

Zoning Board of Appeals

Minutes

(meeting taped)

Monthly meeting: Thursday, December 19, 2013 in the City Hall lower level meeting room.

The meeting was opened at 6:50 p.m.

Motion made by John Kowarik and second by Richard Bartholomew. Move that Angelo Dirienzo serve as temporary chair. Motion carried unanimously.

Roll call - members present: Angelo Dirienzo, Richard Bartholomew, John Kowarik, Sam Pollastro Jr. and Earl Robinson. Mark Zeck and Harvey Finkel were excused. Building Inspector Carlo Sarmiento was absent.

The chair explained that Mr. Robinson will be a voting member this evening and thus there are five voting members present.

Public portion: This public portion is to satisfy section 101 of the Charter of the City of Derby. No one came forward.

Approval of minutes: Motion made by Sam Pollastro Jr. and second by Earl Robinson. Move to accept the minutes of the November 21, 2013 meeting, as written. Motion carried unanimously.

Application No. 376– Applicant: Robert Orchano. Location of affected premises – 43 Iannotti Lane, Derby, CT 06418. Appealing determination of the zoning officer denying building a two car garage on right side of single family ranch house

Mr. Orchano was present. He stated that he has resided there for fourteen years and is trying to build a garage for his vehicles that he currently houses off-site. The chair asked if the applicant had the certified notifications to the adjoining property owners. Mr. Orchano presented the certified receipts. Members reviewed the names and were satisfied that the adjoining property owners had been notified. As the building official was not present, the chair asked Mr. Orchano the circumstances for this request for variance and the reason the building official gave for the denial. Mr. Orchano indicated that his property line is angled and the placement of the proposed garage would be approximately three to three and one half feet (3-31/2 ft) away from the line at the corner of the structure that would be closest to the front yard boundary. As the property angles, the back corner of the structure would be conforming. He further explained that the house and the neighborhood development were constructed in the 1960's prior to zoning regulations.

Members reviewed the submitted information. The undated application states that the garage is being built under code of property line with the hardship claimed that the garage is being built on the right side of house so that it will look the same as everyone else's house on the street, being that his house was built on an angle. A hand drawn depiction of the garage was submitted. The City of Derby Geographic & Property Information Application highlighting the lot and showing the neighborhood development was submitted.

Members and the applicant reviewed the presented information and the zoning code. They determined that the lot was in R-3 with a side yard setback requirement of sixteen (16) feet. They questioned whether the placement of the garage could be set further back so as not to encroach on the side yard set back while still not encroaching on the rear yard setback requirement. It was questioned whether the lot coverage requirement would allow for the building of the garage. It was noted that the current house, swimming pool and any accessory structures would have to be incorporated in the determination of whether the lot could support the addition of a two-car garage. It was noted that the hand drawn drawing shows a 24ft x 28ft structure and the applicant did consider reducing the size to 22ft x 28ft to lessen the encroachment and coverage issues.

Members felt there was insufficient information to move forward on this application. More information is needed from the building official. They asked the applicant if he could provide the information for the next meeting and they asked if he would grant a continuance on the application. The applicant agreed to the extension of the application and to continue to the next month's meeting.

Motion was made by Sam Pollastro Jr. and second by John Kowarik. Move to accept the applicant's request for a continuation of application #376. Motion carried unanimously.

Motion was made by Sam Pollastro Jr. and second by John Kowarik. Move to adjourn the meeting at 7:20 p.m. Motion carried unanimously.

Respectfully prepared,

Karen Kemmesies

Karen Kemmesies, secretary

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