



**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
REGULAR MEETING
MARCH 12, 2024**

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

ATTENDANCE: Ira NACHEM, Chair; Mary Gaits, Secretary, Tiheba Bain, Robin Shepard, Greg Breland, Paul Miller (Alternate)

OTHERS: Paul Boucher, Zoning Official; Atty. Russell Liskov; Jackson Strong, Design Coordinator;

CALL TO ORDER

Chairman NACHEM called the meeting to order at 6:05 p.m. and acknowledged the Commissioners in attendance. A quorum was present.

Chairman NACHEM reviewed the rules and explained it was a process where all participants have a chance to speak and rebuttal; and following the closure of public hearing there will be discussion by the Commissioners, followed by decision session.

DEFERRED BUSINESS - None

#1 220 & 230 Fifth St. – Petition of Jeffrey L Meyers – Seeking to expunge condition #2 of a Zoning Board of Appeals approval granted in 2021.

Mr. Jeffrey Meyers came forward and explained that the replacement of the chain link fence was not done as it is in good condition and much better than a wrought iron suggested replacement would not be as long lasting. Also, the owner replaced the sidewalk at an expense of \$25,000 that was a much more aesthetic improvement with some landscaping is requested as an exchange for the fence replacement. He added that the location was in industrial zone, showed photos of the property and explained the plan to add more shrubs for landscaping as a buffer between the edge of the property.

Commissioner NACHEM asked if there was anyone who wished to speak in favor of the application.

Mr. Jacek Siciak, owner came forward and added that the correct fencing provides an element of security and is much better to keep that fence than to replace it. He noted there was an email from Council Member Enida Martinez in support of the petition, as follows:

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This email is regarding a ZBA public hearing scheduled for March 12, 2024 @ 6pm. I will like this email to be read into the record. I am not understanding why this business owner must replace any fencing around the perimeter of this business. I have been on the East End since 1986 and I must say to you all that this business here is maintained, always cleaned, this business owner just replaced the entire sidewalk beautifying the front of his establishment. The entrance to this location is always cleaned, with not even a piece of paper on the ground. It truly bothers me as an elected official to see a hard-working business owner keeping his property clean and beautified to do something that is truly not needed or affecting anything in the community. This business is at the end of the road, it is not attracting any eye sources. The City of Bridgeport has bigger issues to focus on than making this man put up a fence that truly is not needed. This is why businesses such as these leave Bridgeport. Let's focus on businesses that don't following zoning guidelines and or are a disadvantage to the City. I have lieu of multiple businesses other than this one here in my district that need zoning attention.

A decorative wrought iron fence is very costly. Why will we put this burden on our local businesses?

Commissioner Sachem asked why the replacement of the fence was agreed to as a condition, and Mr. Siciak replied that at the time he felt it was as required as part of the approval of the application to complete the repairs.

Commissioner Nachem asked if there was anyone who wished to speak in opposition to the application. Hearing none, Commissioner Nachem closed the hearing.

#2 1905 Barnum Ave. – Petition of Muhammad Ali Zulekfal – Seeking to grant under sec. 14-54 of the CT General Statues an amended certificate of approval of location of an existing general repair facility to allow for used car sales in the MX1 zone.

Mr. Muhammad Zulekfal came forward and noted the paperwork was submitted as required. He explained that the location was in industrial zone, provided schematic and photos of the property and explained the plan to add some shrubs for landscaping as a buffer between the edge of the property.

Commissioner Breland asked how many cars would be on the lot at one time, and Mr. Zulekfal replied, only one. He added the application is to have a place to repair cars to resell them. He provided copies of letters in support:

1.Letter from Bishop Fearson Blake of Calvary New Testament Church that the auto repair business has been a positive outcome to the community, and he has no objection to the location of the auto repair shop.

2. Letter from Fritz Mendez that Alex Auto Sales auto repair business has been a positive outcome to the community, and he and the DMV have no objection to the location of the dealership.

Mr. Jackson Strong came forward and noted that their recommendation is that all vehicles are to be stored inside the fenced in property with full coverage of asphalt and limited landscape of the area a street edge to reduce storm water run-off that complies with street standards.

Commissioner NACHEM asked if there was anyone who wished to speak in favor of the application. No one came forward. Commissioner NACHEM asked if there was anyone who wished to speak in opposition to the application, and hearing none, closed the public hearing.

