Hilaris Martinez – Seeking to expunge a condition of approval to a petition granted by the Zoning board of Appeals on 03/12/13 which the establishment of a café beer and wine use with a service bar to now permit the reestablishment of a café use with a full service liquor permit and a 10-seat consumer bar in the existing mixed use building in an OR zone.

**** COMMISSIONER MCLAINЕ MOVED TO DENY AGENDA ITEM #1 2856 FAIRFIELD AVE. – PETITION OF HILARIS MARTINEZ – SEEKING TO EXPUNGE A CONDITION OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON 03/12/13 WHICH THE ESTABLISHMENT OF A CAFÉ BEER AND WINE USE WITH A SERVICE BAR TO NOW PERMIT THE REESTABLISHMENT OF A CAFÉ USE WITH A FULL SERVICE LIQUOR PERMIT AND A 10-SEAT CONSUMER BAR IN THE EXISTING MIXED USE BUILDING IN AN OR ZONE FOR THE FOLLOWING REASONS:**

1. PROPERTY WAS NOT POSTED AS REQUIRED UNDER SEC. 11-8-2 OF THE ZONING REGULATIONS.
2. A CONSUMER BAR AND LIVE ENTERTAINMENT WOULD HAVE A NEGATIVE IMPACT ON THE QUALITY OF LIFE OF THE RESIDENTIAL OCCUPANTS OF THIS BUILDING.
3. AN APPROVAL OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISE.

**** COMMISSIONER CAROLAN SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

#2. 134 Albion St. – Petition of Barros Motors Auto Sales, LLC. – Seeking to grant under Sec. 14-54 of the CT General Statutes a Certificate of Approval of Location for a used car dealership and the issuance of a used car dealership and repairers license at the existing commercial garage building in an I-L zone.

**** COMMISSIONER MCLAINÉ MOVED TO DENY AGENDA ITEM #2
134 ALBION ST. – PETITION OF BARROS MOTORS AUTO SALES, LLC. –
SEEKING TO GRANT UNDER SEC. 14-54 OF THE CT GENERAL STATUTES
A CERTIFICATE OF APPROVAL OF LOCATION FOR A USED CAR
DEALERSHIP AND THE ISSUANCE OF A USED CAR DEALERSHIP AND
REPAIRERS LICENSE AT THE EXISTING COMMERCIAL GARAGE
BUILDING IN AN I-L ZONE FOR THE FOLLOWING REASONS:**

1. PROPERTY WAS NOT POSTED AS REQUIRED UNDER SEC. 11-8-2 OF THE ZONING REGULATIONS.
2. REPAIRS CURRENTLY BEING CONDUCTED WITHOUT A VALID DEPARTMENT OF MOTOR VEHICLE LICENSE.
3. UNREGISTERED AND DILAPIDATED VEHICLES ARE CURRENTLY STORED ON THIS PROPERTY.
4. AN APPROVAL OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PREMISE.

**** COMMISSIONER CAROLAN SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD

There were no other matters to consider at this time.

APPROVAL OF MINUTES

Approval of ZBA Minutes for February 11, 2020

The following correction was noted:

Page 1, **C-1 RE: 79 – 81 ROOSEVELT STREET**, paragraph 2, line 1: please change the following from:

“Commissioner McLaine said that it was not the City's responsibility to make sure that the building was a three family residence.”

To: “Commissioner McLaine said that it was not the City Tax Department’s responsibility to make sure that the building was a three-family residence.”

**** COMMISSIONER MCLAINE MOVED TO TABLE THE MINUTES OF FEBRUARY 11, 2020 PENDING CORRECTION.**

**** COMMISSIONER CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** COMMISSIONER CAROLAN MOVED TO ADJOURN.**

**** COMMISSIONER MCLAINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:35 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services