

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

January 9, 2017

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on January 9, 2017 in the Public Meeting Room, Town Hall Annex, 66 Prospect Street, Ridgefield. Copies of recordings of the meeting may be obtained from the Administrator at cost.

The Chairman called the meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Glenn Smith (Chairman), Dwayne Barney (Vice-Chairman), Sky Cole, David Choplinski and Carson Fincham.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. Aposporis; second, Mr. Stenko; third, Mr. Robbins. As no alternate was used at this meeting, the rotation will apply to the next meeting.

ADMINISTRATIVE:

Election of Chairman and Vice Chairman

On a motion by Mr. Cole, seconded by Mr. Barney, and passed unanimously, Glenn Smith was elected Chairman for a period of one year. On a motion by Mr. Cole seconded by Mr. Fincham, and passed unanimously, Duane Barney was elected Vice Chairman for a period of one year.

NEW PETITIONS:

Appeal No. 16-029

Petition of Lyle Fishell, agent for Margaret Thomas
15 Dowling Drive

Architect Lyle Fishell represented the home owner. Mr. Fishell explained to the Board that the owner wanted to enclose a deck on the property making it a screened in porch. The lot was very deep and narrow and included an approximately 200 ft. elevation drop in the rear. The lot was in the RAA zone with 35 ft. setbacks, the deck to be enclosed was 33.1 ft. from the side setback, so a setback variance was requested. Mr. Fishell stated the hardship as a large lot with unusable land. Mr. Fincham stated that the proposed plans do not increase the non-conformity of the property. Mr. Choplinski asked if the plans for the porch included heating. Mr. Fishell replied that the owner had no plans at this time to convert the porch into a heated room with windows.

No one appeared to speak out for or against the petition and the hearing was concluded. A decision can be found at the end of these minutes.

Appeal No. 16-030

Petition of Christine Santori
99 Bennetts Farm Road

Owners Christine Santori and David Saunders represented themselves for this petition. Ms. Santori stated the hardship as the house being non-conforming for setbacks as it was

originally in a RA zone upzoned to RAAA. She further stated that they were planning an expansive renovation to merge previous additions to the home to make the house appear more complete. A variance was requested to add a covered porch to the front of the house so a front setback variance was requested. The proposed plans showed the porch at 37.5 to the front setback. Mr. Smith stated that the proposed plans met the RA and RAA setback amounts.

No one appeared to speak for or against the petition and the hearing was concluded. A decision can be found at the end of these minutes.

ADMINISTRATIVE:

The last administrative item on the agenda was a review of the ZBA fee schedule which had not been changed since 2005. A survey of fees charged by other towns indicated that the ZBA fees were lower than surrounding towns. And it was recommended by the administrator to slightly raise the fees to more closely match other towns. On a motion by Mr. Smith and seconded by Mr. Cole and passed by a vote of 4-1, the following fee schedule was adopted as of February 1, 2017:

	Appeals of the decision of the ZEO:	280.00
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VARIANCE APPLICATIONS:

Residential	Single Family	205.00
	Properties with more than one dwelling unit (including accessory apartments)	230.00
Commercial	Properties in commercial zones or commercial uses	280.00

STATE FEE:

State Fee	On all applications to a ZBA	60.00
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NEIGHBOR NOTIFICATION:

	1 - 15 neighbors	\$35.00
	Over 15 neighbors	\$1 per address

DECISIONS

The Board voted the following actions:

Appeal No. 16-029
Petition of Lyle Fishell, agent for Margaret Thomas
15 Dowling Drive

REQUESTED: A variance of Section 3.5.H., setbacks, to allow an addition to a single-family residence that will not comply with the minimum yard setback; for property in the RAA zone located at 15 Dowling Drive.

DATES OF HEARING: January 9, 2017
DATE OF DECISION: January 9, 2017

VOTED: To Grant, with Condition, a variance of Section 3.5.H., setbacks, to allow an addition to a single-family residence that will not comply with the minimum yard setback; for property in the RAA zone located at 15 Dowling Drive.

VOTE:	To Grant:	5	To Deny:	0
	<u>In favor</u>			<u>Opposed</u>
	Barney, Choplinski, Cole, Fincham and Smith			

CONDITION:

This action is subject to the following condition that is an integral and essential part of the decision. Without this condition, the variance would not have been granted:

1. The screened in porch shall be constructed exactly as shown on plans and drawings presented to the Board during the hearing and made part of this decision, and the plans submitted for the building application shall be the same as those submitted and approved with the variance application.

The Board voted this action for the following reasons:

1. The location of the house on the lot along with the unusual shape of the lot, represents an unusual hardship that justifies the grant of the variance requested in this case. It is noted that the addition shall result in no increase in the non-conformity of the property.
2. The proposal is in harmony with the general scheme of development in the area and will have no negative impact on surrounding properties or on the Town's Plan of Conservation and Development.

Appeal No. 16-030
Petition of Christine Santori
99 Bennetts Farm Road

REQUESTED: A variance of Section 3.5.H., setbacks, to allow construction of an addition to a single-family residence that will not comply with the minimum yard setback; for property in the RAAA zone located at 99 Bennetts Farm Road.

DATES OF HEARING: January 9, 2017
DATE OF DECISION: January 9, 2017

VOTED: To Grant, with condition, a variance of Section 3.5.H., setbacks, to allow construction of an addition to a single-family residence that will not comply with the minimum yard setback; for property in the RAAA zone located at 99 Bennetts Farm Road.

VOTE: To Grant: 5 To Deny: 0

<u>In favor</u>	<u>Opposed</u>
Barney, Choplinski, Cole, Fincham and Smith	

CONDITION:

This action is subject to the following condition that is an integral and essential part of the decision. Without this condition, the variance would not have been granted:

1. The addition shall be constructed exactly as shown on plans and drawings presented to the Board during the hearing and made part of this decision, and the plans submitted for the building application shall be the same as those submitted and approved with the variance application.

The Board voted this action for the following reasons:

1. The undersized lot, up-zoned to RAAA, present an unusual hardship that justifies the granting of a variance in this case. It is also to be noted that the setbacks requested will meet the requirements of the RA and RAA zone, despite the lot being 1 acre in size.
2. The proposal is in harmony with the general scheme of development in the area and will have no negative impact on surrounding properties or on the Town's Plan of Conservation and Development.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 7:45 pm.

Respectfully submitted,

Kelly Ryan
Administrator