

Zoning Board of Appeals

Minutes

(meeting taped)

Special meeting: Thursday, July 24, 2008 in the City Hall media center.

The meeting was called to order at 6:35 p.m.

By roll call, members present: Mark Zeck, Angelo Dirienzo, John Kowarik, Richard Bartholomew and David Manley. Alternate Walter Nizgorski was excused. Alternate Michael Dellinger was absent.

Corporation Counsel Joseph Coppola was present. Building Official David Kopjanski was excused.

Public portion: The Chair noted that there would be a public portion for the application. This public portion is to satisfy section 101 of the Charter of the City of Derby. No one came forward to speak.

Approval of minutes: Motion was made by Angelo Dirienzo and second by David Manley. Move to accept the minutes of the April 24, 2008 meeting, as written. Motion carried unanimously.

Application No. 292 – Applicant: Applicant: Kenneth & Judy Marcucio. Location of affected premises – 38 Chatfield Street, Derby, CT 06418. Requesting a two foot side yard setback variance for construction of a six foot by nine foot addition to the house.

Mr. Marcucio was present. He explained that there is an existing porch on the side of the house and his intent is to extend the porch to the rear corner of the house. The existing structure was built prior to the current zoning side yard requirements and as such is grandfathered. The structure would be no more intrusive to the neighbor and the addition would only extend to the rear yard, not towards the side yard. The addition will have a crawl space, no basement. The hardship is that if he was to construct the addition under the current regulations, the width of the addition would be only four feet and it would not be consistent with the remainder of the porch.

Mr. Dirienzo indicated that he seemed to recall that at the time of the construction of the neighbor's house, 1967, zoning setbacks were regulated at six foot side yard. Thus, the houses in the area were conforming to the previous regulations. Members discussed the application and consensus was that being that the existing porch is within the six foot side yard,

this addition would not cause significant change but would rather be a squaring off of the building.

Motion was made by David Manley and second by Angelo Dirienzo. Move to approve Application No. 292 – Applicant: Applicant: Kenneth & Judy Marcucio. Location of affected premises – 38 Chatfield Street, Derby, CT 06418. Requesting a two foot side yard setback variance for construction of a six foot by nine foot addition to the house. Motion carried unanimously.

Executive Session: motion was made by David Manley and second by Richard Bartholomew. Move that there is no need for an executive session. Motion carried unanimously.

Motion was made by Angelo Dirienzo and second by David Manley. Move to adjourn the meeting at 6:50 p.m. Motion carried unanimously.

Respectfully prepared,
Karen Kemmesies, secretary

These minutes are subject to Board approval at their next scheduled meeting.