ITEM NO. 4
The addition of the proposed pergola would increase the lot's coverage by 7.4% for a total of 97.4% whereas only 75% is permitted.

Further, the building coverage would increase from 43 to 50% whereas only 30% is allowed.

Permission was denied, and the applicant is seeking variances of allowable building and lot coverage as provided by as provided by section 6-205.
Application to appeal to the Planning and Zoning Board of Appeals

Project Address: 220 Sound Beach Avenue
Tax ID: 06/2459/S

Property Owner: OG Retail Partners 220 SBA LLC
Address: PO Box 4955, Greenwich CT 06831

Email: Richard.Saunders@stbbridesmanagersus.com
Cell Phone: 203 561 2046
Other Phone: 

Applicant: OG Retail Partners 220 SBA LLC
Address: PO Box 4955, Greenwich CT 06831

Email: Richard.Saunders@stbbridesmanagersus.com
Cell Phone: 203 561 2046
Other Phone: 

Agent name: Ridberg & Assoc., Rocco V. D'Andrea Inc
Address: 28 Glen Road, Greenwich CT 06830

Email: nvr@ridarch.com
Cell Phone: 203 969 6356
Other Phone: 

1. I (we) hereby appeal to the Planning and Zoning Board of Appeals from the decision of the Zoning Officer whereby the Zoning Officer:

- [ ] granted or [ ] denied an application to: [ ] Use [ ] Erect [ ] Alter [ ] Add to [ ] Occupy

- [ ] Land only [ ] Structure or building. Year erected: __________________________, For use as:

- [ ] Family Residence [ ] Accessory building [ ] Business [ ] Industry [ ] Other

2. Title of Subdivision Map: ____________________________ Lot No. 28

Section of Town: Old Greenwich Building. Zone: LBR-2 Lot Size: 7029 sq ft

3. PREVIOUS APPEALS have been made with respect to this property as follows:

   Application No(s). PLZE20020043 Date(s) July 27 2022

4. THIS APPEAL RELATES TO: [ ] Use [ ] Yard dimension [ ] Height [ ] No. of family units [ ] Street frontage [ ] Areas [ ] Other

BRIEFLY DESCRIBE APPEAL:

Applicant proposes to add a pergola which would not increase floor area and would not appear as a building. The louvered slats would only be closed to shield diners from poor weather or the sun. The proposed pergola however will be counted as a structure and will therefore add coverage. In this context, the proposed pergola will not extend as far as, the neighboring building to the north, the property's existing kitchen and walk in freezer, or, the neighboring building to the south. The Applicant would like to use and beautify the rear of the building. There are no walls, FAR will not increase and the project will yield ADA access through the rear entrance.

5. VARIANCE of the following section(s) of the Building Zone Regulations is (are) requested: 6-205

   a. Strict application of the regulations would produce UNDUE HARDSHIP because:

      It would restrict the use of space which is inconsistent with the surrounding structures to the north and south

   b. The HARDSHIP CREATED IS UNIQUE and not shared by all properties alike in the neighborhood because:

      The pergola would not be a solid structure with walls, unlike the building immediately to the north.

   c. The variance would not change the CHARACTER OF THE NEIGHBORHOOD because:

      It would be less intrusive than the building to the north and would cover an existing patio

6. A SPECIAL EXCEPTION is requested as authorized by Sections 6-19, 6-20, and ___________________________ of the Building Zone Regulations because:

7. THE ISSUANCE OF PERMIT No. ___________________________ for the above named premise by the Building Official is APPEALED because:
Application to appeal to the Planning and Zoning Board of Appeals (cont.)

8. ALL OWNERS whose property bounds upon any portion of subject property including that property directly across the street and bounding it:

Name

PLEASE SEE ATTACHED

Mailing Address

Name

Mailing Address

Name

Mailing Address

Name

Mailing Address

Name

Mailing Address

Name

Mailing Address

Instructions and Procedures for Application for Appeal to the Planning and Zoning Board of Appeals

Regular meetings of the Board are bi-monthly on Wednesdays at 8:00 pm at Town Hall or such other time or place as the Chairman or Acting Chairman of the board may from time to time determine.

Applications must be typed and filed in triplicate on the original application forms only and each shall be signed by the property owner. If there is also an applicant, the applicant must also sign the application. If there is an agent representing the owner and/or the applicant, the agent must also sign the application. All pertinent questions on the application must be answered and all information required on the form shall be concisely stated. Additional statements may be added if required, in the blank space or on separate sheets. Do not use supplemental sheets unless the application form is filled.

Supporting documents – Applications must be accompanied with three copies of a class A-2 survey by a CT Licensed Land Surveyor, three sets of building plans for a new or existing building, addition, or alteration to a building, a copy of the G.I.S. (Geographical Information System) aerial map, a copy of the current Assessor’s field card, and the appropriate filing fee (checks or credit card). Please make checks payable to the Town of Greenwich. Building plans and surveys submitted with this application may not be larger than 11” x 17” in size. Larger scale drawings may be submitted at the Public Hearing. Applications involving floor area ratio must be accompanied by building floor plans demonstrating the calculated areas.

Notice – The appellant or his agent must submit an affidavit certifying that all abutting property owners have been notified by mail, as evidenced by the Certificate of Mailing, stamped and certified by the US Post Office, about said application, concurrent with filing the application to the Planning and Zoning Board of Appeals. Owners of lots, or portions of lots, which are across a public or private street shall be deemed to be abutting property owners. If topographical conditions are claimed as hardship, the applicant must be prepared with photographs or a topographical survey showing same at the time of the public hearing.

