

**SPECIAL MEETING
AGENDA**

Wednesday, November 30, 2005 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

CONTINUATION OF PUBLIC HEARING

This hearing was opened on November 16, 2005 and immediately continued to tonight, November 30, 2005. Since no testimony, comment, or additional information was provided to the ZBA on November 16th, the seated ZBA members for this request are Dick Sanford, Vic Capellupo, Gary Greene, Everett Drugge, and Jeff Williams.

CALENDAR NO. 80-2005

The application of Robert F. Maslan, Jr. on behalf of Michael & Cynthia Grant filed on October 19, 2005 for an amendment to the approved plans of Calendar No. 86-2004, or if necessary a variation of Section 406 of the Darien Zoning Regulations to allow the reconstruction of a one story garage. Section 406: 8.4 in lieu of 25.0 feet minimum required side yard setback. The property is situated on the east side of Circle Road approximately 450 feet south of the intersection of Circle Road and Old Kings Highway North and is shown on Assessor's Map #33 as Lot #47, being 8 Circle Road and located in an R-1 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 85-2005

The application of James P. Carmichael and Lynne Jenkins Carmichael filed on October 19, 2005 for an interpretation of Section 385 and a variation 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 12,775 in lieu of 14,520 square feet minimum required lot size; Section 334: construction on a portion of the building lot with 64.0 in lieu of 80.0 feet minimum required lot width. The property is situated on the northeast side of Thomasina Lane approximately 150 feet west of the intersection of Thomasina Lane and Dubois Street and is shown on Assessor's Map #45 as Lot #68, being 6 Thomasina Lane and located in an R-1/3 (residential) Zone.

CALENDAR NO. 86-2005

The application of Gleason & Associates LLC on behalf of Anthony & Dianne Covello filed on October 19, 2005 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a one-third story and dormer addition; Section 406: 13.5 in lieu of 25.0 feet minimum required side yard setback. The property is situated on the east side of Birch Road approximately 80 feet south of the intersection of Birch Road and Point O'Woods Road and is shown on Assessor's Map #13 as Lot #3 , being 34 Birch Road and located in an R-1 (residential) Zone.

CALENDAR NO. 87-2005

The application of Judith P. Tibbetts filed on October 19, 2005 for a variances of Sections 652, 655b, 655c, and 904 of the Darien Zoning Regulations, to allow the establishment of a first floor mixed use dwelling and retail jewelry shop with a handicapped ramp and partial front yard parking area; Section 652: to permit the first floor to be used for commercial sales and dwelling purposes; Section 655b: 0.0 in lieu of 75.0 feet minimum required front yard setback for the parking; Section 655c: 0.1 in lieu of 4.0 feet minimum required side yard setback for the handicapped ramp; and Section 904: 0 in lieu of 7 minimum required parking spaces. The property is situated on the southeast side of Grove Street approximately 80 feet southwest of the intersection of Brook Street and Grove Street and is shown on Assessor's Map #73 as Lot #19, being 21 Grove Street and located in the CBD (commercial) Zone.

CALENDAR NO. 88-2005

The application of Robert F. Maslan, Jr. on behalf of David T. & Frances A. Bellingham filed on October 19, 2005 for a variance and amendment to the approved plans of ZBA Calendar No. 57-1998, to allow the finishing of storage space located above an existing garage. The property is situated on the north side of Boston Post Road approximately 300 feet west of the intersection of

Boston Post Road and Hillside Avenue and is shown on Assessor's Map #47 as Lot #26-2, being 2697 Boston Post Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 89-2005

The application of Steven Mickels filed on October 19, 2005 for an interpretation of Section 385 and variations of Sections 334, 406, and 906.3 of the Darien Zoning Regulations to allow the construction of a replacement two story dwelling with a two car garage, a one story covered front porch, and front steps.

Section 385: a determination that the subject lot is a legal nonconforming building lot with 10,255 in lieu of 14,520 square feet minimum required lot size; Section 334: construction on a building lot with 71.0 in lieu of 80.0 feet minimum required lot width; Section 406: 15.9 in lieu of 30.0 feet minimum required front yard setback and 23.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Hillside Court for the front steps, 18.9 in lieu of 30.0 feet minimum required front yard setback and 26.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Hillside Court for the front porch, 23.9 in lieu of 30.0 feet minimum required front yard setback and 31.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Hillside Court for the dwelling; and Section 906.3: 26.9 in lieu of 30.0 feet minimum required front yard setback and 34.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Hillside Court for the parking garage. The property is situated on the north side of Hillside Court approximately 250 feet west of the intersection of Hillside Avenue and Hillside Court and is shown on Assessor's Map #47 as Lot #38, being 6 Hillside Court and located in an R-1/3 (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. Requested six month extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 30-2005, Nancy E. Hyland, 40 Noroton Avenue. The Public Hearing of this matter was May 18 and June 8, 2005. Initial ZBA approval expires on December 23, 2005.
3. Requested six month extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 39-2005, Krzysztof & Iwona Dziedzic, 22 Cherry Street. The Public Hearing of this matter was May 25, 2005. Initial ZBA approval expires on December 9, 2005.
4. General discussion of Application Materials.
5. Any other business (requires 2/3 vote of members present and voting).