

**TOWN OF DARIEN
ZONING BOARD OF APPEALS**



**REGULAR MEETING
AGENDA**

Wednesday, March 21, 2012 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. And 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. 5-2012

The application of Attorney Benjamin Proto on behalf of Aquarion Water Company of Conn filed on February 15, 2012 for a variance of Section 334 of the Darien Zoning

Regulations, to allow the construction of a two story residence with HVAC equipment, and a detached one story, one car garage; Section 334: building construction and adequate related site improvements on a building lot with 50.0 in lieu of 80.0 feet minimum required lot width. The property is situated on the south side of Chestnut Street approximately 230 feet east of the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor's Map #21 as Lot #55, to be known as 23 Chestnut Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 6-2012

The application of Attorney Benjamin Proto on behalf of Aquarion Water Company of Conn filed on February 15, 2012 for variances of Sections 334 and 406 of the Darien Zoning Regulations, to allow the construction of a two story residence with HVAC equipment, and a detached two story, two car garage; Section 334: building construction and adequate related site improvements on a building lot with 60.0 in lieu of 80.0 feet minimum required lot width; and Section 406: 20.0 in lieu of 30.0 feet minimum required front yard setback, and 40.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Chestnut Street for both structures. The property is situated at the southeast corner formed by the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor's Map #21 as Lot #56, to be known as 27 Chestnut Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 8-2012

The application of Kathleen Willcox filed on February 15, 2012 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second and two story additions; Section 406: 11.1 in lieu of 16.8 feet minimum required northeast side yard setback, 8.2 in lieu of 13.9 feet minimum required southwest side yard setback, and 19.3 in lieu of 25.0 minimum required total of two side yards setback. The property is situated on the southeast side of West Avenue approximately 450 feet southwest of the intersection of Stony Brook Road and West Avenue and is shown on Assessor's Map #39 as Lot #93, being 117 West Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 9-2012

The application of Edmund Fitzmaurice & Rosanne Fitzmaurice filed on February 15, 2012 for variances of Section 406 of the Darien Zoning Regulations and an amendment to a stipulation of ZBA Calendar No. 14-2000, to allow the construction of a second story addition to the residence and the enlargement of a detached garage including a second floor; Section 406: 21.9 in lieu of 30.0 feet minimum required front yard setback and 4.5 in lieu of 10.0 feet minimum required side yard setback for the residence addition; and 22.4 in lieu of 30.0 feet minimum required front yard setback, installation of a second floor level in an accessory structure, and amendment to a stipulation of ZBA Calendar No. 14-2000 for the detached garage; and/or 5.0 in lieu of 25.0 feet minimum required rear yard setback and 5.0 in lieu of 10.0 feet minimum required side yard setback for the proposed

two story garage. The property is situated on the southwest corner formed by the intersection of Clock Avenue and Dickinson Road and is shown on Assessor's Map #42 as Lot #37, being 2 Clock Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 10-2012

The application of Jeffrey W. McDougal and William W. Seymour & Assoc. on behalf of Kristen Vrooman filed on February 15, 2012 for variances of Sections 406 and 334 of the Darien Zoning Regulations, to allow the construction of second and two story additions; Section 406: 24.6 in lieu of 35.0 feet minimum required west side yard setback, 57.8 in lieu of 70.0 feet minimum required total of two side yards setback; and Section 334: construction on a portion of the lot with 161 in lieu of 200.0 feet minimum required lot depth. The property is situated on the south side of Huckleberry Lane approximately 600 feet east of the intersection of Brookside Road and Huckleberry Lane and is shown on Assessor's Map #1 as Lot #81, being 30 Huckleberry Lane and located in an R-2 (residential) Zone.

CALENDAR NO. 11-2012

The application of Neil Hayes and Mingolello & Hayes Arch. on behalf of Scott & Kathy Spaulding filed on February 15, 2012 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second story and two story additions with bay windows, dormers, front entry and covered porch; Section 406: 18.8 in lieu of 30.0 feet minimum required front yard setback and 12.1 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the east side of Miles Road Street at the southeast corner formed by the intersection of Hollow Tree Ridge Road and Miles Road and is shown on Assessor's Map #46 as Lot #127, being 1 Miles Road and located in an R-1/3 (residential) Zone.

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. Discussion, deliberation and possible decisions for Public Hearing request items listed above. 4 affirmative votes out of the 5 seated ZBA members are required to approve a proposal.
2. General discussion of subcommittee work on 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.

3. 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).