

**DRAFT**  
**CITY OF NORWALK**  
**ZONING BOARD OF APPEALS**  
**April 9, 2015**

**PRESENT:** Taylor Strubinger, Chair; Joseph Beggan; Andrew Conroy; Nadine Campbell; Juanita Olguin

**STAFF:** Aline Rochefort; Vladimir Mariano

**OTHERS:** Jim Bartley; William Earls; Vernon Miller; Neil Hauck; Atty Liz Suchy; John McDonald

**I. CALL TO ORDER**

Mr. Strubinger called the meeting to order at 7:30 p.m.

**II. ROLL CALL**

After the meeting was called to order, Mr. Strubinger then read the rules of how the public hearings would be conducted.

**III. PUBLIC HEARINGS**

**A. 15-0305-01- James Bartley- Variance of front yard setback and coverage for proposed elevation of existing single family residence and add stairs to grade in B Residence Zone. Property located at 19 Park Lane.**

Mr. Strubinger opened the public hearing. Mr. Beggan read the legal memo into the record.

Jim Bartley, the homeowner, began the presentation by introducing his architect and handing in the return receipt cards to show proof that the hearing was noticed. He discussed the history of Harborview as well as the damage that was done to homes during Hurricane Sandy. He explained that his hardship was global warming which would cause flooding to happen again. His real hardship is that, in order to raise his home, he needs stairs to get to it. He is not changing the footprint of the home.

William Earls, the architect for the project, continued the presentation by noting that the property is already existing, non-conforming.

There was a discussion about the stairs as well as a shed. Mr. Bartley said he would take out the shed, if the commissioners requested. There was a discussion about the size of the stairs.

No one spoke in support or opposition to the application. Mr. Strubinger closed the public hearing.

**B. 15-0409-01 Cedar Hammocks Island LLC - Variance for proposed changes to building elevations including 2 new dormer windows on 3 elevations, previously granted by variance. Property located at Cedar Hammocks Island.**

Mr. Strubinger opened the public hearing. Mr. Beggan read the legal memo into the record.

Vernon Miller began the presentation as to why they would need a variance due to changes in the city's regulations. He discussed the back dormers first and then the front dormer.

Mr. Beggan felt that the application was similar to a previous application that was denied in February. Mr. Strubinger asked what would be done on the second floor. Mr. Miller said that he planned on using it to varnish boats.

No one spoke in support or opposition to the application. Mr. Strubinger closed the public hearing.

**C. 15-0409-02 John Hooton & Emily Glod – Variances of setback and lot coverage for proposed elevation, with stairs to grade, of existing single family residence. Property located at 3 Yarmouth Road.**

Mr. Strubinger opened the public hearing. Mr. Beggan read the legal memo into the record.

Neil Hauck, Architect began the presentation by introducing and handing in the return receipt cards to show proof that the hearing was noticed. He gave a description of the current house and the proposed house. There would be a space below the house that could be used for a garage and storage. This would help bring the house into conformity with Norwalk's parking regulations. The lot is non-conforming. He also discussed several hardships. There was a discussion about the stairs which Ms. Rochefort noted, could eliminate 1 variance.

No one spoke in support or opposition to the application. Mr. Strubinger closed the public hearing.

**D. 15-0305-02 – 25 Butler LLC/Estate of Guillermo Arteaga – Variance of rear setback for relocation of existing historic building from across the street and side yard setback variance for AC units in Central Business Design District, subarea B. Property located at 25 Butler Street.**

Atty Suchy began the presentation began by introducing the members of the team for the project and handing in the return receipt cards to show proof that the

hearing was noticed, for both the March meeting (which was cancelled) and the April 9<sup>th</sup> meeting. She then discussed the history of the building as well as orienting the commissioners to the location of the property. She explained how the building was to be moved across the street to be used as office space. There was a discussion as to how the building would be moved.

John McDonald continued the presentation to explain exactly how the building would be moved. They will use as much brick from the original building as possible.

