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January 4, 2016

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NOTICE OF PUBLIC HEARING

To Whom It May Concern:

Please be advised that the Italian Center of Stamford, Inc. has filed an Application for Special Exception and Variance (App. # 002-16) with the Zoning Board of Appeals of the City of Stamford. The application seeks approval to construct a new tennis facility on the rear of its 27.58 +/- acre parcel at 1620 Newfield Avenue (the "Property"). Four existing, outdoor, lighted tennis courts will be razed and replaced with a new state-of-the-art indoor tennis facility. The new structure will house four (4) new tennis courts, contain associated amenities, and be constructed of aluminum and specialized fabric. Additionally, the applicant proposes to slightly relocate its existing bocce, basketball, and volleyball courts.

Given the size of the Property, the location of the proposed construction, and the landscape of the surrounding neighborhood, the proposed development will have virtually no impact to neighbors. The Property is located on the western side of Newfield Avenue in an RA-1 zoning district. The Property is nearly twenty-eight (28) acres, and setback far from the street. Buildings cover less than five percent (5%) of the acreage. The property's topography allows the proposed addition to be discreetly built so that the tennis facility and associated parking area will not be visible from Newfield Avenue.

The application has been scheduled for a public hearing before the Zoning Board of Appeals of the City of Stamford on **January 13**, at 7:00 p.m.

The location of the public hearing is as follows:

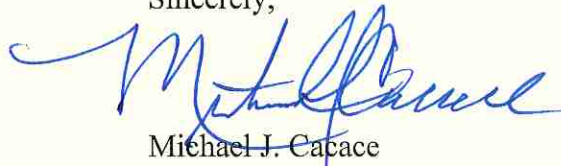
Cafeteria, 4th Floor
Stamford Government Center
888 Washington Boulevard
Stamford, Connecticut

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A copy of the application form and an orientation map is attached to this notice. The full application and supporting exhibits are on file at the office of the Zoning Board of Appeals and may be reviewed during regular business hours. At the public hearing, you may appear and speak to the application.

If you have any questions regarding this application, please feel free to contact me at 203-327-2000.

Sincerely,



Michael J. Capace

MJC:mw
Enclosures

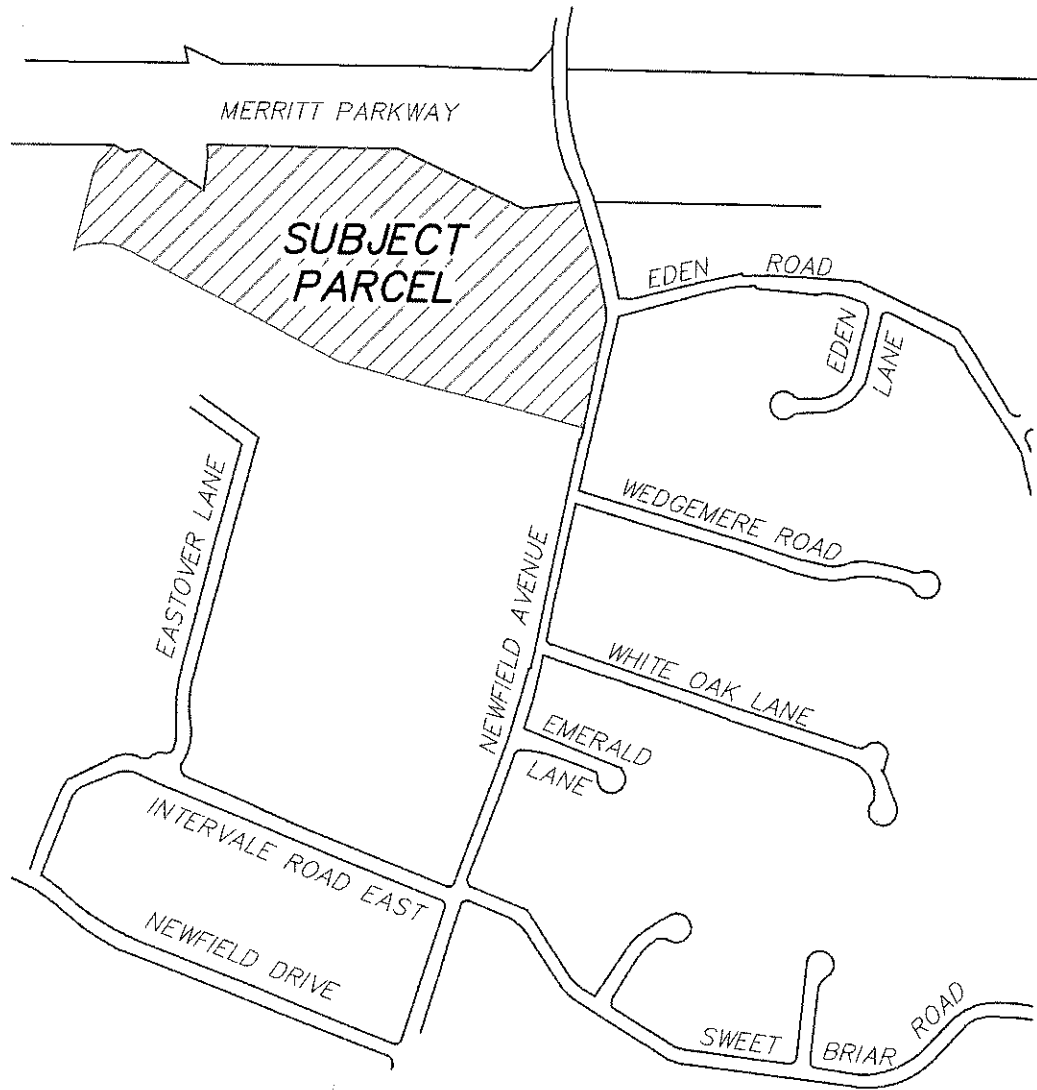
Cc. Nicholas W. Vitti Jr., Esq.

