

TOWN OF GREENWICH  
PLANNING & ZONING BOARD OF APPEALS  
8/5/09

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**MINUTES**

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, August 5<sup>th</sup>, 2009 at 8:00 P. M. in the Joseph Cone Meeting Room, 2<sup>nd</sup> Floor Town Hall, pursuant to due notice.

PRESENT: Donald Kiefer, Chairman,  
Robert Coulson, Secretary,  
Arthur Delmhorst, David Weisbrod

ABSENT: Patricia Kirkpatrick

ALTERNATE: Serle Mosoff

The following appeals were heard:

**APPEAL No. 9680.**

Appeal of Volker and Barbara Bahnemann, 90 Porchuck Road, Greenwich for variance of building height and special exception approval to allow an accessory building to remain in the RA-4 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

After due consideration, the Board finds there is hardship due to the existing topography of the lot. Additionally the Board notes the accessory structure meets primary structure setbacks and is naturally screened from the street and adjoining properties. The requested variance of accessory building height is, therefore granted from Section 6-144(a) of the Building Zone Regulations. The Board further finds the accessory structure to be subordinate to the primary structure and all other special exception standards as provided by Sections 6-19, 6-20 and 6-95(a)(2) of the Building Zone regulations have been met. The requested special exception is, therefore, granted.

The Board further finds that this relief is consistent with the Town's Plan of Conservation and Development and can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

**APPEAL No. 9689.**

Appeal of 261 East Putnam Avenue, LLC, owner, Greenwich Performing Arts Studio, appellant, 261 East Putnam Avenue LLC, Cos Cob, for variance of use to permit a school in the LBR zone and alleging error in the determination of use for business activities.

It was unanimously RESOLVED that said appeal continued at the applicant's request.

**APPEAL No. 9690.**

Appeal of Boxwood Trading Inc, owner, Paul Ardaji, applicant, 33 Lewis Street, Greenwich, for variance of separation distance to permit a liquor license at a commercial building in the CGBR zone.

It was RESOLVED that said appeal be denied on the following grounds:

The Board finds, after due consideration, there was no hardship articulated to justify the requested variances. Further, the Board finds the proposed application to be inconsistent with and contrary to the Town's Plan of Conservation and Development. The appeal is therefore denied.

Mr. Mosoff made a motion to deny the appeal, which was seconded by Mr. Delmhorst. Messrs. Mosoff, Delmhorst and Kiefer voted in favor of the motion. Messrs. Weisbrod and Coulson voted against the motion. Having failed to receive four affirmative votes, the motion fails.

Mr. Weisbrod made a motion to grant the appeal, which was seconded by Mr. Coulson. Messrs. Weisbrod and Coulson voted in favor of the motion. Messrs. Mosoff, Delmhorst and Kiefer voted against the motion. Having failed to receive four affirmative votes, the motion fails and the appeal is denied.

**APPEAL No. 9691.**

Appeal of Stephen and Tracey Tang Limpe, 5 Indian Chase Drive, Greenwich, for variance of side and rear yards to permit renovation and expansion of an existing non-conforming dwelling in the RA-1 zone.

It was unanimously RESOLVED that said appeal continued at the applicant's request.

**APPEAL No. 9692.**

Appeal of Edward and Jean Larkin, 30 Militades Avenue, Riverside, for variances of side and street side yards to permit additions to a dwelling in the R-12 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

The Board finds there is hardship due to an undeveloped road adjacent to the property. The Board notes the proposed second story addition and interior renovation will not further encroach into the required yards and is naturally screened by the undeveloped street. The requested variance of combined side and street side yards is, therefore granted from Sections 6-203 & 6-205 of the Building Zone Regulations.

The Board further finds that this relief is consistent with the Town's Plan of Conservation and Development and can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

**APPEAL No. 9693.**

Appeal of J. Alexander and Laura Meleney, 197 Stanwich Road, Greenwich, for variance of number of stories to permit additions to a dwelling in the RA-1 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

The Board finds there is hardship due to topography of property and the existing location of the dwelling, having been built in 1850, prior to zoning regulations. The Board notes the addition will preserve the historic façade of the building, will not be visible from the street and is naturally screened from the adjoining properties. The requested variance of number of stories is, therefore granted from Sections 6-203 & 6-205 of the Building Zone Regulations.

The Board further finds that this relief is consistent with the Town's Plan of Conservation and Development and can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

**The date of these minutes and rendition date of said decisions is August 17, 2009.**

**The next regular meeting is scheduled to be heard on August 19, 2009.**

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Robert Coulson, Secretary