

TOWN OF DARIEN  
ZONING BOARD OF APPEALS



REGULAR MEETING  
AGENDA

Wednesday, September 19, 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. 37-2012

The application of Denise Bloodgood and Bloodgood & Cugno Architects on behalf of Nicholas and Kerrie Langeveld, filed on August 14, 2012 for an interpretation of Section

385 and a variance of Section 334 of the Darien Zoning Regulations, to allow the construction of a replacement two and one half story dwelling; Section 385: a determination that the subject lot is a legal nonconforming building lot with 144.3 in lieu of 150.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; Section 334: construction on a building lot with 144.3 in lieu of 150.0 feet minimum required lot width. The property is situated on the west side of Nearwater Lane approximately 550 feet north of the intersection of Nickerson Lane and Nearwater Lane and is shown on Assessor's Map #52 as Lot #22, being 47 Nearwater Lane and located in an R-1 (residential) Zone.

**CALENDAR NO. 38-2012**

The application of John J. Ryan, Esq. on behalf of Kenneth R. and Donah D. Antonelli, filed on August 14, 2012 for a variance of Section 406 of the Darien Zoning Regulations, to allow the existing deck and HVAC unit to remain; Section 406: 31.5 in lieu of 90.0 feet minimum required front yard setback for the deck; and 72.0 feet in lieu of 90 feet minimum required front yard setback for the HVAC unit. The property is an interior lot situated on the west side of Five Mile River Road approximately 600 feet south of the intersection of Tokeneke Road and Five Mile River Road and is shown on Assessor's Map #66 as Lot #102, being 18 Five Mile River Road and located in an R-1 and R-1/2 (residential) Zone.

**CALENDAR NO. 39-2012**

The application of Mark Lebow, William W. Seymour & Associates, P.C., on behalf of Eric and Jeanne Bickford, filed on August 14, 2012 for a variance of Section 406 of the Darien Zoning Regulations, to allow an expansion of the existing second story to a full second story; Section 406: 19.6 in lieu of 25 feet minimum required rear yard setback. The property is on the west side of Laurel Lane at the corner formed by the intersection of Middlesex Road and Laurel Lane and is shown on Assessor's Map #27 as Lot #18, being 5 Laurel Lane and located in an R-1/2 (residential) Zone.

**CALENDAR NO. 40-2012**

The application of Neil Hauck, AIA and Neil Hauck Architects LLC on behalf of Saint Luke's Episcopal Church, filed on August 14, 2012 for a variance of Section 406 of the Darien Zoning Regulations, to allow renovations of a portion of the existing basement Undercroft space; Section 406: 33.8 in lieu of 30.0 feet maximum allowable building height. The property is on the south side of Boston Post Road at the southeast corner formed by the intersection of Rings End Road and Boston Post Road and is shown on Assessor's Map #49 as Lots #54, 55 and 56, being 1864 Boston Post Road and located in an R-1 and R-1/2 (residential) Zone.

**CALENDAR NO. 41-2012**

The application of Lance Zimmerman, AIA and Zimmerman Architecture on behalf of Jacqueline Calabro, filed on August 14, 2012 for a variance of Sections 406.6 and 406.7 of the Darien Zoning Regulations, to allow the construction of a two and one-half story addition and a front porch roof modification; Section 406: 5.6 in lieu of 11.7 feet minimum required north side yard setback and 13.9 in lieu of 22.8 feet minimum required south side

yard setback for the 2½ story addition; and 28.2 in lieu of 30.0 feet minimum required front yard setback for the front porch roof. The property is situated on the west side of Oak Park Avenue approximately 190 feet north from the intersection of West Avenue and Oak Park Avenue and is shown on Assessor's Map #23 as Lot #12, being 5 Oak Park Avenue and located in an R-1/3 (residential) Zone.

#### CALENDAR NO. 42-2012

The application of Lance Zimmerman, AIA and Zimmerman Architecture on behalf of Daniel J. McNulty, filed on August 15, 2012 for an amendment to the previously approved plans of Calendar No. 90-2004 and a variance of Section 406 of the Darien Zoning Regulations, to allow the previously constructed building features and the existing dormer to remain; Section 406: 21.9 in lieu of 35.0 minimum required side yard setback. The property is situated on the east side of Woodley Road at the southeast corner formed by the intersection of Ridge Acres Road and Woodley Road and is shown on Assessor's Map #4 as Lot #59, being 6 Woodley Road and located in an R-2 (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. Requested amendment to the approved plans of Calendar No. 33-2012, Anton Tinaj, 114 Hecker Avenue.
3. Approval of Minutes of meeting on July 25, 2012. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Al Tibbetts, Jeff Williams, and Ruth Anne Ramsey.
4. Requested amendment to the approved plans of Calendar No. 4-2012, Mario Lombardi, 72-74 Old Kings Highway South.
5. Election of Officers by Regular Members.
6. 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.

7. 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).