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JAN - 6 2016

OFFICE OF POLICY & MANAGEMENT
OFFICE OF THE SECRETARY

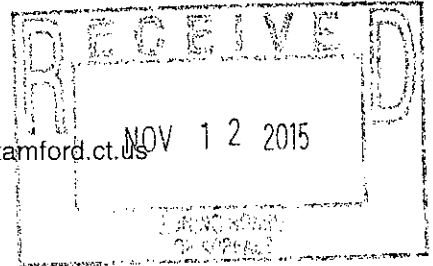
MAP No. 12546 S.L.R. MERIDIAN



LOCATION MAP

Application # # 002-16

**CITY OF STAMFORD
ZONING BOARD OF APPEALS**
Stamford Government Center
888 Washington Blvd.
P.O. Box 10152
Stamford, CT 06904-2152



Telephone 203.977.4160 - Fax 203.977.4100 - E-mail mjudge@cLstamford.ct.us

PLEASE PRINT ALL INFORMATION IN INK

1. I/we hereby apply to the Zoning Board of Appeals for:

- (XX) Variance(s)
- (XX) Special Exception
- () Appeal from Decision of Zoning Enforcement Officer
- () Motor Vehicle
- () Extension of Time

2. Address of affected premises:

1620 Newfield Avenue 06905
street zip code

Property is located on the north () south () east () west (XXX) side of the street.

Block: 383 Zone: RA-1 Sewered Property (XX) yes () no

Is the structure 50 years or older () yes (XX) No

Corner Lots Only: Intersecting Street: N/A

Within 500 feet of another municipality: No (XX) Yes () Town of

3. Owner of Property: Italian Center of Stamford Inc.

Address of Owner: 1620 Newfield Avenue, Stamford, CT Zip 06905

Applicant Name: Italian Center of Stamford Inc.

Address of Applicant 1620 Newfield Avenue, Stamford, CT Zip 06905

Agent Name: Michael J. Cacace, Esq., Cacace, Tusch & Santagata Zip 06901

Address of Agent: 777 Summer Street, Stamford, CT Zip 06901

Telephone of Agent (203) 327-2000 Fax (203) 353-3392

Home Telephone of Applicant/Owner (203) 322-6941 (NO CELL PHONE NUMBERS)

(Contact is made with Agent, if one)

4. List all structures and uses presently existing on the affected property:

See Schedule A.

5. Describe in detail the proposed use and give pertinent linear and area dimensions:

See Schedule B and development plans generally.

VARIANCES (complete this section for variance requests only)

See a Zoning Enforcement Officer for help in completing this section.