#3 3059 Old Town Rd. (Rear) – Petition of Jorge Luis Rivera, III – Seeking a variance of sec. 10.40.2 (2&3) of the access width requirement of 30-feet and the minimum lot area of 7,500-sq. ft. to allow for a new single-family dwelling in the N4 zone.

Mr. Chris Russo came forward and noted the certified mailings and paperwork was submitted as required. He explained that the location was already approved for two separate lots that was in an approved zone taxed separately, and he provided schematic and photos of the property and explained the ‘as of right’ the owner can move the house and shift with access under minimum requirement that reduces the non-conformity of the back lot. He added that this relocation plan is increasing the buffers along with plan to add some shrubs for landscaping as a buffer between the edge of the property.

Commissioner NACHEM asked if there was anyone who wished to speak in favor of the application. No one came forward. Commissioner NACHEM asked if there was anyone who wished to speak in opposition to the application and fourteen (14) people raised their hands. Chairman NACHEM noted that all were welcome to speak, but asked to not duplicate points with redundant comments—in other words to give comments as separate oppositions not of the same, as a consideration to those in attendance and to the commission; and to limit the length of comments to three minutes.

1. Ms. Eva Billings, Old Town Road stated she was a neighbor in the adjacent property and spoke in opposition of the petition, that the owner will have a house for college students and this will be a detriment to the surrounding neighborhoods. She read a letter from City Council member Michelle Lyons, 134th District (attached as exhibit)
2. Mr. Len Zargo, 252 Palmetto, Bridgeport stated he was a neighbor in the adjacent property and spoke in opposition of the petition, that the owner is not a Bridgeport resident and has attempted to do this again to destroy the property values only to have a house for college students and this will be a detriment to the surrounding neighborhoods.

Good evening Chairman and Members of the Zoning Board of Appeals:

I am writing you this letter in reference to Item# 3059 Old Town Road – Seeking a variance of sec. 10.40.2 (2&3) of the access width requirement of 30 feet and the minimum lot area of 7,500sq feet to allow for a new single-family dwelling in the NA4 zone. By owner Petition Jorge Luis Rivera III

First, this variance change appears to be an attempt to benefit the investors of this property and not for the surrounding neighborhoods.

Second, this variance will disrupt the Old Town Road's neighborhood as well as the street in back called Palmetto Road. It will open Pandora's box and will be the beginning and the continuing out of town property owners to come in and develop and ruin our neighborhoods. The neighbors in this surrounding area are very concerned about how this will affect their property value, their neighborhood, and their quality of life. They purchased their homes years ago for peace and quiet, beautiful backyards to be used as backyards next to neighbors with the same values. **Not for a house to be built next door to their backyard for which they fought for years to call home! WE MUST UPHOLD EACH OTHERS QUALITY OF LIFE VERY DEAR! OUR HOUSE IS OUR HOME! I ASK WHAT WOULD YOU DO IF THIS HAPPENED NEXT DOOR TO YOU?**

Third, a top priority of any Master Plan should be to maintain and preserve the integrity of residential neighborhoods. It is important to keep our neighborhoods out of harm's way from projects that will in the end compromise the entire neighborhood.

Fourth, this will open a door and set a future precedent for other variances changes throughout the city. This in the long run would affect residential areas throughout the city in a negative manner.

Fifth, please see attached paperwork from last year when this request was denied and should be continued to be denied because this is no hardship. Since the Zoning Board of Appeals denied this petition last year your decision should be respected and upheld.

Sixth, I have reached out to Mayor Joe Ganim and his staff from OPED (Office of Planning and Development) to follow up with a comment regarding this petition. Comments and concerns on how a project will affect a neighborhood have been presented in person and in writing by OPED city staff in the past regarding these types of petitions at prior meetings. I ask the Zoning Board of Appeals to uphold their decision until comments are presented by OPED staff.

Due to the above reasons, and the paperwork that I submitted from last year and your past denial of this petition, I would like to make the following statement.

I am not in favor of this variance change in this area or any other area throughout the City Bridgeport for the simple reason that it proves to be detrimental to residential neighborhoods. Again, ask we wait until we have further information given to us by the OPED staff.

Sincerely,
Michelle Lyons,
City Council Woman 134th District
Michelle.Lyons@bridgeportct.gov
203-414-7926

** Please note: Read into the record. I am away on a city Council business trip.*

Michelle A Lyons

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As a resident of 452 Palmetto Road, I was very disappointed to learn that Mr. Jorge Luis Garcia has once again applied to build a one family house on his existing property located at 3059 Old Town Road. My property line is diagonally behind his. This petition has already been denied last year and should stayed denied after neighbors like myself expressed our displeasure and lobbied vehemently against this proposal.

