

REGULAR MEETING
AGENDA

Wednesday, May 13, 2015 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

PUBLIC HEARINGS

CALENDAR NO. 16-2015

The application of Matt & Lucia Zachowski submitted on February 17, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a one story

attached utility closet/shed addition; Section 406: 17.0 in lieu of 25.0 feet minimum required north side yard setback; 18.5 in lieu of 40.0 feet minimum required front yard setback and 38.3 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Goodwives River Road. The property is located on the west side of Goodwives River Road approximately 300 feet north of the intersection with Sunswyck Road and is shown on Assessor's Map #49 as Lot #5, being 71 Goodwives River Road and located in an R-1 (residential) Zone.

CALENDAR NO. 19-2015

The application of Jim & Sharon Schoen submitted on April 14, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of deck, covered deck, one story and two story additions; Section 406: 10.9 in lieu of 25.0 minimum feet required north rear yard setback and 19.5 in lieu of 25.0 minimum feet required south rear yard setback. The property is located on the south side of Hoyt Court approximately 450 feet west of the intersection with Hoyt Street and is shown on Assessor's Map #30 as Lot #25, being 24 Hoyt Court and located in an R-1/3 (residential) Zone.

CALENDAR NO. 20-2015

The application of Chad Nehring, AIA and Nehring & Assoc. Architecture on behalf of Michael & Leila Buckjune submitted on April 14, 2015 for variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the relocation of a propane tank, the construction of one story additions and effectively connecting the detached garage to the principal house structure; Section 334: construction on a portion of the lot with 75.0 in lieu of 100 feet minimum required lot depth; and Section 406: 17.5 in lieu of 25.0 minimum feet required rear yard setback for the propane tank; 10.4 in lieu of 25.0 minimum feet required rear yard setback for the additions; and 5.4 in lieu of 10.0 feet minimum required north side yard setback for effectively connecting the house and garage. The property is located on the east side of Dubois Street approximately 150 feet north of the intersection with Boston Post Road and is shown on Assessor's Map #43 as Lot #94, being 12 Dubois Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 21-2015

The application of Siyu Zhou on behalf of Huang Li submitted on April 15, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of second story dormers, second story and two story additions; Section 406: 11.4 in lieu of 19.4 feet minimum required north side yard setback; 10.0 in lieu of 14.6 feet minimum required south side yard setback; and 21.4 in lieu of 25.0 total of two side yards setback.

The property is located on the west side of Dickinson Road approximately 150 feet south of the intersection with Clock Avenue and is shown on Assessor's Map #42 as Lot #34, being 33 Dickinson Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 22-2015

The application of Edisson Acevedo and E and Acevedo's Contractors on behalf of Curtis & Nancy Troeger submitted on April 15, 2015 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of deck, second story and two story additions; Section 406: 16.8 in lieu of 30.0 feet minimum required Noroton Avenue front yard setback. The property is located on the northeast corner at the intersection of Noroton Avenue and Park Place and is shown on Assessor's Map #42 as Lot #83, being 1 Park Place and located in an R-1/3 (residential) Zone.

CALENDAR NO. 23-2015

The application of Kevin Quinlan, AIA and Kevin Quinlan Architecture LLC on behalf of Daniel & Amy Bradley submitted on April 15, 2015 for variances of Section 331, 402, 406 and/or an interpretation of Section 371 of the Darien Zoning Regulations; to allow the existing residence to remain until the proposed replacement residence is completed and to allow the construction of a rooftop cupola; Section 331: two in lieu of one, maximum main building on one lot; Section 402: two in lieu of one single-family dwelling on its own lot; Section 371: a determination that the proposed 8'-2" x 8'-2" by 8'-0" high roof structure (cupola) is an acceptable architectural feature exempt from the height regulations; or if necessary a variance of Section 406: 35'-11" in lieu of 30'-0" feet maximum average roof height for the roof structure (cupola). The property is located on the north side of Pasture Lane approximately 2,000 feet southeast from the intersection with Nearwater Lane and is shown on Assessor's Map #51 as Lot #66, being 27 Pasture Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 24-2015

The application of Timothy & Lauren Stisser submitted on April 15 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of covered front porch and second story additions; Section 406: 26.9 in lieu of 40.0 feet minimum required front yard setback and 55.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Hollow Tree Ridge Road for the covered porch; and 28.4 in lieu of 40.0 feet minimum required front yard setback and 56.7 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Hollow Tree Ridge Road for the second story. The property is situated at the southeast corner of the intersection formed by Nutmeg Lane and Hollow Tree Ridge Road and is shown on

Assessor's Map #9 as Lot #126, being 334 Hollow Tree Ridge Road and located in an R-1 (Residential) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise, ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Requested amendment to the approved plans of ZBA Calendar No. 33-2013, Carol Matton, 47 Old Farm Road.
2. Requested three month extension, received April 20, 2015, to obtain all required permits and begin on-site construction for ZBA Calendar No. 49-2014, Warrington Homes, 106 Pear Tree Point Road. The Public Hearing of this matter was October 22, 2014. Initial ZBA approval would have expired on April 30, 2015.
3. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
4. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).