

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

July 22, 2019

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on July 22, 2019 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 Acting Chairman called the meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening was: Carson Fincham (Acting Chairman), Sky Cole, Mark Seavy and Robert Byrnes. Only four members were able to attend. Applicants were informed that they would be heard by only four members prior to the meeting.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko. Mr. Smith was unable to attend and asked Mr. Byrnes to sit of his behalf. Ms. Bearden-Rettger was also unable to attend. All other alternates were also unable to attend. Thus, the rotation for the next meeting will be: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko.

NEW PETITION

Appeal No. 19-012
Michael and Patricia Stenko
112 Oscaleta Road

Patricia Stenko represented herself for the petition. She stated to the board that the proposed plans showed a two-car detached garage within the setback. The proposed location was 22.6 ft. from the side setback in the RAAA zone. Only a setback variance was requested, a shed and carport were to be removed. Mrs. Stenko listed hardships as the narrow shape of the lot, the topography with a pond on the front of the lot and the location of the septic system. Mr. Fincham noted that the house was currently only 3 ft. from the property line. Mrs. Stenko replied the house was built in 1925 and the lot was likely split from the neighboring lot resulting in the narrow lot. A letter in support of the proposed plans from the Stenko's neighbors was entered into the record

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

Appeal No. 19-017
Markel Elortegui & Amy Siebert
1 Ethan Allen Highway

The property owners Mr. Elortegui and Ms. Siebert appeared for their petition. Ms. Siebert explained to the Board that they proposed a kitchen renovation to their home built in 1957. The lot was almost 1 acre in the RAA zone and likely upzoned. The property was steep with many slopes and drop offs. The plans showed an additional 165 sq. ft. front bump out for the kitchen addition. The existing front setback was 21.6 ft. The proposed plans for the front kitchen addition show the setback now at 14.1 ft. The architect on the project, Kevin Quinlan stated to the Board that when choosing a location for the addition, the front bump out worked the best due partly to the drainage on the side of the house near the garage that often floods. The house was already nonconforming in

the front. The surveyor for the property, Frank Fowler, also stated to the Board that the applicants were using only ½ of the lot coverage that they were allowed due to the severe topography on the lot.

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

The Board voted the following actions:

DECISIONS

Appeal No. 19-012
Michael and Patricia Stenko
112 Oscaleta Road

REQUESTED: a variance of Section 3.5.H., setbacks, to construct a two-story, two-car garage within the minimum yard setback; for property in the RAAA zone located at 112 Oscaleta Road.

DATE OF HEARING: July 22, 2019

DATE OF DECISION: July 22, 2019

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to construct a two-story, two-car garage within the minimum yard setback; for property in the RAAA zone located at 112 Oscaleta Road.

VOTE: To Grant: 4 To Deny: 0

In favor
Byrnes, Cole,
Fincham, Seavy

Opposed

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 located 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. This property was vested prior to the enactment of zoning in Ridgefield and likely upzoned. That, along with the topography and the narrow shape of the lot, all combine to present an unusual hardship that justifies the granting of a variance requested in this case. It is noted that the addition will not increase the nonconformity 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. 19-017
Markel Elortegui & Amy Siebert
1 Ethan Allen Highway

REQUESTED: a variance of Section 3.5.H., setbacks, to construct an addition to a single-family home within the minimum yard setback; for property in the RAA zone located at 32 Dogwood Drive.

DATE OF HEARING: July 22, 2019

DATE OF DECISION: July 22, 2019

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to construct an addition to a single-family home within the minimum yard setback; for property in the RAA zone located at 32 Dogwood Drive.

VOTE:	To Grant:	4	To Deny:	0
	<u>In favor</u>		<u>Opposed</u>	
	Cole, Byrnes			
	Fincham, Seavy			

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 located 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 position of the house on the undersized lot, along with serious topography issues, all combine to present an unusual hardship that justifies the granting of a variance in this case.
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 7:30 pm.

Respectfully submitted,

Kelly Ryan
Administrator