



Town of Westport
Planning and Zoning Commission
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To be published in the Norwalk Hour on Thursday, April 13, 2023, and Thursday, April 20, 2023

LEGAL NOTICE OF HEARING

Notice is hereby given that the Westport Planning and Zoning Commission will hold a Remote Public Hearing on Monday, April 24, 2023, at 7:00 P.M.

The public may attend using the link to be published on the agenda prior to the meeting. The meeting agenda will be available at www.westportct.gov on the "Meeting List and Calendar" web page one week prior to the meeting.

Text Amendment #825: Appl. #PZ-23-00118 submitted by the Planning and Zoning Commission to modify §11-2.4.7, Permitted Accessory Building, Structures and Uses, to establish standards for converting existing barns into Accessory Dwelling Units (ADUs) to modify §11-2.4.8 to remove erroneous language; and to modify §11-2.4.8a containing standards for ADUs for purposes of: 1) increasing allowable building area for lots under 1.5 acres; 2) clarifying how to measure Building Height; 3) describing exemptions from Building Height standards; and 4) removing restrictions on finishing cellars and basements in an ADU. A copy of the text amendment is available on-line at www.westportct.gov, is on file in the Town Clerk's Office, and Planning and Zoning Office at Town Hall, 110 Myrtle Ave., Westport, CT.

Dated at Westport, Connecticut on the 13th day of April and the 20th day of April 2023, Danielle Dobin, Chairwoman, P&Z Commission.

Text Amend. #825 to Modify Accessory Structure Regulations for Barns and ADUs

Submitted:3/10/23, Revised 4/5/23

Received: 3/13/23

Public Hearing: _____

Adopted with modifications: _____

Effective date: _____

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

FROM §11, RESIDENCE AAA DISTRICT

11-2.4.7

Barns that are designed, arranged and intended to be occupied and used solely for the storage of farm products and equipment, for feed, and/or for the housing of farm animals, or horses. Such barns shall not exceed 1,200 square feet of gross floor area; shall not exceed two stories and a height of twenty-four (24) feet and shall not include any bathroom facilities toilet, tub or shower, kitchen facilities and/or central heating systems including electric baseboard. Barns existing as of _____ (FILL IN DATE AMENDMENT IS ADOPTED), may be converted into an Accessory Dwelling Unit (ADU) with bathroom(s), and kitchen facilities subject to the standards listed in §11-2.4.8A.

11-2.4.8

Other buildings, structures and uses [not listed above] accessory to a permitted principal use, provided that:

- a. The accessory building or structure shall not exceed 300 square feet of gross floor area.
- b. The accessory building or structure shall not exceed one (1) story and a height of sixteen (16) feet; except for barns identified in §11-2.4.7 above.
- c. Ground mounted solar panels shall not exceed 16 feet in height and shall be fully screened from any adjacent property line and street line at all times.
- d. Ground mounted satellite dishes or disc type antenna shall not exceed 16 feet in height and shall be fully screened from any adjacent property line and street line at all times. Roof top satellite dishes and roof top disc type antenna are prohibited except for disc type antennas less than two feet in diameter.
- e. Permanent and temporary light poles for lighted athletic fields on town owned public school property shall be permitted up to a height of 80 feet for permanent and 50 feet for temporary lights provided that all requirements of §32-19 or §32-19A are in compliance.(798, 08/13/2021)

11-2.4.8A, Accessory Dwelling Unit (ADU), See also §5-2, Definitions

An Accessory Dwelling Unit is permitted subject to issuance of a Zoning Permit, and compliance with the following standards:

a. The Building Area of an Accessory Dwelling Unit [~~the accessory building or structure~~] shall not exceed the following:

Lot Size	Maximum Building Area of an Accessory Dwelling Unit
Lots up to and including 1 ½ acres (0-65,340 sq. ft.)	[650] 850 sq. ft., provided, however, that for the purposes of calculating Building and Total Coverage: the first 350 sq. ft. of any such accessory building or structure shall not be counted. The maximum footprint inclusive of 350 sq. ft. bonus is [650] 850 sq. ft.
Lots over 1 ½ acres (65,340 sq. ft. or greater)	1,000 sq. ft.

b. The Accessory Dwelling Unit may only have a single interior kitchen.

c. The **maximum height for an** Accessory Dwelling Unit shall **be measured to the highest point of the roof, excluding dormers as permitted in §11-2.4.8A (i) and a cupola as permitted in §11-2.4.8A (h).** ~~The Accessory Dwelling Unit may~~ not exceed the following height limitations:

Roof Type	Maximum Roof Height for an Accessory Dwelling Unit*
Any Main Roof with a slope of 6:12 or greater [of at least 6:12]	Twenty-six (26) feet
Any Main Roof with a slope of less than 6:12	Sixteen (16) feet

*** For the purposes of this section only, the definition of Dormer is a roofed structure, often containing a window that projects vertically beyond the plane of a pitched roof. Dormers are commonly used to increase the usable space and to create window openings in a roof plane.**

~~[Existing non-conforming accessory structures are permitted to be converted into an Accessory Dwelling Unit with Special Permit approval.]~~

Existing accessory buildings and structures, inclusive of barns, exceeding the standards listed in the tables above may be converted into an Accessory Dwelling Unit subject to Special Permit approval from the Planning and Zoning Commission.

d. Subject to Section 11-2.4.8A.(a) and (b) above, the accessory building or structure shall meet all setback, coverage, grading, drainage, and other requirements applicable to the property.

e. If the property is not on Town sewers, the property owner or their designee must obtain the Westport-Weston Health District approval for the septic system. State approval of the proposed septic systems may also be required pursuant to state statute.

f. If the property is on Town sewers, proof of the sewer hookup must be submitted to the P&Z Office by the property owner or their designee.

g. There are at least three (3) off-street parking spaces on the lot and proof of adequate parking must be submitted to the Planning and Zoning Office by the property owner or his designee.

h. Cupolas shall be permitted on accessory buildings provided that: (i) the cupola shall not be higher than 5 feet above the ridge line or highest point of the roof; and (ii) the cupola shall not exceed 5% of the footprint of the roof area of the building on which it is located, or 25 square feet, whichever is less. The cupola cannot be used for human habitation.

~~i. Cellars, basements and crawl spaces shall be permitted in accessory buildings but must be unfinished and may not be used as living space. Stairs which access a cellar or basement from outside the building do not count in building coverage.]~~

i. Dormers shall be exempt from maximum height on ADU's provided they are setback from the face of the building at least 1 foot and from the side of the building at least 2 feet. The dormer shall not exceed 60% of the footprint of the floor below and shall have a roof pitch of at least 3:12. The dormer is not permitted to exceed the height of the existing building ridge line and must not be technically or visually coplanar.

j. The provisions listed above may be modified for applications approved pursuant to §32-18. (Historic Residential Structures).

k. Only one accessory dwelling unit shall be permitted per lot.

l. Any accessory dwelling unit located in the Special Flood Hazard Area must be compliant with the floodplain regulations in §31-11. No additional building height is permitted for an existing or new structure located within the Special Flood Hazard Area when proposed to be floodplain compliant.(798, 08/13/2021)