



ZONING BOARD OF APPEALS

Clifford J. Hurgin Municipal Center
1 School Street, Bethel, Connecticut 06801 *(203) 794-8578

ZONING BOARD OF APPEALS MEETING MINUTES JANUARY 20th, 2015 – BETHEL MUNICIPAL CENTER 7:00 P.M. – MEETING ROOM D

COMMISSION MEMBERS PRESENT : J. Hurgin; J. Streaman; N. Santaniello; R. Lawlor; M. Ryan; W. Foster; S. Plamer, Planning & Zoning director
J. Hurgin called the meeting to order at 7:00 and read the Legal Notice into the record.

PUBLIC HEARING :

14-14 : CASAL I, LLC, 1 Elizabeth St., Variance of **Sec. 4.3(I)(1)** Residential density up to 10 units per acre & **Sec. 5.5.E. (8)** Min floor area per dwelling unit, to convert commercial space to 3 residential dwelling units on first floor.

J. Hurgin read the Staff Report dated 1/20/15 by S. Palmer, Planning & Zoning Director, into the record. Attorney P. Olson, Landuse & Conservation Counsel of Bethel, represented the applicant and submitted receipt of notification of adjoining property owners into the record.

The applicant requested a variance to permit the conversion of 3000 sf. of retail space on the first floor and three (3) one bedroom apartments on the second floor. Attorney Olson explained that due to the large building footprint on this small lot, there is no onsite parking provided. However, in 2004, the applicant was granted a variance (#04-11) was granted of the parking and landscape requirements to allow the third dwelling unit on the second floor of the building. Since the applicant provided a 12 space parking lot on adjacent property at 5 Elizabeth Street, which he owned, the Board found that sufficient parking was available for the retail and residential uses on the subject lot and three (3) family use at 5 Elizabeth Street. Attorney Olson submitted a scaled floor plan of the potential units to the Board.

The existing parking requirement for both properties combined is 27 spaces. The proposed conversion of the 3000 sf. of retail space to 3 dwelling units reduces the parking deficit from 15 spaces to 6 spaces so there is no need for a parking variance for this application. The variances required relate to the density permitted on the subject property. Based on the lot area, the property is entitles to one (1) single family dwelling.

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TOWN OF BETHEL
TOWN CLERK

According to the owner, as is, this size space is less attractive to potential retail tenants and the location isn't well suited for dividing the space into smaller units. This plan for adaptive for residential purposes fits within the Town's goal for residential use thereby creating housing that will support existing businesses and create a walkable place to live for those who would like the convenience of downtown living. A similar type of application was approved at 77 South Street where a large commercial building was approved for conversion to housing.

The Applicant stated that a hardship is caused because this historic building (cir. 1935) is on an undersized lot which is too small for the density criteria set forth in current zoning regulations.

Those who spoke in favor of the application:

Christopher Drake 5 Pleasant Rise

Chairman Hurgin closed the Public Hearing.

WORKSESSION:

Motion by N. Santaniello, seconded by J. Streaman to **GRANT** a Variance for **14-14 : CASAL I, LLC, 1 Elizabeth St.,** of **Sec. 4.3(I)(1)** Residential density up to 10 units per acre & **Sec. 5.5.E. (8)** Min floor area per dwelling unit, to convert commercial space to 3 residential dwelling units on first floor.

In making their decision the Board stated that a hardship was caused due to the pre existing size & location of this historic building on an undersized lot.

Motion Approved Unanimously.

MINUTES:

Motion by N. Santaniello, seconded by J. Streaman to approve the meeting minutes of 12/16/2014.

Motion Approved Unanimously

Motion by J. Streaman, seconded by N. Santaniello to Adjourn at 7:35 p.m.
Motion Approved

Respectfully Submitted



Nancy R. LoBalbo
Recording Secretary