

**REGULAR MEETING**  
**AGENDA**

Wednesday, May 25, 2005    7:45 P.M.  
Public Meeting Room 206  
Darien Town Hall, 2 Renshaw Road  
Darien, Connecticut

**APPROVAL OF MINUTES**

1. **Minutes of decisions from March 30, 2005** (seated ZBA members for these decisions were Dick Sanford, Vic Capellupo, Al Tibbetts, Gary Greene, and Wayne Becker):
  - a. 10-2005, Robert F. Maslan, Jr. Esq. on behalf of John W. Faucett, 6 Camp Avenue.
  - b. 18-2005, Robert F. Maslan, Jr., Esq. on behalf of Bluff Island, LLC, 23 Butler's Island Road.
  - c. 19-2005, Gleason Hill & Ambrette on behalf of Mr. Francis X. & Melissa L. Murphy, 11 Chester Road.
  - d. 20-2005, John & Deborah Aspinwall, 29 Beach Drive.
  - e. 21-2005, Michael P. Sweeney, Esq. on behalf of Christopher & Beatrice Clements, 18 Sunset Road.

**CONTINUATION OF PUBLIC HEARING**

**CALENDAR NO. 23-2005**

Opened on May 18, 2005 and immediately continued to tonight, May 25, 2005. Since no testimony, comment, or additional information was provided to the ZBA on May 18<sup>th</sup>, the seated ZBA members for this request are Dick Sanford, Vic Capellupo, Al Tibbetts, Jeff Williams, and Peter Thoren. This hearing must be completed by June 22, 2005 (within 35 days after its May 18<sup>th</sup> opening).

The application of Thomas and Linda Hoyt filed on March 23, 2005 for a variation of Section 406 of the Darien Zoning Regulations to allow the construction of a two story addition. The property is situated on the west side of Lynn Court approximately 600 feet west of the intersection of Lynn Court and

Hoyt Street and is shown on Tax Assessor's Map #31 as Lot #20, being 17 Lynn Court and located in an R-1/3 (residential) Zone.

## **PUBLIC HEARINGS**

### **CALENDAR NO. 27-2005**

The application of Peter Schwartzman and Anne C. Buehl filed on April 20, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of second story additions. Section 406: 10.5 in lieu of 15.0 feet minimum required side yard setback; and 23.0 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the south side of Rocaton Road approximately 150 feet west of the intersection of Leroy Avenue and Rocaton Road and is shown on Tax Assessor's Map #18 as Lot #20, being 7 Rocaton Road and located in an R-1/2 (residential) Zone.

### **CALENDAR NO. 33-2005**

The application of Cindy L. Hampton filed on April 20, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a deck, bay window, second story addition, and covered front porch. Section 406: 39.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Quaker Lane, and 53.8 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Old King's Highway South for the deck, bay window, and second story addition; and 49.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Old King's Highway South for the covered front porch. The property is situated on the west side of Old King's Highway South at the southwest corner formed by the intersection of Old King's Highway South and Quaker Lane, and is shown on Assessor's Map #41 as Lot #157, being 192 Old King's Highway South and located in an R-1/3 (residential) Zone.

### **CALENDAR NO. 34-2005**

The application of Walter S. Travers on behalf of Mansfield Road Assoc., L.P. filed on April 20, 2005 for an interpretation of Section 385 and, if necessary a variation of Section 406 of the Darien Zoning Regulations to allow the construction of a replacement residence. Section 385: a determination that the subject lot is a legal nonconforming building lot; and Section 406: 9,565 in lieu of

14,520 square feet minimum lot size; and 65.0 in lieu of 80.0 feet minimum required lot width. The property is situated on the west side of Dubois Street approximately 150 feet south of the intersection of Thomasina Lane and Dubois Street and is shown on Assessor's Map #45 as Lot #42, being 25 Dubois Street and located in an R-1/3 (residential) Zone.

#### **CALENDAR NO. 35-2005**

The application of James & Heather Raymond filed on April 20, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a one story kitchen addition with covered porch and a one story main entry covered porch. Section 406: 35.1 in lieu of 40.0 feet minimum required front yard setback for the kitchen addition and porch; and 35.2 in lieu of 40.0 feet minimum required front yard setback for the main entry porch. The property is situated on the west side of Lighthouse Way approximately 600 feet south of the intersection of Lighthouse Way and Boston Post Road and is shown on Assessor's Map #53 as Lot #35, being 11 Lighthouse Way and located in an R-1/2 (residential) Zone.

#### **CALENDAR NO. 36-2005**

The application of Melissa O'Brien filed on April 20, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of one story mudroom, kitchen, and study additions. Section 406: 45.4 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Old King's Highway South for the mudroom and kitchen addition; and 37.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Old King's Highway South Road for the study addition. The property is situated on the north side of Old King's Highway South at the southeast corner formed by the intersection of Old King's Highway South and Boston Post Road and is shown on Assessor's Map #41 as Lot #151B, being 262 Old King's Highway South and located in an R-1/3 (residential) Zone.

#### **CALENDAR NO. 38-2005**

The application of John Doyle on behalf of John & Deborah Aspinwall filed on April 20, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a two story addition, arched attic dormer, second floor

and rooftop railings; and to allow the previously installed HVAC equipment to remain. Section 406: 51.5 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive, 13.3 in lieu of 15.0 feet minimum required side yard setback, and 22.3 in lieu of 30.0 feet minimum required total of two side yards setback, for the two story addition; 45.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive for the arched attic dormer, second floor and rooftop railings; 10.0 in lieu of 15.0 feet minimum required side yard setback, and 19.0 in lieu of 30.0 feet minimum required total of two side yards setback for the HVAC equipment. The property is situated on the east side of Beach Drive approximately 75 feet south of the intersection of Beach Drive and Outlook Drive and is shown on Tax Assessor's Map #52 as Lot #98, being 29 Beach Drive and located in an R-1/2 (residential) Zone.

#### **CALENDAR NO. 39-2005**

The application of Krzysztof & Iwona Dziejdzic filed on April 20, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of second floor and two story additions, and a one story covered front porch. Section 406: 12.6 in lieu of 25.0 feet minimum required front yard setback for the second floor and two story additions; and 22.3 in lieu of 25.0 feet minimum required front yard setback for the front porch. The property is situated on the north side of Cherry Street at the northwest corner formed by the intersection of Ash Street and Cherry Street and is shown on Assessor's Map #41 as Lot #45, being 22 Cherry Street and located in an R-1/5 (residential) Zone.

#### **GENERAL MEETING**

**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 legal 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.
2. Any other business (requires 2/3 vote of members present and voting).