



Town of Westport
Zoning Board of Appeals
Town Hall, 110 Myrtle Avenue
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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, March 12, 2024
Public Meeting Started: 6:00 P.M. **Ended:** 6:53 P.M.

Members Present:

James Ezzes – Chairman
Elizabeth Wong – Vice Chair
Joseph Scordato - Secretary
Jacqueline Masumian
Richard Benson II

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

I. Public Hearing

1. WITHDRAWN: 1076 Post Road East

- 2. GRANTED 2 Clinton Ave:** Application #ZBA-23-00566 by Valerie White, White Architects LLC, for property owned by Susan Holzner, for variance of the Zoning Regulations: §6-2.1.6 (Non-Conforming New Construction), §6-2.1.7 (Expansion of Non-Conforming Structure), §6-3.1 (Setbacks), §13-4 (Setbacks), and §13-6 (Building and Total Coverage), to construct a 2nd story addition, garage addition, deck and a generator in the Setback and over Total and Building Coverage, located in Residence A District, PID# D12051000.

Opened with testimony taken. Hearing closed. J. Masumian motioned to grant and E. Wong seconded. (5-0)

Hardships:

a. Small Non-Conforming Lot

The lot is in a Residence A district that has a 1/2 acre, or 21,780 SF, minimum lot area requirement, and the property is approximately 57% of the minimum lot size at 0.2849 acres, or 12,409 SF.

b. Irregularly shaped lot

The lot is long and narrow which does not permit the required 100' x 150' rectangle, per §13-3.

c. Corner Lot

2 Clinton Avenue is considered a corner lot, with frontage on both Clinton Avenue

and Main Street, and no side or rear Setback.

d. Public Safety

The applicant redesigned the driveway to allow vehicles to pull onto the road going forward and avoiding vehicles backing into the road.

e. Pre-existing location of the house

The existing house is partially located within the front Setback.

3. CONTINUED: 28 Fairfield Ave

Action: Opened w/o testimony taken and continued to 4/9/24. Applicant did not appear.

4. CONTINUED: 15 Sunrise Road

Action: Opened with testimony and continued to 4/9/24 for modified driveway so don't have to back out of driveway.

5. GRANTED: 1 Carriage Lane: Application #ZBA-24-00081 by Stephanie and Mark Conte, property owners, for variance of the Zoning Regulations: §13-4 (Setbacks), §6-3.1 (Non-Conforming Setbacks), to modify previously granted #ZBA-22-00286 to permit four A/C units closer to the front lot line than approved when three were approved in front Setback,, located in Residence A District, PID# C12084000.

Opened with testimony taken. Hearing closed. J. Ezzes made a motion to grant. J. Scordato seconded. (5-0)

Hardships:

a. Small Non-Conforming Lot

The lot is in a Residence A district that has a 1/2 acre, or 21,780 SF, minimum lot area requirement, and the property is approximately 80% of the minimum lot size at 0.3993 acres, or 17,392 SF.

b. Corner Lot/Two Front

1 Carriage Lane is considered a corner lot, with frontage on both Carriage Lane and Main Street, and no side or rear Setback.

c. Pre-Existing Building

The building was constructed in 1830, prior to the enactment of the zoning regulations in 1930.

d. Steep Slopes/Wetlands

1 Carriage Lane has a gross Lot Area of approximately 0.3993 acres, or 17,392 SF, but after the mandatory deduction is taken for the Steep Slopes, a base Lot Area of 0.317 acres, or 13,827 SF, remains.

The definition in §5-2 of the Zoning Regulations for Building Coverage and Total Coverage as well as the Lot Coverage Worksheets contained in Appendix D of the Zoning Regulations measure building potential by excluding all but 20% of the land that has development constraints (Steep Slopes and/or Wetlands), to determine the base Lot Area. Specifically, the Zoning Regulations identify:

“No more than 20% of the land covered by water bodies, watercourses, wetlands, and land of severe topography having slopes of twenty-five percent (25%) or greater shall be included in the Lot Area used for computing the maximum allowable Building and Total Coverage.”

Respectively submitted by James Ezzes, Chairman, March 19, 2024