

## MINUTES:

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, February 7, 2018 at 8:00 P. M. in the Joseph Cone Meeting Room, pursuant to due notice.

PRESENT: Patricia Kirkpatrick, Chairman  
Arthur Delmhorst, Secretary  
Wayne Sullivan  
Ken Rogozinski  
Frank O'Connor

ABSENT: Lawrence Larson

The following appeals were heard:

**APPEAL No. PLZE201700664**

Appeal of Marina Girshin, 25 Havemeyer Lane, Old Greenwich for variances of floor area ratio, front, rear and side yard setbacks to permit an addition to the dwelling on a property located in the R-7 zone.

It was unanimously RESOLVED that said appeal be denied.

After due consideration, the Board found there was no hardship articulated to justify the requested variances of floor area ratio, front, rear and side yard setbacks. Accordingly, the appeal is denied.

**APPEAL No. PLZE201700703**

Appeal of Gerardo & Silvia Mato, 100 Sawmill Lane, Greenwich for a variance of street side yard setback to permit the construction of a new detached garage located in the RA-1 zone.

It was RESOLVED that said appeal be granted with conditions.

After due consideration, the Board finds there is hardship due to the location of the existing pool, wetlands the lot's topography and tapering right of way. Therefore, the requested variance of street side yard setbacks is granted from sections 6-203 and 6-205 with the condition that evergreen screening, averaging 6 feet in height, be installed and maintained along the southerly lot line from a point perpendicular with the southwest corner of the pool to a point perpendicular with the southeast corner of the proposed garage.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Mr. Sullivan made a motion to approve the appeal with conditions which was seconded by Mr. Delmhorst. Messrs. Delmhorst, Rogozinski, Sullivan and O'Conner voted in favor of the motion. Ms. Kirkpatrick voted against the motion.

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**APPEAL No. PLZE201700706**

Appeal of Merideth and Michael Priest, 120 Hunting Ridge Road, Greenwich for special exception approval to permit alterations to an existing detached accessory structure resulting in a gross floor area in excess of 1,200 on a property located in the RA-4 zone.

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

After due consideration, the Board finds that the special exception standards as provided by sections 6-19, 6-20, 6-92 (a)(2) of the Building Zone Regulations have been met. Accordingly, the special exception to permit alterations to an existing detached accessory structure resulting in a gross floor of 1,415 square feet is granted.

**APPEAL No. PLZE201700676**

Appeal of Concepcion Drupals, 29 Carrona Drive, Greenwich alleging error in the Zoning Enforcement Officer's decision for the issuance of a Zoning Permit to construct an accessory garage on a property located in the R-12 zone.

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

After due consideration, the Board finds no error in the Zoning Enforcement Officer's decision to issue a Zoning Permit for an accessory garage with exemptions of floor area for widow seats. Therefore, the requested appeal is denied. The Board notes the long standing practice of excluding window seats from floor area calculations provided there is no floor below them. The Board also discussed and found that absent a precise definition within the Regulations as to how to measure floor area, it was reasonable for the ZEO to accept the calculations for FAR based upon the area within the stem walls at floor level.

**APPEAL No. PLZE201800023**

Appeal of Timothy and Merritt McConnell, 24 Hendrie Lane, Riverside for special exception approval permit an existing detached garage in excess of 600 square feet to remain on a property located in the R-12 zone.

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

After due consideration, the Board finds that the special exception standards as provided by sections 6-19, 6-20, 6-92 (a)(2) of the Building Zone Regulations have been met. Accordingly, the special exception to permit to an existing 651 square foot detached accessory garage to remain is granted with the condition that evergreen screening, averaging 8 feet in height, be installed and maintained along the westerly lot line in the area adjacent to the proposed garage.

The date of these minutes and rendition date of said decisions is February 19, 2018.

The next regular meeting is scheduled to be heard on February 21, 2018.

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Arthur Delmhorst, Secretary