



City of Ansonia

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Ansonia, Connecticut 06401

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ZONING BOARD OF APPEALS REGULAR MONTHLY MEETING, MONDAY, ALDERMANIC CHAMBERS 7:00 PM

The Ansonia Zoning Board of Appeals held its regularly scheduled monthly meeting on Monday, October 6, 2014. The meeting began at 7:04 p.m. and the following applications were acted upon.

Roll Call:

Claudia Degnan	Present
Jeff Gould	Present
Robert Brown	Present
Diana Maurice	Absent
Elizabeth Gaudet	Present
David Williams	Present

5 Present, 1 Absent

A quorum was present.

Mrs. Degnan declared the meeting open at 7:15. The meeting began with the pledge of allegiance to the flag.

Mrs. Degnan entertained motions to approve the minutes. Mr. Williams made a motion to approve the previous months minutes. The motion was seconded by Mr. Brown. All were in favor of the motion.

1. Constance Kolakowski and Robert Kolakowski, Jr., 14 Farrell Drive, for property located at 6 Hill Street, Ansonia and 32 Root Avenue, Ansonia, seeking relief from the Zoning Regulations. For 6 Hill Street, seeking relief from the Zoning regulations, Section 315 Schedule C rear yard setback from 25' required to 0' provided. For 32 Root Avenue seeking relief from the Zoning regulations Section 315 Schedule C Rear yard set back from 20' required to 6' provided, Front yard setback from 20' required to 5.3' provided, side yard setback from 20' required to 5' provided, Minimum lot area from 7, 500 square feet required to 4, 960 square feet provided, Minimum lot depth from 100' required to 51.1' provided and building area as percent of lot from 35% required to 39.2% provided for existing multi-family dwelling.

Atty. James Sheehy is present. He is representing both of the applicants. He then presented a letter of introduction as to what they are seeking. He then stated that the map shows lot 2A and lot 2B. He explained that is what they propose. They submitted a subdivision application to the Planning and Zoning commission. He then stated that the property consists of an apartment building and a single family unit. The apartment building was built circa 1900 and the single family was built circa 1920. The apartment building is a pre-existing, nonconforming use. While the single family is a conforming use within zone B. They are requesting variances so that they can proceed with the subdivision application. The proposed lot 2A contains the one

family house, which meets all of the minimum requirements except the rear yard setback. The proposed lot 2B with the apartment building requires several variances which the board has in front of them. The property is a very difficult piece. It contains severe slopes and construction of the building was before the enactment of the Zoning Regulations. The conditions that exist are unique to this property and substantially different from other lots in the district. Without the variances, the applicants can only achieve compliance with great difficulty and hardship or not at all. The applicants inherited the property with the preexisting nonconforming uses and are trying to resolve the issues of the lot division to conform as much as possible with the Zoning Regulations based upon the preexisting conditions. The applicants respectfully request the Board grant the Variances in it's broad discretion. Atty. Sheehy then stated that it was pointed out to him that the map that was presented does not show all of the dimensions. He indicated that he was unaware of that at the time that the maps were submitted. They had been signed off by a registered licensed surveyor with the state of Connecticut. If this presents a problem, he can have the dimensions filled in on the maps to make it easier for the board members to understand what is trying to be accomplished. If the Board needs a waiver of the time period, they are willing to grant that so that they can have an amended map or the existing map with the dimensions on it so that it would be easier for the members of the board to understand.

Mrs. Degan stated that they would talk about that later. We will hear the rest of it and then we'll talk. Mr. Sheehy stated that he believes that if they look at the map, it does show the minimum requirements and what is proposed for both lots and also that the only variance that is required for lot 2A is the rear lot which is existing. The building was built either on or close to the exact property line. He believes that the map shows that it is actually on the property line. Lot 2B he believes would require 6 variances.

Mrs. Degan stated that she is very familiar with the property. She stated that it is a six family unit. She doesn't understand where the cars will be parked for the six family unit. Atty. Sheehy stated that there is no parking that exists at the present time. It is a preexisting, nonconforming use. He further stated that if that is required, it is a preexisting use. He doesn't know what they could do to try and correct that.

Mrs. Degan then asked what the hardship is. She was told that it is a preexisting use. The buildings were built prior to the Zoning Ordinances. The property was never subdivided years ago prior to that. In order to straighten out the existing property the way it is, you would need to have two separate lots. Each building would have a dedicated lot to itself. Mrs. Degan then stated that from what he is saying the hardship is that the buildings exist. Atty. Sheehy stated it is a preexisting, non-conforming use. They are trying to make the lots as conforming as possible to the Zoning Regulations. It is absolutely impossible to comply with the regulations, but they are trying to make a reasonable presentation of the particular lots with the variances that they are requesting.

Mr. Gould stated that it seems like they are just trying to conform the two lots. They are not trying to develop anything. Atty. Sheehy stated that was accurate. Mrs. Degan stated that its one lot and they want to separate the lot.

Mr. Williams stated that he is confused by the map. He can't see where the changes are being made. He asked if one lot was being made smaller and the other being made bigger. He was told that it is a single existing lot that they are looking to divide into two parcels. Mr. Williams asked which line was which. Atty. Sheehy stated that he will go back to the surveyor and have the map redrawn so that it would be clearer as to what was being done. Mr. Williams suggested that one line be made in red and one it blue, it would make a difference.

Mrs. Degnan asked the members if they wanted Atty. Sheehy to create a new map for the board. And table the application until the next meeting.

Atty. Sheehy asked if the Board would like to have a waiver of time period. Mrs. Degnan stated that she would need to have that. He agreed that he would provide a letter to that affect for the next meeting.

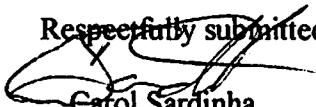
Mr. Gould made a motion to table the application to the November meeting. The motion was seconded by Mr. Williams. All were in favor of the motion.

Mrs. Degnan asked if there was anything else to come before the board. There was nothing else. She then entertained motions to adjourn.

Mr. Williams made a motion to adjourn. The motion was seconded by Mr. Brown. All were in favor of the motion.

The meeting ended at 7:40.

Respectfully submitted,



Carol Sardinha

Secretary