

MINUTES

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, October 21, 2009 at 8:00 P. M. in the Joseph Cone Meeting Room, 2nd 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. 9702-(Continued).

Appeal of Patrick and Lori Woodring for variance of required front yard to permit a dwelling 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 deficient right-of-way width, the road lying entirely on private property. The Board also notes that the new dwelling will be less non-conforming than the existing dwelling and this application comes with the support of the surrounding neighbors on Sylvan Lane. Therefore, the requested variance of required front yard is 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. 9710

Appeal of Thomas Steen (owner), Toyota of Greenwich (applicant), for variance of illumination, design and lettering to permit a free standing sign in the LB zone.

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

The Board finds, after due consideration there is hardship due to the size, location and design of the existing sign, having been installed prior to current zoning regulations. The Board further notes the new sign will be significantly more conforming than the existing sign contributing less light pollution to the surrounding area. Therefore, the requested variance of illumination, design and lettering, from Sections 6-168(b) and 6-169 of the Building Zone Regulations, is granted upon the condition that the size of the logo not be greater than 18 inches by 32 inches.

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. 9711.

Appeal of 36 Elm, LLC, for variance of number of dwelling units to permit additions to a mixed use building in the CGBR zone.

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

APPEAL No. 9712.

Appeal of Holly Hill, LLC, for variance of required rear yard to permit a free-standing wall at a hotel in the LB zone.

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

APPEAL No. 9713.

Appeal of George Crapple alleging error in the decision of the Zoning Enforcement Officer regarding Floor Area as it applies to open air structures.

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

The Board, after due consideration, finds error in the decision of the Zoning Enforcement Officer applying the definition of Carport to all open air structures. The Board finds that the definition of Carport in Section 6-5(a)(10.2) relates open air structures for the purpose of parking areas only to Floor Area, Gross for residential structures. Existing practice, previous to the implementation of the carport definition, should be used in evaluating Floor Area as it relates to open air-structures not intended for parking such as screened porches and pavilions.

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. 9714.

Appeal of Alan and Jennifer Freedman for variance of required side yard and special exception approval to construct an accessory barn in excess of 1,200 square feet 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 topography including wetlands located on the site. The Board notes that this application comes with the approval of the IWWA and the closest adjoining property owner. The requested variance of required side yard is, therefore, granted from Sections 6-203 & 6-205 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.

The date of these minutes and rendition date of said decisions is November 2, 2009.

The next regular meeting is scheduled to be heard on November 4, 2009.