

Board of Zoning Appeals

Town of Easton

Tuesday, July 31, 2018

OPEN SESSION MINUTES

Meeting Called To Order

Peter Cotter, Chairman called the regularly scheduled meeting to order at 9:00 a.m. Tuesday, July 31, 2018 in the Town Council Chambers in the Town Office Building. The Board voted unanimously to approve the May 15th and May 22nd minutes as written.

In attendance were:

Board of Zoning Appeals
Members:

Peter Cotter, Chairman, Gary Molchan,
Vice Chairman, Tom Moore and Michael
O'Keefe, Alternate.

Staff:

Lynn Thomas, Sierra Crist and Stacie Rice.

NEW BUSINESS:

BOZA Case No. V-751 – Lots 2 & 3 Salmon Avenue

Michael Kopen and Jeff Goodman, Owner were present at the meeting. Mr. Kopen stated that the subject property is located on Lots 2 & 3, Salmon Avenue and is located in the R-7A Zoning District as well as the Historic District. He stated that Mr. Goodman bought the lots in 2013. The applicant is proposing to construct a two-family duplex on the existing lot. The applicant is requesting two (2) Variances.

- 1.) a setback variance request is to permit the front setback to be 15' where the R-7A standard for this lot is 25'. This is a request of 10' variance for the Salmon Avenue frontage and
- 2.) A minimum lot size request to permit the existing combined total of 8,500 SF for the construction of a duplex from the 11,250 SF lot size that is required. This is a request for a variance of this is a request of 2,750 SF reduction in the required minimum lot size.

Mr. Kopen stated that the standard in the R-7A zoning regulations require lots recorded before January 1, 1993 to impose a 25' front setbacks. He is requesting a 15' front setback, which would be permitted if the lot were recorded after January 1, 1993. He stated that this setback is seen in other locations throughout Town in the R-7A zone as well as adjacent properties. These locations are currently not in compliance with minimum lot size of 7,500 SF in the R-7A zone. Independently they are 4,200 SF. Subdivision regulations in the R-7A zoning district require a subdivision maintain 50% of the existing land at the minimum lot size of 7,500. The single parcel is currently 8,400 SF with each location presented as 4,200 SF. The construction of a duplex would not be permitted based on the existing lot size. Together, the parcels independently are 4,200 SF for a combined total of 8,400 SF. To permit a Duplex, there would need to be 11,250 SF per duplex.

Mr. Kopen addressed the criteria as set out in Section 1303.5 C provisions for granting a Variance.

PUBLIC COMMENT

Basil Harrison, adjacent resident stated he has seen a lot of residential construction occur in this area and feels as though rental units are not appropriate. He stated that owner occupied properties give the owner more responsibility. He stated that Mr. Goodman was rentals currently in this area and they are deplorable as are other rentals in this area.

Upon consideration of all the evidence and testimony presented at the meeting the board voted to approve the request as submitted. The motion was made by Mr. Molchan and seconded by Mr. Cotter. Mr. Moore voted in opposition of the requests. The two variances request were approved 2-1.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:15 a.m.