Variance(s) of the following section(s) of the Zoning Regulations is requested

(provide detail of what is sought per the applicable section(s) of the Zoning Regulations):

ZONING ENFORCEMENT APPROVAL

For Submission To Zoning Board Of Appeals

Sheet 210 of 1

Authorized Signature

12/15/15
Date

The applicant requests a variance of Section 6-D and Table III, Appendix B of the Zoning Regulations to construct an accessory building which will be used as a tennis facility. The variance is requested in order to allow the applicant to construct the tennis facility at a height of 45 feet in the RA-1 zoning district.

view of 15'-0" for Accessory structure

Variance(s) of the Zoning Regulations may be granted where there is unusual hardship in the way of carrying out the strict letter of the Regulations solely with respect to a parcel of land where conditions especially affect such parcel but do not affect generally the district in which it is situated. In your own words:

A. Describe the unusual hardship in being unable to carry out the strict letter of the Zoning Regulations:

The subject property is a 27.58 +/- acre, single lot containing a community center which is a permitted use by special exception under the Zoning Regulations. See Section 4-AA-1.3.(i); and Table I, Appendix A-17. The subject property is almost exclusively surrounded by other non-residential uses despite being located in the RA-1 zone. Immediately to the north of the applicant's Property is the Merritt Parkway, to the west are commercial developments, including the High Ridge Office Park, and to the south the King Low Heywood School. A single residential parcel is situated uphill and to the southeast of the proposed new tennis building. A strict reading of the height requirements for buildings in the RA-1 zone produces an unusual result for this particular use and property. For example, if the applicant's 27.58 +/- acre lot were

subdivided and developed with single family homes, on separate lots, each of the single family homes could be constructed at a height of 45' (above the 35-foot maximum height allowed in the RA-1 zone). The homes could be constructed at 45' because of the way the height of principal buildings is calculated under the zoning regulations, i.e. measured from the mean point between the eaves and the peaks of the roof. Due to the fact that the proposed tennis facility is categorized as an accessory building under the community center use, the new building's height is calculated differently which amounts to an unusual hardship for the applicant. Additionally, the large size of the applicant's lot (27.58 +/- acres) which is in contrast to the normal sized parcel of the RA-1 zone, also creates hardship. If the lot were subdivided and a portion of the parcel carved out to house the proposed tennis facility alone, then the tennis facility could be built at a height of 45' because it would be the principal building on the new divided parcel. However, the subject property is a community center which contains multiple pre-existing buildings spread out over the entirety of the lot. Therefore, the proposed development is instead categorized as an accessory building which carries a lower maximum building height.

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B. Explain why the variance(s) is/are the minimum necessary to afford relief:

According to the International Tennis Federation, a structure covering a tennis court must be a minimum of 40 feet high above the net to ensure proper play. The peaked roof of the proposed tennis facility allows for necessary clearance and creates a slope that protects the structure from accumulation of snow in the winter.

C. Explain why granting of the variance(s) would not be injurious to the neighborhood.

Construction of the new building would reduce the impact of the recreational tennis play to the surrounding neighborhood. Four (4) outdoor, lighted courts exist at the subject property currently. The applicant proposes to move the location of the courts and cover them resulting in an indoor tennis facility. Moving

the tennis courts indoors will reduce noise and light occurring with the use of the existing tennis courts.
Additionally, other structures in the neighborhood such as residential houses, King Low Heywood School
and the High Ridge Office Park are already constructed at a height of 45' or greater. The use, size,
shape, location and design of the structure are appropriate given the size of the subject property's lot and
its proximity to its neighbors.

SPECIAL EXCEPTION

(Complete this section **only** for special exceptions)

SPECIAL EXCEPTION is requested as authorized by Section(s) 4-AA-1.3.(i); and Table I, Appendix A-17. of the Zoning Regulations.

Provide details of what is sought:

Pursuant to the above cited sections, applicant requests a special exception to permit the construction of a
new steel and fabric covered tennis facility. ✓

Seasonal Tent, Base Courts, Badminton Courts & Volley Ball Court. As shown on Plan.

SIGNATURE REQUIRED FOR ALL APPLICATIONS

Cacace, Tusch & Santagata

By: *Michael J. Cacace* Michael J. Cacace
Signature of (X) Agent () Applicant () Owner

Date Filed: 11/10/15

ZONING ENFORCEMENT APPROVAL

For Submission To Zoning Board Of Appeals

Sheet 1 of 1

Authorized Signature *[Signature]* Date 12/4/15

Zoning Enforcement Officer Comments:

DECISION OF THE ZONING ENFORCEMENT OFFICER

(Complete this section only for appeals of zoning enforcement officer decision)

DECISION OF THE ZONING ENFORCEMENT OFFICER dated _____ is appealed because:

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