



Town of Westport
Zoning Board of Appeals
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
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ACTION MINUTES

The following meeting of the Zoning Board of Appeals was held remotely using Zoom Technology

ZONING BOARD OF APPEALS: Tuesday, September 12, 2023
Public Meeting Started: 6:00 P.M. **Ended:** 7:50 P.M.

Members Present:

James Ezzes – Chairman
Elizabeth Wong – Vice Chair
Amy Wistreich
Josh Newman
Michelle Hopson

Staff: Michelle Perillie, AICP & CFM, Deputy Planning and Zoning Director

I. PUBLIC HEARING at 6:00pm

- 1. 24 Canal Road: (Opened with testimony taken on 7/25/23, continued to 8/8/23, and further continued to 9/12/23)** Application #ZBA-23-00327 by Cindy Tyminski, Moon Gardens LLC, for property owned by Heidi Schoeneck, for variance of the Zoning Regulations: §6-2.1.6 (Non-Conforming New Construction), §6-2.1.7 (Expansion of a Non-Conforming Building in the Setback), §13-4 (Setbacks), §13-6 (Building and Total Coverage), and §31-7 (Setback from Wetlands), to raise the existing single-family residence to be FEMA complaint and to construct a 2-story FEMA complaint addition with an open car port below and roof deck above with a new permeable driveway in the setbacks and over in building and total coverage, and to find consistency with Coastal Area Management Regulations, located in Residence A District, PID# B02056000.

Action: J. Newman made a motion to DENY; second by A. Wistreich 5 (Ezzes, Wong, Wistreich, Newman, Hopson) - 0. No hardship found.

- 2. 45 Kings Highway North: (Opened with testimony taken on 8/8/23 and continued to 9/12/23)** Application #ZBA-23-00367 by Mark Hanrahan and Mary Sachs-Hanrahan, for property owned by Mark Hanrahan and Mary Sachs-Hanrahan, for variance of the Zoning Regulations: §6-3.1 (Setbacks for Non-Conforming Lot) and §12-4 (Setbacks), to modify variance ZBA-22-00703 to include A/C unit in the side Setback, located in Residence AA District, PID# B09116000.

Action: J. Ezzes made a motion to GRANT; second by E. Wong 5 (Ezzes, Wong, Wistreich, Newman, Hopson) - 0.

Hardships:

The Zoning Board of Appeals found the following unique and specific hardship from the application of the regulations to the subject property:

A. Building Pre-Dates Zoning Regulations

- The National Register Nomination and previous surveys date the construction of the house to c. 1750. According to the Historic Resources Inventory Form, the building name is "Eugene White House".
- House predates zoning regulations adopted in 1930.

B. Two Fronts

- 45 Kings Highway North is located on a corner lot with frontage on both Kings Highway North and Woodside Avenue with no rear Setback and two side Setbacks.

3. **232 Compo Road South:** Application #ZBA-23-00429 by Jon Halper, for property owned by Jeffrey G Bullwinkel and Kimberly B Latham, for variance of the Zoning Regulations: §11-4 (Setbacks), and §6-3.1 (Setbacks for Non-Conforming Lot), to modify variance #ZBA-22-00552 to permit installation of generator in the setbacks and to enclose the area under the deck, located in Residence AAA District, PID# C05014000.

Action: A. Wistreich made a motion to GRANT; second by E. Wong 5 (Ezzes, Wong, Wistreich, Newman, Hopson) - 0.

Hardships:

The Zoning Board of Appeals found the following unique and specific hardship from the application of the regulations to the subject property:

A. Building Pre-Dates Zoning Regulations

- According to the Historic Resources Inventory Form, the building was constructed in 1900.
- House predates zoning regulations adopted in 1930.

B. Three Fronts

- 232 Compo Road South is a corner lot with frontage on Manitou Road, Ferry Lane East, and Compo Road South.

II. Work Session

- **Old Business**
 - No Old Business
- **Other ZBA Business**
 - No Other ZBA Business

Respectively submitted by James Ezzes, Chairman, September 15, 2023