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+ Of Counsel

May 16, 2024

Laurie Montagna  
Zoning Official  
Planning & Zoning Department  
110 Myrtle Avenue  
Westport, CT 06880

**Re: ZBA Application at 102 Beachside Avenue, Westport, CT**

Dear Ms. Montagna:

Please accept this enclosed narrative as part of the variance application to the Westport Zoning Board of Appeals for the property located at 102 Beachside Avenue (the "Site").

**Section of Zoning Regulations for Variance**

The Applicant requests a variance of the following sections of the Westport Zoning Regulations (the "Regulations") at the Site:

1. Variance of Sec. 11-4 to reduce the minimum street line setback from 50' to 26.0', 4.6' existing, for a proposed one-story addition to the rear of the existing principal single-family dwelling; and
2. A further variance of Sec. 11-4 to reduce the minimum lot line setback from 50' to 0.4' on the westerly side lot line, 0' existing.

**Narrative of Proposed Development**

The Applicant proposes to construct a one-story addition to the existing dwelling at the Site with associated improvements within the Residence AAA District ("AAA District"). The Site currently contains a principal single-family dwelling and is pre-existing nonconforming as to street line and side lot line setback. The Applicant is not proposing to protrude any further into the street line setback or side lot line setback than existing conditions. The existing dwelling was constructed in 1924 prior to the adoption of zoning regulations in the Town of Westport. As is commonly found in dwellings constructed before the Regulations were adopted, the existing dwelling was constructed close to Beachside Avenue when there were no street line setbacks in

existence. The result is the entire existing dwelling is located within the street line setback and side lot line setback. No improvement or addition could be made to any side of the existing dwelling without requiring a variance.

The Site contains an extremely modest one-story single-family dwelling of only 1,551 SF. The existing dwelling contains an open concept kitchen and dining room, two (2) bedrooms and two (2) full baths. It also connects to a sunroom. Even after the work proposed under the Application, the dwelling will only expand to 2,866 SF. The existing dwelling is located in close proximity to Beachside Avenue with only a 4.6' setback. In addition to the existing dwelling, the Site also features a detached garage building, which mirrors the existing dwelling in design and location. It occupies the northeastern corner of the Site while the dwelling occupies the northwestern corner of the Site both right along Beachside Avenue. The remainder of the Site contains the driveway, a tennis court with an accessory tennis building, generator and landscaping.

The Applicant proposes to construct a minimal one-story 1,315 SF addition to the existing dwelling. The addition will be located directly in the middle of the rear of the dwelling. The area between the existing dwelling is currently gated, so vehicles and pedestrians are very unlikely to see this one-story addition. The addition is in close proximity to the property line for 100 Beachside Avenue. However, the existing dwelling already touches this property line. The Applicant also owns 100 Beachside Avenue and these properties are inextricably linked as the main access to 100 Beachside Avenue comes through the gated entrance at the middle of the Site. The Site will still have a minimal amount of development on the property. The overwhelming bulk of its total coverage is only the driveway. The proposed addition will contain a family/dining room, two (2) bedrooms, and two (2) full baths. It is designed to match the existing historic building. The addition will have two (2) entrance and exits, including to a rear bluestone patio.

### **Hardship**

Granting the Applicant said variances will not substantially affect the comprehensive zoning plan of the Town of Westport and adherence to the strict letter of the Westport Zoning Regulations will cause an unusual hardship to the Applicant as the Applicant is proposing a modest addition to an existing dwelling that was constructed prior to the Regulations and street line setbacks. As such, the existing dwelling is entirely within the street line setback. There is no improvement that could be made to the existing dwelling that would not need a variance. The Applicant has designed the improvements to match the historic building and located the addition in such a way that it will not be visible from the public way. While the addition straddles a side property line, it is no closer to the side property line than the existing dwelling and the abutting property is owned by the Applicant. These two (2) properties are inextricably linked as the access to the abutting property comes through the middle of the Site. If the Applicant were to locate a dwelling within setbacks, it would significantly increase the visual bulk along the streetscape as the existing dwelling and garage building would be along the road with another visible building in close proximity. This modest addition does not violate any coverages and locates the addition in a place that will have the least amount of impact to the surrounding neighborhood.

For the reasons stated above, the Applicant respectfully requests approval for the stated variances for the property located at 102 Beachside Avenue.

Sincerely,

A handwritten signature in blue ink, appearing to read "CR", is positioned above the printed name "Chris Russo".

Chris Russo