



Town of Westport
Planning and Zoning Commission
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To be inserted in The Westport News
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LEGAL NOTICE OF DECISION

Notice is hereby given that at a meeting held on **December 9, 2021**, the Westport Planning and Zoning Commission took the following action:

1. **ADOPTED AS MODIFIED: Text Amendment #805:** Appl. #PZ-21-000851 submitted by the Planning and Zoning Commission to add new definitions for "Arbor" and "Pergola" and modify definition for "Structure" to provide zoning setback and coverage relief for certain arbors and pergolas. A copy of the proposed text amendment is available on-line at www.westportct.gov is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office.
Effective Date: 1/7/22

Dated at Westport, Connecticut this 17th day of December 2021 Danielle Dobin, Chairman,
Planning and Zoning Commission

Amendment #805

Submitted:

11/5/21

Revised: 12/9/21

Received: 11/14/21

Public Hearing: 12/9/21

Adopted: _____

Effective date: _____

Deleted language is [~~struck out and in brackets~~]; New language is underlined.

§5 DEFINITIONS

5-2 Specific Terms

Except as otherwise stated, or as the context may otherwise require, the following words, for the purpose of these regulations, shall be defined as follows:

Arbor:

A shelter of vines or branches or of latticework covered with climbing shrubs or vines.

Pergola:

An outdoor feature consisting of parallel colonnades supporting an open roof of girders and cross rafters.

Structure:

Anything constructed or erected which requires location on the ground and or/ attachment to or placement on something having a location on the ground. Except as otherwise indicated, "Structures" as used in these regulations shall be deemed to include buildings, parapets, turrets, ground-mounted and roof top mechanical units, swimming pools, tennis courts, towers, paddle or platform tennis courts, balconies, open entries, porches, decks, signs, permanent awnings, ground mounted antennas, ground mounted solar panels, satellite dishes, flagpoles and fences or walls more than eight (8) feet in height and a gas or liquid storage tank that is principally above ground. (See [§32-7.4](#) for rooftop dishes)

Any structure, such as a deck or porch, attached to a building shall be deemed to be part of the building.

Ground-mounted mechanical units, such as air conditioning compressors, shall not be deemed structures for purposes of coverage, for permitted uses, (as distinct from special permit uses) in residence districts. Patios or terraces shall not be deemed structures for purposes of coverage but shall adhere to all required setbacks. If the patio/terrace is 3 feet or more above adjacent grade at any point, such as with a retaining wall, it will be included in total coverage. (See patio or terrace definition). Handicapped ramps, platform lifts necessary for ADA compliance and temporary signs as specified in §33-5 are not considered structures.

Access stairs required by a public utility and no larger than 50 square feet are not considered structures. Bus Shelters are not considered structures for purposes of coverage and setbacks. ([795](#), 07/01/2021)

An Arbor or Pergola is considered a Structure and counts towards coverage if it has any type of closed roof or a is constructed over a deck. ~~or patio floor or is over 8 feet in height.~~ Only Arbors and Pergolas considered to be Structures count towards coverage. An Arbor or Pergola constructed over a patio or over 8 feet in height cannot be located in the setback.