

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

June 5, 2017

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on May 8, 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), Duane Barney, David Choplinski, Sky Cole, and Michael Stenko.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. Stenko; second, Mr. Aposporis; third Mr. Sealy. Mr. Fincham was unable to attend so Mr. Stenko sat for Mr. Fincham. Therefore, the rotation for the next meeting will be first, Mr. Aposporis; second Mr. Sealy; third Mr. Stenko.

NEW PETITIONS:

Appeal No. 17-010

Petition of James and Barbara Anne Wallace
22 Lincoln Lane

James and Barbara Wallace represented themselves in the petition. Mr. Wallace explained to the Board that they wanted to add a roof over their existing deck. The deck was built by the previous owner when the lot was in the RA zone. Their lot was later upzoned to RAA so the deck was now nonconforming. The roof would include a 1.9 ft. overhang bringing it to 32 ft. into the now 35 ft. RAA setback. Only the deck boards would be replaced, the footprint would not be increased. Mr. Wallace also stated the location of the lot to the rear of the property as a hardship. The Board speculated that the placement of the house to the rear was likely due to wetlands near the front of the property.

Mr. Cole questioned if the Board should be legally increasing the nonconformity of the property. Mr. Smith stated that the Board often increased nonconformity when granting variances.

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.

Appeal No. 17-011

Petition of John Wright
91 Blue Ridge Road

Mr. Wright represented himself in the petition. He explained to the Board that he was granted a setback variance in 2011 to build a detached garage. He had not completed construction of the garage but the foundation was poured. Mr. Wright would now like to add an additional 3 ft. in height to the structure to use as storage space. The garage approved in #11-012 showed the height as 18', he would like to add 3' to make it 21'. Mr. Wright further explained that had not fully thought out the design of the structure in 2011 and now realized he needed the additional space since his lot contained unusable land and was on a cliff. The lot was also undersized, only 1 acre in the RAA zone.

Mr. Smith compared the plans approved in 2011 and the current submitted plans. The Board reviewed those details as well.

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.

DECISIONS

The Board voted the following actions:

Appeal No. 17-010
Petition of James and Barbara Anne Wallace
22 Lincoln Lane

REQUESTED: A variance of Section 3.5.H., setbacks, to allow construction of a roof above a deck that will not meet the minimum yard setback; for property in the RAA zone located at 22 Lincoln Lane.

DATES OF HEARING: June 5, 2017
DATE OF DECISION: June 5, 2017

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of a roof above a deck that will not meet the minimum yard setback; for property in the RAA zone located at 22 Lincoln Lane.

VOTE:	To Grant:	4	To Deny:	1
	<u>In favor</u>		<u>Opposed</u>	
	Barney, Choplinski,		Cole	
	Stenko 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 roof 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 to the rear of the undersized lot, along with the upzoning of the property from RA to RAA, presents an unusual hardship that justifies the grant of the variance requested in this case. It is also to be noted that the setbacks requested will meet the requirements of the RA zone.
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. 17-011
Petition of John Wright
91 Blue Ridge Road

REQUESTED: A variance of Section 3.5.H., setbacks, to allow construction of an addition above a previously approved detached garage, that will not meet the minimum yard setback; for property in the RAA zone located at 91 Blue Ridge Road.

DATES OF HEARING: June 5, 2017
DATE OF DECISION: June 5, 2017

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of an addition above a previously approved detached garage, that will not meet the minimum yard setback; for property in the RAA zone located at 91 Blue Ridge Road.

VOTE: To Grant: 5 To Deny: 0

In favor Opposed
Barney, Choplinski, Cole,
Stenko 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 same hardships listed in #11-012 continue to apply to this petition.
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