The final date for filing applications shall be nineteen days before the date of a regular meeting, which date will be kept posted in the office of the Board and of the Building Official/Zoning Enforcement Officer. Applications will be heard on a first come first heard, agenda space available basis. Plans approved by the Board cannot be changed. What is presented for approval must be built. Any changes to approved plans will require re-submission to the Planning and Zoning Board of Appeals for a new public hearing. On an application for a re-hearing, the appellant must allege new facts and prove same at the hearing.

Survey Maps accompanying applications pertaining to gasoline filling stations, garages, auto showrooms, and parking lots, in addition to giving the location of building or buildings shall also include the location of any pumps and shall show height and size of signs in addition to location, height and intensity of lights, planting, curbs, sidewalks, street lines, exits and entrances.

The filing fees for all Planning and Zoning Board of Appeals applications shall be: $210 for single and 2 family residential appeals, $260 for appeals of the decisions or orders of the Zoning Enforcement Officer, $360 for appeals for division of non-conforming lots and $560 for all other appeals including review of subdivisions. This includes the $60.00 State of Connecticut mandatory land use application fee effective 10/1/09

The Board in its discretion may dismiss an appeal (without prejudice) for failure to comply with any of the foregoing rules.

Appellant or his agent must be present at the meeting. Failure to appear may result in the application being dismissed.

[Signatures]

Owner's Signature

Applicant's Signature

Agent's Signature

Application fee paid: ___________ Receipt no.: ___________ CT Land Use fee paid: ___________ Receipt no.: ___________
COMMERCIAL

VALUATION RECORD

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LAND DATA AND CALCULATIONS

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Supplemental Cards

TRUE TAX VALUE

944200
EXHIBIT A
August 22\textsuperscript{nd} 2022

Town of Greenwich  
Zoning Board of Appeals  
101 Field Point Road  
Greenwich CT 06830

Re: 220 Sound Beach Avenue, Old Greenwich, CT 06870

To Whom It May Concern,

I hereby authorize Anthony D’Andrea and Rudy Ridberg to represent our interests in an application to the Planning & Zoning Board of Appeals affecting our property at 220 Sound Beach Avenue, Old Greenwich, CT 06870.

Yours sincerely,

\[Signature\]

OG Retail Partners 220 SBA LLC  
By: Richard Saunders  
Its:Authorized Signatory
BY MAIL

August 19, 2022

To Whom It May Concern:

Notice is hereby given that OG Retail Partners 220 SBA LLC has filed an application with the Greenwich Planning and Zoning Board of Appeals for a variance approval for 220 Sound Beach Avenue, Old Greenwich CT 06870. This appeal is being made in order to add Pergola in the rear of the Premises.

As an adjoining property owner you are entitled to this notice. You may appear at the Public Hearing of this appeal or send a representative. You may also write to the Planning and Zoning Board of Appeals to express your position on this matter under review if you so choose. The date of the hearing has not yet been determined. Prior to the hearing a legal notice will be published twice in the Greenwich Time newspaper to announce the date and time of the hearing.

The appeal and accompanying documents are on file at Greenwich Town Hall. You may review these public records at Town Hall if you wish. Bring this notice to Town Hall when you review the field documents.

For information Contact
Planning and Zoning Board of Appeals
Town Hall, 101 Field Point Road
Greenwich, CT 06836
Tel. (203) 622-7753

Very Truly yours,

[Signature]
OG Retail Partners 220 SBA LLC
By: Richard Saunders
Its: Authorized Signatory
Affidavit Of Notification of Appeal to Planning and Zoning Board of Appeals

State of Connecticut

:Greenwich

County of Fairfield

I, Richard Saunders, being first duly sworn, do hereby certify that on August 22nd 2022, I caused to be mailed, postage prepaid, to those persons whose names are set forth on the appeal form (Paragraph 8) attached hereto a copy of the notice Exhibit B. Said persons were the record owners, as of August 22nd 2022 as shown on the Town Tax Assessor's Office records of property abutting and across the street from the property belonging to OG Retail Partners 220 SBA LLC at 220 Sound Beach Avenue Old Greenwich CT 06870 for which an application for Variance Application has been filed with the Greenwich Planning and Zoning Board of Appeals, Town Hall, 101 Field Point Road, Greenwich, CT 06836.

Signature

Subscribed and sworn to before me on (date) August 22nd 2022

SALLY A. SAUNDERS
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 31, 2024
Alterations & Additions to
OG RETAIL PARTNERS
220 SBA LLC

220 SOUND BEACH AVENUE
OLD GREENWICH, CONNECTICUT

DRAWING LIST

ARCHITECTURAL DRAWINGS

1/1 1ST FLOOR PLAN
1/1 2ND FLOOR PLAN
1/1 3RD FLOOR PLAN
1/1 4TH FLOOR PLAN
1/1 5TH FLOOR PLAN

PROJECT:
OG RETAIL PARTNERS 220 SBA LLC
220 Sound Beach Avenue
Old Greenwich CT

ISSUED:
FOR ZBA REFILE
JUNE 15, 2022

ARCHITECT:
RIDBERG + Associates
30 Church Street, Suite A
Greenwich, CT 06830
203.622.6834
203.622.6827 (fax)
www.ridberglaw.com
Existing Conditions

220 Sound Beach Avenue, Old Greenwich – View of Rear of Premises.
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