

## **Board of Zoning Appeals Public Hearing and Administrative Meeting**

**April 5, 2016**

The Board of Zoning Appeals held a Public Hearing and Administrative Meeting on Tuesday, April 5, 2016 in Council Chambers of Stratford Town Hall, Main Street, Stratford, Ct per notice duly posted.

**Members Present:** Chairman Dempsey, Mr. Fredette sitting for Ms. Brooks, Ms. Young, Mr. Dausilio, Mr. Hojdich

**Alternates Present:** Mr. Fredette, Mr. Grega

**Members Absent:** Ms. Brooks

**Others:** Mr. Lorentson sitting for Mr. Habansky, Planning and Zoning Administrator

**Call to Order:** Mr. Dempsey called the Public Hearing to order at 7:00 p.m.

### **Petition 1**

**1623 & 1625 Stratford Avenue**

**Declan Mahar**

**Waive: Required parking spaces**

**Petition of Declan Mahar to waive required parking from 34 spaces to 8 spaces in order to convert building into a restaurant on property located in a CA District. Hardship: Pre-existing non-conforming lot – structure built before current zoning regulation.** Mr. Gardner, Architect, representing the petitioner submitted Certificates of Mailings. He noted change of use of property from a gas station to a restaurant. Hardship – existing property is a non-conforming lot which predates the current zoning code. He reviewed the site map noting there is a decrease in the amount of impervious area on the property, eight (8) parking spaces in the rear, eliminating 4-6 parking spaces in the front due to landscaping. An agreement from Redeo Audio which is the adjacent property was submitted allowing the use of sixteen (16) spaces.

Mr. Bochnias and Mr. Mahar, petitioners, submitted into record site plan. Noted these buildings are in total disrepair. Hours of operation: Saturday and Sunday 11am-11pm, Monday closed, Tuesday-Friday 3pm-11pm. There will be 8-10 employees.

Ms. Young referred to comments by Mr. Habansky and questioned previous parking demand vs proposed parking demand. She also questioned discrepancy with last months' site plan. Commissioners questioned indoor and outdoor seating and maintenance of the property.

Mr. Lorentson read into record a letter from K. Kaiser, Economic Development, supporting the projects.

Ms. Mathis, Eleanor Street, submitted petition with seventeen (17) signatures in opposition of the project. She discussed handicapped parking and noted this is a congested area.

Mr. Lorentson informed the Commission this petition will go before the Zoning Commission at the end of April. Mr. Hojdich would like to go to the site before making a decision.

**Ms. Young made a motion to continue the Public Hearing until May. The motion was seconded by Mr. Hojdich. The motion carried 4-1 with Mr. Fredette in opposition.**

**Mr. Dausilio made a motion to close the Public Hearing. The motion was seconded by Mr. Fredette. The motion carried unanimous.**

## **Administrative Session**

### **Petition 1**

**1623 & 1625 Stratford Avenue**

**Declan Mahar**

**Waive: Required parking spaces**

**Petition of Declan Mahar to waive required parking from 34 spaces to 8 spaces in order to convert building into a restaurant on property located in a CA District. Hardship: Pre-existing non-conforming lot – structure built before current zoning regulation. Left on table.**

### **Petition 2**

**112 Victory Street (Lot 159-160)**

**Diane Diedrich**

**Waive: Lot width and area**

**Petition of Diane Diedrich to waive lot width of 60ft. to 50ft. and lot area of 7,500 sq. ft. to 5,000 sq. ft. in order to allow an existing single family residence on property located in an RM-1 District. Hardship: Size and shape of lot is consistent with other properties in neighboring area.**

### **Petition 3**

**112 Victory Street (lot 157-158)**

**Diane Diedrich**

**Waive: Lot width and area**

**Petition of Diane Diedrich to waive lot width of 60ft. to 50ft. and lot area of 7,500 sq. ft. to 5,000 sq. ft. in order to construct a single family residence on property located in an RM-1 District. Hardship: Size and shape of lot is consistent with other properties in neighboring area. Mr. Dausilio recused himself from the proceedings. Mr. Fredette made a motion to take Petition 2 & 3 off the table. The motion was seconded by Mr. Hojdich. The motion carried unanimously. Chairman Dempsey noted he had listened to last months' tape on this petition.**

Ms. Young noted she has been persuaded by the staff report the current application fails to reveal a hardship and she is not inclined to support this petition. Commissioners discussed responsibility of proving hardship. Chairman Dempsey feels being that most houses in this area are on 50 x 100 lots this project fits into the neighborhood. **Mr. Fredette made a motion to approve 112 Victory Street (lots 157, 158, 159 and 160) with the stipulation that a driveway to the existing house be constructed prior to the division of the property. The motion was seconded by Mr. Hojdich. The motion carried 4-1 with Ms. Young in opposition.**

**Approval of Minutes** - Mr. Fredette made a motion to approve the minutes of March 1<sup>st</sup> with the correction that Mr. Hojdich was in attendance. The motion was seconded by Mr. Grega. The motion carried unanimously.

**C.A.M Site Plan** – None

**Members Concerns/Comments** – None

**Adjournment** – There being no further items to discuss, Mr. Hojdich made a motion to adjourn the meeting. The motion was seconded by Mr. Grega. The meeting was adjourned at 8:01 p.m.

Respectively Submitted,

Gail Decilio  
Recording Secretary

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