

TOWN OF WARREN
Zoning Board of Appeals
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Warren, Connecticut 06754
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August 24, 2022
Regular Meeting Minutes

The regular August meeting was called to order by the Zoning Board of Appeals (ZBA) Chairman Rick Valine at 7:31 pm. Members present were Vice-Chair Ray Furse, William Hopkins, John Morton, and Robin Ploch. Janell Mullen was also present as land-use staff.

Chairman Valine opened the public hearing at 7:32 pm. Janell Mullen added the meeting was being audio recorded. Chairman Valine asked the applicant to address the board regarding his request for a side yard variance. The current setback requirement is twenty-five (25) feet. The applicant was requesting a 7.5' side yard. Rick Johanni, owner of 34 Kent Road, described the current placement of the existing garage which was there when he had purchased the house. He explained the variance would enable a garage placement that would be more perpendicular with the road and would have more "curb appeal".

For the record, Mullen added that the applicant had followed the procedures of posting the property with the required Public Notice Signage, a public notice outlining the hearing had run in the Waterbury Republican, and that Mullen had received the certified mailing receipts from the applicant. The applicant added that he had communicated with the immediate neighbors verbally as well as sent a letter of notification.

ZBA member Hopkins asked about the topography of the lot. He was wondering if it was level. The property owner added that it was.

Vice-chair Furse asked about the hardship. He stated that the legislature does not qualify financial considerations and/or aesthetics to be a hardship. He also outlined the requirements of the regulations for granting a hardship. Mullen ran through the requirements for granting a variance as contained within Section 27.3.1 of the Town of Warren Zoning Regulations.

Chairman Rick Valine asked if the applicant had anything more to add to their request. Mullen asked if anyone from the public cared to speak to the application. The immediate neighbor, Cynthia Harmon, stated that she was not opposed to the application.

Vice-chair Furse added that if this variance were to be granted it would create a precedent that would enable others to ask for exceptions to the regulations without a hardship.

Mullen asked if anyone else cared to speak to the application. Without any additional comments, Chairman Valine moved to close the public hearing. Mr. Furse seconded the motion. The motion to close the public hearing at 7:40 pm.

The Commission then moved into their discussion portion of the meeting. Member Morton stated that it seemed straight-forward. The Chairman also stated that he could not support the variance. Vice-chair Furse mentioned that he had referenced "*What's Legally Required*" by land-use Atty Zizka to guide him on his decision. Vice-chair Furse made the motion to deny the application for a variance at 34 Kent Road because no hardship was present. Member Hopkins seconded the motion on the floor. The motion passed unanimously to deny the request for a variance.

A motion to adjourn the meeting at 7:48 pm was made by member John Morton. The motion was seconded by William Hopkins. The motion carried.

Respectfully submitted,

Janell Mullen
Land-use Staff
Town of Warren
Friday August 26, 2022