Mr. Garcia does not reside in Bridgeport (he is a Southport resident) and the sole purpose to proceed with this plan is so that he can generate more revenue as a landlord by renting to Sacred Heart students. This building and development will harm the quality of life and further devalue our property for me and my neighbors.

I understand this will be the subject at an open hearing scheduled for tomorrow evening at 6PM at City Hall. Am hoping to be in attendance but am writing to urge you to vote NO and deny this request for a second time.

Sincerely,

Len Zargo, Jr.
452 Palmetto Road
Bridgeport, CT
203-470-2353

3. Mr. Amilcar Azevedo said this owner has no intention to have a house for a single family but will have a college dorm for student rentals.
4. Ms. Sue Purefoy spoke of the definition of household occupancy in zoning regulations and noted that at least one member must be related; and this house relocation is an illegal use as outlined in regulations. She asked if the decision is one that approves the petition, can it be appealed. Chairman Nachem replied yes, there is an appeal process.

Commissioner Nachem asked if there was anyone who wished to speak in favor of the application. No one came forward. Commissioner Nachem asked if there was anyone who wished to speak in opposition to the application, and hearing none, Commissioner Nachem closed the hearing.

Decision Session

#1 220 & 230 Fifth St. – Petition of Jeffrey L Meyers – Seeking to expunge condition #2 of a Zoning Board of Appeals approval granted in 2021.

**** COMMISSIONER BRELAND MOVED TO APPROVE THE PETITION FOR REASONS AS NOTED:**

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REASONS:

1. The existing fence provides an extra level of security.
2. The existing fence is durable and the rolling gate is necessary for business operations.
3. The existing fence is in very good condition and a new fence is not necessary.

**** COMMISSIONER BAIN SECONDED THE MOTION**

**** THE MOTION PASSED UNANIMOUSLY.**

#2 1905 Barnum Ave. – Petition of Muhammad Ali Zulekfal – Seeking to grant under sec. 14-54 of the CT General Statutes an amended certificate of approval of location of an existing general repair facility to allow for used car sales in the MX1 zone.

**** COMMISSIONER BRELAND MOVED TO APPROVE THE PETITION WITH CONDITIONS AS NOTED:**

1. Vehicles for sale or scheduled for repair are to be stored on the property.
2. There will be only 2 vehicles for sale at any given time.
3. Landscaping is to be installed in the southwest corner of the property.
4. Petitioner shall also comply with the amended motor vehicle conditions “D”

**** COMMISSIONER GAITS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#3 3059 Old Town Rd. (Rear) – Petition of Jorge Luis Rivera, III – Seeking a variance of sec. 10.40.2 (2&3) of the access width requirement of 30-feet and the minimum lot area of 7,500-sq. ft. to allow for a new single-family dwelling in the N4 zone.

There was a discussion on the hardship and how the neighbors’ comments impact the petition. It was agreed that there was no hardship other than financial.

**** COMMISSIONER NACHEM MOVED TO DENY THE PETITION.**

REASON:

There is no hardship for granting a variance.

**** COMMISSIONER GAITS SECONDED.**

**** THE MOTION TO DENY WAS UNANIMOUS.**

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD

APPROVAL OF MINUTES

- **Approval of ZBA Minutes for January 9, 2024**

Present: Chairman: Ira NACHEM; **Secretary:** Mary Gaits; **Commissioners:** Tiheba Bain, Charles “Greg” Breland, Robin Shepard and Paul Miller. **ZBA Clerk:** Paul Boucher.

Commissioner NACHEM asked for a correction to add Commissioner Robin Shepard under attendance on page one.

- ** **COMMISSIONER GAITS MOVED TO APPROVE THE MINUTES OF THE MEETING OF JANUARY 9, 2024 AS AMENDED WITH CHANGES NOTED.**
- ** **COMMISSIONER BRELAND SECONDED.**
- ** **THE MOTION TO APPROVE THE MINUTES PASSED UNANIMOUSLY.**

ADJOURNMENT

- ** **COMMISSIONER SHEPARD MOVED TO ADJOURN.**
- ** **COMMISSIONER BAIN SECONDED.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned was at 7:45 p.m.

Respectfully submitted,
Telesco Secretarial Services.