

## MINUTES

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, September 23<sup>rd</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,  
David Weisbrod and Patricia Kirkpatrick,

ALTERNATE: Serle Mosoff,

ABSENT: Arthur Delmhorst,

The following appeals were heard:

### **APPEAL No. 9650-(Continued).**

Appeal of Byram Shore Road Association of use and required yards to permit a guard booth in the public right-of-way in the R-20 zone.

This appeal was withdrawn by the applicant.

### **APPEAL No. 9689-(Continued).**

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 be continued at the applicant's request.

### **APPEAL No. 9691-(Continued).**

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 be granted on the following grounds:

After due consideration, the Board finds there is hardship due to lot shape, topography including wetlands and flood zones, and the location of the existing dwelling on the lot, having originally being constructed in 1916. Therefore, the requested variances of required rear yard for the primary structure and required rear yard for a pool are granted from Section 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. 9707.**

Appeal of 407 Sound Beach Avenue, LLC, 403 Sound Beach Avenue, Old Greenwich, for variance of required side yard to permit expansion of an existing accessory garage in the R-12 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 location of the existing accessory garage on the lot, having originally being constructed in 1924. The Board further notes this proposed vertical addition has the support of the direct abutter and will allow two cars to be parked in a single car garage, reducing impervious area and keeping the character of the neighborhood. Therefore, the requested variance of required side yard for an accessory structure is granted from Sections 6-203 and 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. 9708.**

Appeal of Estate of 96 Round Hill Road, LLC, 96 Round Hill Road, Greenwich, for variance of required street side yard to permit a tennis court in the RA-2 zone.

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

**APPEAL No. 9709.**

Appeal of Lori Fields and Lawrence Malkin, 493 Riversville Road, Greenwich, for variance of floor area to permit an existing stable to be razed and rebuilt as an accessory guest house in the RA-4 zone.

It was unanimously RESOLVED that said appeal be granted with conditions:

After due consideration, the Board finds there is hardship due to the structure existing before current zoning regulations, having originally being constructed in 1949. The Board further notes this proposed guest house meets primary structure setbacks, keeps the aesthetic appeal and character and will not exceed the Floor Area of the existing stable/barn. Therefore, the requested variance of Floor Area Ratio, from Sections 6-203 and 6-205 of the Building Zone Regulations, is granted upon the condition that the impervious area of the new proposed guest house does not exceed the impervious area of the existing stable/barn.

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 October 5, 2009.**

**The next regular scheduled meeting October 7, 2009 has been cancelled.**

**The next regular meeting is scheduled to be heard on October 21, 2009.**

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Robert Coulson, Secretary