



# ZONING BOARD OF APPEALS

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

## ZONING BOARD OF APPEALS MEETING MINUTES May 17<sup>th</sup>, 2016 – BETHEL MUNICIPAL CENTER 6:00 P.M. – MEETING ROOM D

**COMMISSION MEMBERS PRESENT** : R. Lawlor, Chairman; J. Streaman; M. Ryan; R. Merritt; J. Kelly; S. Dolan; F. Pulle and B. Cavagna, Interim Planning & Zoning Official

**ABSENT**: S. Catino

R. Lawlor called the meeting to order at 6:00 p.m. and read the Legal Notice.

### **PUBLIC HEARING (S):**

**16-03 :Tim. E. & Jean Belansky, 3 Ridge Road, Variance of Sec. 3.4.C.1.a front setback from 30' required to 26.1 +/- proposed for a front porch and Sec. 3.4.C.1.c Side setback from 10' min. to 9.3 +/- proposed for an attached garage.**

The Staff Report, dated May 10<sup>th</sup>, 2016, from B. Cavagna, Interim Planning & Zoning Official, was read.

Present for the application was Tim Belansky, owner of 3 Ridge Road. Mr. Belansky provided the mailing notifications for adjacent neighbors. The applicant requested a variance of Sec. 3.4.C.1.A of the zoning regulations to allow a front porch to be 26.1' +/- from the front property line where 30' is required. While the house is conforming with regard to setbacks and lot size, the road right of way is at an odd angle and the actual road pavement is approx. 50' from the closest point of the proposed porch .

The Applicant also requested a variance of Sec. 3.4.1.C of the zoning regulations to allow for the construction of a garage from 10' required to 9.3' in order to allow for an overhand. Mr. Belansky's stated hardship is that the configuration of the home on the property causes a hardship.

No one spoke  
Chairman Lawlor closed the Public Hearing.

RECEIVED

2016 MAY 19 A 8:47

TOWN OF BETHEL  
TOWN CLERK

**16-04 :Rafael Marin, 27 Hoyt Road, Variance of Sec. 3.4.E.1.b accessory building height from 16' required to 22'8" +/- proposed for a garage.**

A Staff Report dated May 16<sup>th</sup>, 2016 from B. Cavagna, Interim Planning & Zoning Official, was read.

Present for the Application was Rafael Marin, owner of 27 Hoyt Road. Mr. Marin requested a variance of Sec. 3.4.E.1.b from 16' required to 22'8" proposed for an existing garage. The applicant explained that a zoning permit was issued on 11/13/15 for an addition to the garage. Subsequent inspections were made by the Building Department over the course of several months. Upon completion a Zoning Compliance was requested. At that time it was determined that changes had been made to the garage design and the applicant submitted those changes to the Planning & Zoning Department on March 14, 2016. This included a change in the height of the structure to 22'8" to accommodate the storage of a recreational motor home. Zoning Regulations require that this incidental accessory to a residential use must be kept enclosed. The property owner did not realize that the change in garage door height would require a variance of Sec. 3.4.E.1.b. He stated his hardship as being the conflict caused by the need to house the motor home.

**WORK SESSION:**

**16-03 :Tim. E. & Jean Belansky, 3 Ridge Road, Variance of Sec. 3.4.C.1.a front setback from 30' required to 26.1 +/- proposed for a front porch and Sec. 3.4.C.1.c Side setback from 10' min. to 9.3 +/- proposed for an attached garage.**

Motion by M. Ryan, seconded by J. Streaman, to GRANT a variance of Sec. 3.4.C.1.a front setback from 30' required to 26.1 +/- proposed for a front porch and Sec. 3.4.C.1.c Side setback from 10' min. to 9.3 +/- proposed for an attached garage, as submitted on "Zoning Location Survey Prepared for Tim E. Belansky and Jean A. Belansky, 3 Ridge Road, Bethel, Connecticut dated April 14<sup>th</sup>, 2016 by Paul M. Fagan, L.S. Lic #7756".

The Board recognized a hardship is caused by the unusual location of the house on the property.

Motion Approved Unanimously.

**16-04 :Rafael Marin, 27 Hoyt Road, Variance of Sec. 3.4.E.1.b accessory building height from 16' required to 22'8" +/- proposed for a garage.**

Motion by M. Ryan, seconded by J. Streaman to GRANT a Variance of Sec. 3.4.E.1.b accessory building height from 16' required to 22'8" +/- proposed for a garage.

The Board recognized a hardship caused by a conflict between the height of a recreational vehicle and the regulation regarding enclosure.

Motion approved unanimously

**MINUTES:**

Motion by J. Kelly, seconded by J. Streaman, to accept as ammended the Minutes of the March 15<sup>th</sup>, 2016. Motion Approved unanimously.

**INVOICES:**

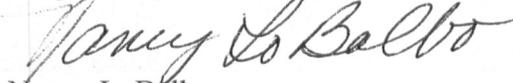
Motion by J. Kelly, seconded by J. Streaman, to approve payment to approve payment of the Connecticut Media Group invoice, dated 3/312016, in the amount of \$449.22 for legal noticing. Motion Approved unanimously

**NEW BUSINESS:**

Motion by J. Kelly, seconded by M. Ryan, to not accept 16-05: Draper, 47 Shelley Rd at this time as the application is incomplete lacking an A2Survey. Motion Approved unanimously

Motion by J. Kelly, seconded by J. Streaman, to adjourn at 6:45 p.m. Motion Approved unanimously

Respectfully Submitted,



Nancy LoBalbo  
Recording Secretary