

From: Lois Laczko June 29, 2009 9:42:12 AM
Subject: Zoning Board of Appeals Minutes 05/27/2009 ADOPTED
To: SimsburyCT_ZBAMin
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ADOPTED

ZONING BOARD OF APPEALS
REGULAR MEETING
May 27, 2009

I. CALL TO ORDER

Chairman Peter Stempien called the regular meeting of the Zoning Board of Appeals to order at 7:33 P. M. in Room 103 of Simsbury Town Hall. The following members were present: Tegan Blackburn, Nancy Haase, Thomas Horan, and Katie Martin. Also present were Lynn Charest, Zoning Compliance Officer; Lisa Arakelian, Commission Clerk, and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Stempien appointed Tegan Blackburn to serve for John McCann.

III. PUBLIC HEARINGS

A. 09-06 Application of Joseph Kodz and Elizabeth Miller, Owners, requesting a side yard variance to construct an extension to their existing garage, pursuant to Article Eight, Section A of the Simsbury Zoning Regulations on property located at 9 Oakhurst Road (Map C-16, Block 301, Lot 008). R-40 Zone.

Joseph Kodz explained that he is seeking a 21.7-foot side yard variance to construct an addition which would connect a non-conforming detached garage to their existing home. This addition would result in the removal from the property of an existing shed. He further explained his hardship to be the fact that the construction of the home and garage pre-dates the current zoning regulations, and the need for a safe, secure entrance and exit to and from the home.

Chairman Stempien opened the hearing to public comment; hearing none, Chairman Stempien closed the public hearing.

A motion was made by Ms. Martin to approve a 22-foot side yard variance

based on the non-conforming nature of the garage and the need for better, safer access to the home. The motion was seconded by Mr. Horan, and unanimously carried.

B. 09-07 Application of Patricia Abbott, Owner, requesting a rear yard variance for an existing shed, pursuant to Article Eight, Section A of the Simsbury Zoning Regulations on property located at 27 Oxford Court (Map G-08, Lot 008, Block 116). R-15 Zone.

Joseph Abbott explained that he is requesting a 6.8-foot rear yard variance for allowance of an existing shed that was constructed as part of a retaining wall.

Ruth Schwartz, 49 Carver Circle, spoke in favor of the variance and noted that the shed/retaining wall helps maintain her property on the hill behind 27 Oxford Court and asked that no more modifications be made to the hillside.

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Chairman Stempien opened the hearing to public comment and read a letter in favor of the application which was signed by Robin and Steve Konopka (25 Oxford Ct.), T. W. Elliott (26 Oxford Ct.), Joel and Scott Werden (28 Oxford Ct.), Mark and Jennifer Madura (30 Oxford Ct.), Mahnaz Mondanipour (31 Oxford Ct.), Ellen Rabin (45 Carver Cir.), Ruth Schwartz (49 Carver Cir.), and Mark St. Jean (51 Carver Cir.).

Ms. Blackburn questioned what the hardship is. The Board agreed that the topography and odd shape of the lot preclude the shed from being placed elsewhere on the property.

Hearing no further comments, Chairman Stempien closed the public hearing.

A motion was made by Ms. Blackburn to grant the variance, per the filed map, based on the topography and odd shape of the lot. The motion was seconded by Mr. Horan, and unanimously carried.

IV. APPROVAL OF MINUTES

A. April 22, 2009 Workshop and Regular Meeting

A motion was made by Ms. Blackburn to approve the minutes of the April 22, 2009 workshop and regular meeting, as presented. The motion was seconded by Mr. Horan, and unanimously carried.

V. ADJOURNMENT

A motion was made by Ms. Haase to adjourn the meeting at 8:24 P. M.

Peter Stempien, Chairman