

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

July 15, 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 15, 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 Chairman called the special meeting to order at approximately 7:00 p.m. The Chairman called the special meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Glenn Smith (Chairman), Terry Bearden-Rettger, Sky Cole, Michael Stenko and Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko. Mr. Fincham was unable to attend and asked Mr. Stenko to sit of his behalf. Mr. Seavy was also unable to attend tonight's meeting, and asked Mr. Brynes to sit on his behalf. Thus, the rotation for the next meeting will be: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko.

NEW PETITION

Appeal No. 19-016
Doyle Coffin Architecture
Agents for Andrei Ganea and Deborah Brown
77 High Ridge Avenue

Architect Peter Coffin appeared for the applicants. He explained the application was a modification of the variance #18-021. The lot was over for lot coverage and a nonconforming variance was needed because two homes were located on the lot. A shed was to be removed so lot coverage would not increase under the proposed plans but would decrease by 1 sq. ft. The newly submitted plans only show slight revisions. The gable roof of the kitchen renovation was being raised. That was the primary change from what was granted in #18-021. A small piece of an uncovered porch was also being removed but it was not included in the coverage calculation. Mr. Coffin further stated that the current proposed plans were approved by the Historic District Commission. An abutting neighbor also supported the proposed plans.

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. 19-013
TL Fitness 3, LLC
1 Ethan Allen Highway

Owners Lori Rung and Tara Costa appeared again for the continued hearing. The hearing was continued to allow the applicants to recalculate the sign they were proposing for their business, Orange Theory Fitness. The first hearing was continued as a discrepancy was discovered in the square footage of the sign. Ms. Costa presented to the Board a letter from the property owners, the Keoghs, stating that a roadway sign was not available for the tenant's businesses. The building was located 140 ft. from the road. The recalculation now had the sign at 50.03 sq. ft. The Architectural Advisory

Committee also approved the sign at the July 9 meeting. Mr. Smith asked if the sign dimensions could be modified to an even 50 sq. ft. Ms. Rung and Ms. Costa agreed. Ms. Bearden-Rettger stated the sign does not fit with the neighborhood. The applicants submitted photos of surrounding businesses to show many of those signs had illumination. Mr. Smith stated the ZBA was only to vote on the size of the sign, any variance would still have to meet other regulations involving illumination. Mr. Cole questioned if a future tenant or multiple tenants would be entitled to a 50 sq. ft. sign if the variance was granted to the property. Mr. Smith and Mr. Stenko stated it could be conditioned to the individual tenants occupying the business at the same time, resulting in no more than 100 sq. ft. of signage for the building.

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. 19-016
Doyle Coffin Architecture
Agents for Andrei Ganea and Deborah Brown
77 High Ridge Avenue

REQUESTED: variances of 8.1.A.3., nonconforming conditions, to expand a nonconformity by increasing the size of one dwelling on a two dwelling property and 3.5.F., lot coverage, by exceeding the permitted lot coverage; for property in the RA zone located at 77 High Ridge Avenue.

DATE OF HEARING: July 15, 2019
DATE OF DECISION: July 15, 2019

VOTED: To Grant, variances of 8.1.A.3., nonconforming conditions, to expand a nonconformity by increasing the size of one dwelling on a two dwelling property and 3.5.F., lot coverage, by exceeding the permitted lot coverage; for property in the RA zone located at 77 High Ridge Avenue.

VOTE:	To Grant:	5	To Deny:	0
	<u>In favor</u>		<u>Opposed</u>	
	Bearden-Rettger, Byrnes, Cole, Stenko and Smith			

CONDITIONS:

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

1. The modifications to the house shall be 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.
2. A previous variance granted to this property, # 18-021, shall be abandoned.

The Board voted this action for the following reasons:

1. The same hardships listed in variance #88-094 still pertain to this petition, including the enactment of zoning in 1946, which made the two-house lot nonconforming.
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. 19-013
TL Fitness 3, LLC
1 Ethan Allen Highway

REQUESTED: a variance of Section 7.2.E.1., signs permitted in non-residential districts, to allow a 72 sq. ft building sign that does not meet the maximum number/size; for property in the B-1 zone located at 1 Ethan Allen Highway.

DATE OF HEARING: July 8 and July 15, 2019
DATE OF DECISION: July 15, 2019

VOTED: To Grant, a variance of Section 7.2.E.1., signs permitted in non-residential districts, to allow a 50 sq. ft building sign that exceeds the maximum size allowed; for property in the B-1 zone located at 1 Ethan Allen Highway.

VOTE: To Grant: 5 To Deny: 0

In favor Opposed
 Bearden-Rettger, Cole, Byrnes
 Stenko and Smith

CONDITIONS:

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

1. The sign shall be exactly as shown on the 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 approved with the variance application.
2. Businesses at this location shall be permitted a sign up to 50 sq. ft. in size, however, total building signage shall not exceed the permitted 100 sq. ft.
3. This variance is for the size of the sign only. The sign must meet all other relevant requirements of the zoning regulations.

The Board voted this action for the following reasons:

1. The building is set far back from the road and elevated above the road making it difficult to see from Route 7. This creates 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 7:45 pm.

Respectfully submitted,

Kelly Ryan
Administrator