

**MINUTES
ZONING BOARD OF APPEALS
WATERTOWN, CONNECTICUT**

**PUBLIC HEARING
Application #908 of David Babich**

Time: 7:45 P.M.
Date: Wednesday, February 25, 2009
Place: John Trumbull School Library
779 Buckingham Street
Oakville, Connecticut

1. Call Meeting to Order

The Chairman opened the Public Hearing at 7:45 pm.
The Chairman seated Alternate, Mr. Gary Swingle for Secretary, Ms. Joanna Abraham.

2. Roll Call

Present: Chairman, Mr. Phil Roger
Vice Chairman, Mr. Enrico Sarandrea
Mr. Roger Mitchell
Alternate, Mr. Gary Swingle

Absent: Secretary, Ms. Joanna Abraham
Dr. John Griffith
Alternate, Mr. Jason Alldridge
Alternate, Mr. Jeffery Franson

Also Present: Wetlands Enforcement Officer, Mr. Moosa Rafey
Land Use Secretary, Mr. Chuck Bezio

The Chairman called for a moment of silence in memory Dr. John Griffith.

3. Hearing of Cases

Alternate, Mr. Gary Swingle read the ground rules into the record.

"ZONING BOARD OF APPEALS GROUND RULES"

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1. The applicant or his representative will make his formal presentation to the board stating his specific hardship and precisely why this merits a variance from the Zoning Regulations of the Town of Watertown.
2. All comments, discussions, and observations shall be made through the Chair after proper recognition by the Chairman. This is necessary to ensure that only one person at a time speaks on any issue, thus making it easier for everyone to understand, and for clearer legal transcription.
3. All persons addressing the Commission shall begin by first clearly stating their name and address for the record. If necessary, the person may be asked to spell his or her name for the record.
4. Following the presentation of the application, the Zoning Board of Appeals will ask specific questions of the applicant.
5. After the Board has asked its questions of the applicant, I shall then allow members of the public who wishes to speak either in favor of this application or against it to address the Board.
6. I shall then allow the applicant to respond to the comments of the members of the general public.
7. I shall then allow any members of the general public who wish to present any additional information or clarifying discussion to do so.
8. I shall then provide an opportunity for the applicant to respond to these additional remarks if he or his representative so wishes.
9. The Zoning Board of Appeals has thirty-five (35) days from the date the Public Hearing commences to complete the Public Hearing. The Board may ask the applicant for a thirty-five (35) day extension of the Public Hearing period if the Board requires any additional information or wishes to schedule a site walk to observe the situation for themselves.
10. The Zoning Board of Appeals has sixty-five (65) days from the date when the Public Hearing is closed to render its decision. The Board may or may not make its decision tonight at its Regular Meeting following the Public Hearing.
11. You may stay for the Regular Meeting if you wish or you may leave at the end of the Public Hearing and contact the Zoning Office the following morning to determine the status of your application.

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- A. Application #908 of David Babich for a variance of 18 feet to front yard property line setback to permit the construction of a front porch and two-car attached garage at 509 Buckingham Street, Oakville, CT.**

The Public Hearing must be closed by April 1, 2009 unless applicant grants an extension of time.

Alternate, Mr. Gary Swingle read the legal notice into the record.

David Babich of 94 Sylvain Lake Road was present and explained the variance request of 18 feet to front yard property line setback to permit the construction of a 6' X 35' front porch and 24' X 24' attached garage located 17 feet from front property line at 509 Buckingham Street, Oakville, CT

Mr. Rafey advised the Board that this parcel is in an R-12.5 Residential Zoning District. Mr. Rafey explained that the variance is from section 24.5.3.a of the Watertown Zoning Regulations that requires 35 feet front property line setback for principal buildings in an 12.5 Residential Zoning District.

Mr. Babich explained to the Board the hardship is that the house and parcel existed prior to Zoning Regulations. The house is pre-existing non-conforming and the regulations do not allow for the covered porch to be construct in desired location.

Chairman Roger noted that he has stopped at the site and the proposal is conforming to the surrounding residential neighborhood.

Mr. Babich advised the Board that there is a large grassy area that is owned by the Town between the sidewalk and his property line. Mr. Babich submitted the green cards and a affidavit for posting the land use sign of his property.

Mr. Rafey advised the Board that he has not received, any communications from the public regarding this project. Mr. Rafey advised the Board that he had inspected the site today and the sign was posted.

Public: Maria Babish of 94 Sylvain Lake Road was present and spoke on behalf of this variance request. No one spoke against this variance request.

MOTION: Vice Chairman, Mr. Enrico Sarandrea moved to close the public hearing.

SECOND: Alternate, Mr. Gary Swingle.

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VOTE

AYES:

Chairman, Mr. Phil Roger; Vice Chairman, Mr. Enrico Sarandrea; Mr. Roger Mitchell; Alternate, Mr. Gary Swingle.

NAYS:

None.

MOTION UNANIMOUS PASS 4-0.

Attest



Mr. Phil Roger, Chairman
Zoning Board of Appeals



Approved by: Chuck Bezio, Land Use Secretary