There were 2 letters in support of the project. No one spoke in support or opposition to the application. Mr. Strubinger closed the public hearing.

#### **IV. BOARD ACTION ON A thru D**

**A. 15-0305-02 – 25 Butler LLC/Estate of Guillermo Arteaga – Variance of rear setback for relocation of existing historic building from across the street and side yard setback variance for AC units in Central Business Design District, subarea B. Property located at 25 Butler Street.**

**MR. STRUBINGER MOVED:** that the variance be **GRANTED** for the relocation of the historic building to the site. The hardship is the loss of the historic building to Norwalk.

**Mr. Beggan seconded.**

**Mr. Strubinger, Mr. Beggan, Mr. Conroy, Ms. Campbell and Ms. Olguin voted in favor.**

**No one in opposition.**

**No one abstained.**

**B. 15-0409-01 Cedar Hammocks Island LLC - Variance for proposed changes to building elevations including 2 new dormer windows on 3 elevations, previously granted by variance. Property located at Cedar Hammocks Island.**

**MR. STRUBINGER MOVED:** that the variance be **GRANTED** due to the hardship of conforming to the changes in the latest FEMA and Norwalk Building Code regulations.

**Ms. Olguin seconded.**

**Mr. Strubinger, Mr. Beggan, Mr. Conroy, Ms. Campbell and Ms. Olguin voted in favor.**

**No one in opposition.**

**No one abstained.**

**C. 15-0409-02 John Hooton & Emily Glod – Variances of setback and lot coverage for proposed elevation, with stairs to grade, of existing single family residence. Property located at 3 Yarmouth Road.**

Before the commissioners voted on this application, there was a lengthy discussion.

**MR. STRUBINGER MOVED:** that the variance be **GRANTED** due to the hardship required to raise the building to conform with the latest FEMA regulations.

**Ms. Olguin seconded.**

**Mr. Strubinger, Mr. Beggan, Mr. Conroy, Ms. Campbell and Ms. Olguin voted in favor.**

**No one in opposition.**

**No one abstained.**

**D. 15-0305-01- James Bartley- Variance of front yard setback and coverage for proposed elevation of existing single family residence and add stairs to grade in B Residence Zone. Property located at 19 Park Lane.**

There was a discussion about the application prior to the vote.

**MR. STRUBINGER MOVED:** that the variance be **GRANTED** with the condition that the front stairs width be minimized to conform with the minimum building code requirements of the Building Code, not the width as indicated on the plans. The hardship for the variance will be the need to conform with the current FEMA regulations for flood heights.

**Ms. Campbell seconded.**

**Mr. Strubinger, Mr. Beggan, Mr. Conroy, Ms. Campbell and Ms. Olguin voted in favor.**

**No one in opposition.**

**No one abstained.**

**V. ACTION ON HEARING MINUTES – January 8, & February 5, 2015**

**Mr. Conroy moved to approve the January 8, 2015 minutes.**

**Mr. Strubinger seconded.**

**Mr. Strubinger, Mr. Beggan, Mr. Conroy, Ms. Campbell and Ms. Olguin voted in favor.**

**No one in opposition.**

**No one abstained.**

**Mr. Beggan moved to approve the February 5, 2015 minutes.**

**Mr. Strubinger seconded.**

**Mr. Strubinger, Mr. Beggan, Mr. Conroy, Ms. Campbell and Ms. Olguin voted in favor.**

**No one in opposition.**

**No one abstained.**

Before the meeting was adjourned, Sally Kellogg spent several minutes asking questions about a matter that she believed had been before the Zoning Commission on March 18, 2015. It was determined that she would come into the Planning and Zoning Department's office the following day for some advice.

## **VI. ADJOURNMENT**

**\*\* MR. STRUBINGER MADE A MOTION TO ADJOURN.**

**\*\* MR. BEGGAN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9 p.m.

Respectfully submitted,

Diana Palmentiero