



# ZONING BOARD OF APPEALS

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

## ZONING BOARD OF APPEALS MINUTES MAY 19<sup>th</sup>, 2009 – BETHEL MUNICIPAL CENTER 7:00 P.M. – DENIS J. RIORDAN ROOM

**COMMISSION MEMBERS PRESENT** - Vice Chairman C. Tager; J. Hawkins; K. Watson; J. Hurgin and S. Palmer, Planning & Zoning Official.

Vice Chairman Tager called the meeting to order at 7:00 p.m.  
C. Tager read the Legal Notice into the Record.

### PUBLIC HEARINGS :

**09-08 ROBERT LENHARD & DARYL SOLSTICE, 63 NASHVILLE ROAD EXT.; TO REQUEST A VARIANCE OF THE FOLLOWING SECTION OF THE REGULATIONS: SEC. 118-47.4A – HEIGHT FROM 6 FEET REQUIRED TO 8 FEET PROPOSED FOR CONSTRUCTION OF A FENCE IN THE SIDE YARD.**

K. Watson read the Staff Report by S. Palmer, Planning & Zoning Official, into the record.

Mr. Lenhard & Ms. Solstice appeared to present the Application.

The Applicants requested a variance of Sec. 118-47.4A of the zoning regulations to permit an 8 ft. high fence along the side lot line where the regulations limit fence height to 6 ft. The property is located in the residential R-80 Zone and is served by private septic and well systems.

Stating their hardship as the topography of the property, the Applicants explained that the section of the property they wish to fence is at a lower elevation than the residence directly to the south, thus limiting their privacy. Due to this elevation change an 8 ft. fence would provide the needed screening between the two houses. The fence panels are 8 ft. wide and will be painted green to blend with the surroundings. Furthermore, the Applicant stated that only a 64' portion of the fence will be 8 ft. in height while the remainder of the fencing will meet the zoning requirement of 6 ft. The Applicant entered photos of the proposed fence into the record.

No one spoke.

Vice Chairman Tager closed the Public Hearing.

**RECEIVED**

**MAY 20 2009**

**TOWN OF BETHEL  
TOWN CLERK**

**WORKSESSION:**

**09-08 ROBERT LENHARD & DARYL SOLSTICE, 63 NASHVILLE ROAD EXT.; TO REQUEST A VARIANCE OF THE FOLLOWING SECTION OF THE REGULATIONS: SEC. 118-47.4A – HEIGHT FROM 6 FEET REQUIRED TO 8 FEET PROPOSED FOR CONSTRUCTION OF A FENCE IN THE SIDE YARD.**

Motion to **APPROVE** by K. Watson, seconded by J. Hawkins, a Variance of Section 118-47.4A of the regulations to permit an 8 ft. high fence along the side lot line where regulations limit fence height to 6 ft. The Board recognizes that a hardship is caused due to the topography of the side yard.

Motion Approved.

Motion to **STIPULATE** by C. Tager that the length of 8 ft. fencing panels does **NOT exceed** 64 ft., located no closer than 90 ft. from the front property line. An A-2 Survey showing the fence location is required upon the completion of this project. Seconded by J. Hurgin

Motion Approved Unanimously

**MINUTES:**

Motion by C. Tager, seconded by J. Streaman to **APPROVE** the minutes of the March 17<sup>th</sup>, 2009 meeting of the ZBA.

Motion Passed

**INVOICES:**

Motion by K. Watson, seconded by J. Hurgin to **APPROVE** payment of invoice(s) from The Danbury News-Times in the amount of \$1,640.12 for invoices related to Legal Noticing .

Motion passed.

**NEW BUSINESS:**

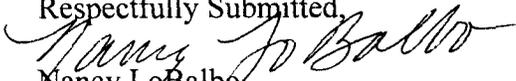
Motion by J. Hurgin, seconded by K. Watson to **ACCEPT** new business and set a Public Hearing date of June 16<sup>th</sup>, 2009.

Motion Passed.

Motion to Adjourn at 7:20 p.m. by K. Watson, seconded by J. Hurgin

Motion passed.

Respectfully Submitted,



Nancy LoBalbo

Secretary, Planning & Zoning Department