

REGULAR MEETING
AGENDA

Wednesday, April 13, 2011 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. Any information considered must be clearly provided and all hearing comments are recorded. Therefore **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. 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. You may also make inquiries to ZBA office staff at 203-656-7351.

PUBLIC HEARINGS

CALENDAR NO. 7-2011

The application of Anthony DeChellis filed on February 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow an existing spa to remain;

Section 406: 31.8 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the east side of Brookside Road at the northeast corner formed by the intersection of Marianne Road and Brookside Road and is shown on Assessor's Map #1 as Lot #87, being 320 Brookside Road and located in an R-2 (residential) Zone.

CALENDAR NO. 10-2011

The application of Shahin Heshmat on behalf of Thomas Almeida/Thais Gherardi filed on March 16, 2011 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of one and two story additions; Section 406: 6.1 in lieu of 18.4 feet minimum required north side yard setback; 10.8 in lieu of 21.8 feet minimum required south side yard setback; and 16.9 in lieu of 25.0 feet minimum required total of two side yards setback for the new construction. The property is situated on the east side of Hoyt Street approximately 150 feet north of the intersection of Lake Drive and Hoyt Street and is shown on Assessor's Map #27 as Lot #171, being 45 Hoyt Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 11-2011

The application of Amy & Anthony Barsanti filed on March 16, 2011 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien Zoning Regulations to allow the construction of a replacement two and one-half story residence with a detached garage addition; Section 385: a determination that the subject lot is a legal nonconforming building lot with 18,376 in lieu of 21,780 square feet minimum required lot size and 80.0 in lieu of 100.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; and Section 334: construction on a building lot with 80.0 in lieu of 100.0 feet minimum required lot width. The property is situated on the south side of Sunset Road approximately 750 feet east of the intersection of Mansfield Avenue and Sunset Road and is shown on Assessor's Map #15 as Lot #83, being 16 Sunset Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 12-2011

The application of Brian Dean on behalf of Thomas W. Eglin filed on March 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 29.8 in lieu of 40.0 feet minimum required front yard setback. The property is situated on the north side

of Oak Crest approximately 250 feet east of the intersection of Mansfield Avenue and Oak Crest and is shown on Assessor's Map #15 as Lot #92, being 9 Oak Crest and located in an R-1/2 (residential) Zone.

CALENDAR NO. 13-2011 TO BE OPENED AND CONTINUED TO MAY 18

The application of Joshua Davis/Janice Li filed on March 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a smaller replacement deck resulting in a decrease of coverage; Section 406: 7.2 in lieu of 15.2 feet minimum required side yard setback. The property is situated on the west side of Patricia Lane approximately 500 feet east of the intersections of Dubois Street and Patricia Lane and is shown on Assessor's Map #43 as Lot #80, being 18 Patricia Lane and located in an R-1/3 (residential) Zone.

CALENDAR NO. 14-2011

The application of Kurt Zitzman filed on March 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story sunroom addition; Section 406: 7.2 in lieu of 10.0 feet minimum required side yard setback. The property is situated on the southeast side of West Avenue approximately 150 feet east of the intersection of Old Parish Road and West Avenue and is shown on Assessor's Map #39 as Lot #106, being 147 West Avenue 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. Requested amendment to the approved plans of Calendar No. 28-2010, The Darien Sport Shop, 1127 Boston Post Road.

3. Approval of Minutes of meeting on March 2, 2011. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Jeff Williams, Ruth Anne Ramsey, and John Ashburne.
4. Approval of Minutes of meeting on March 16, 2011. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Chuck Deluca, Jeff Williams, and John Ashburne.
5. Review of Zoning Regulations and State Statutes regarding the limitations and timing of applications to the ZBA.
6. General discussion of Application Materials, hearing guidelines, hardship criteria, decision practices/guidelines, 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).