



BOARD OF ZONING
APPEALS
ROOM 501
HALL OF RECORDS
200 Orange Street
New Haven, Connecticut
06510

CITY OF NEW HAVEN
New Haven, Connecticut
www.cityofnewhaven.com



Toni N. Harp
Mayor

Certified Return Receipt # 7016 3560 0000 4285 4249

April 11, 2018

Leon Mularski
69 Lynn Road.
Ivoryton, CT 06442

RE: 882 Whalley Avenue, 33 Fountain Street
Appeal(s): 18-05-V, 18-06-S, 18-07-CAM
Owner(s): 882 Whalley Avenue LLC

Dear Mr. Mularski:

Your appeals relative to the above referenced property seeking a variance to permit a side yard of 0ft where 11ft are required, Special Exceptions to permit 10 on-site parking spaces and 14 off-site shared parking spaces where 60 spaces are required and to permit a Full Restaurant Liquor License and Coastal Site Plan Review for a 23,934sf structure with a 180 seat restaurant and 22 dwelling units in a BA District were considered by the Board of Zoning Appeals on April 10, 2017 in accordance with Section 63 of the New Haven Zoning Ordinance. **Permission/Approval is hereby granted for the variance, both Special Exceptions and the Coastal Site Plan with the following conditions:**

1. Daily restaurant hours of operation to not extend past 11:30pm
2. Entertainment limited to that specifically requested by the applicant.
3. Relief is for 180 seat maximum restaurant.

Permission granted by the Board will become null and void one year after the effective date of this decision, unless:

1. **The grant of relief has been recorded on the Land Records of the City of New Haven within 120-days of the date of publication of approval; and,**
2. **A valid permit has been issued and construction diligently pursued; or**
3. **A Certificate of Occupancy has been issued; or**
4. **The appeal is renewed.**

The effective date is considered the date of publication of the decision in a newspaper having substantial circulation in the municipality. Publication is scheduled for April 13, 2018. An appeal by any person aggrieved by the decision must be taken to **Superior Court Judicial District of New Haven** within fifteen (15) days after the date of publication.

**882 Whalley Avenue, 33 Fountain Street
Appeal(s): 18-05-V, 18-06-S, 18-07 CAM
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A certified copy of the Board's decision is required to be recorded on the Land Records at your expense. Enclosed are two certified copies of this decision letter, one to be recorded on the Land Records in the Office of City-Town Clerk (2nd floor, 200 Orange Street), and one to be returned to this office showing proof of recording.

An application for renewal must be made in writing not less than 30 days and not more than 60 days prior to the lapse of the original approval. Only one extension of the original approval, for a period of not more than one year, may be granted.

Please be advised that the request granted is to be exercised in strict accordance with the relief sought and the plans submitted in support thereof. Any deviation from this approval required additional approval from the Board. A permit from the City of New Haven Building Department, at 200 Orange Street, Room 502, is required before commencing any work. **Please bring a copy of this decision letter showing the volume, page number, and when it was recorded on the Land Records with you when applying for a building permit. No Building permit can be issued without proof of zoning and recording.**

Sincerely yours,

BOARD OF ZONING APPEALS


Mildred Melendez, Secretary

