



WESTPORTSM

Zoning Board of Appeals

Town Hall, 110 Myrtle Avenue, Room 203
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MEMORANDUM

TO: Zoning Board of Appeals
FROM: Michael Tartaglia, Zoning Official
DATE: 8/7/24

ADDRESS: 1 Morningside Dr N
ZBA #: ZBA-24-00303
ZONE: Business Preservation District (BPD)
PID #: F09124000
OWNER: NO Real Estate LLC
APPLICANT: NO Real Estate LLC



Proposal: To permit relief of 2 additional parking spaces to accommodate a change from office use to medical use in BPD.

Variations Needed

- §34 – 5 (Parking Requirements)
- §28 – 11 (Parking in BPD)

Hardship Offered by Applicant

- See applicant statement

Flood Zone Data

Is the property in a Flood Zone?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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Additional Requirements

Excavation & Fill Application Required?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
P&Z Site Plan/Special Permit Required?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Is this Application eligible for a Site Plan Waiver per §43-5.2?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Is ARB Review Required?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
CAM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		

History

- 02/03/81 P&Z Res. #80-100 was approved to construct a 33,500 sf office complex on 1111 PRE owned by Westport Bank & Trust Company.
- 07/30/81 P&Z Res. #80-100-1 was approved to modify P&Z Res. #80-100 to redesign the building by putting a canopy over the windows and adding 2 future parking spaces.
- 03/08/84 P&Z Res. #84-8 was approved to relocate 518 sf of building floor space and to redesign the parking on 1111 PRE owned by Westport Bank & Trust Company.
- 06/28/84 Zoning Permit #19169 was issued for 3 office buildings containing 29,259 sf with 130 parking spaces pursuant to P&Z Res. #80-100, #80-100-1, and #84-8. ZCC issued 10/29/85. Can not locate As Built Survey.
- 08/13/02 ZBA Res. #6082 was granted to legalize existing building coverage over 20%, to legalize existing third floor with proposed dormer-building over 30' height to midpoint for existing and proposed, to legalize building with existing footprint and floor area over 2,500 sf to permit construction of dormer in the rear of existing three-story building.
- 02/01/13 Zoning Permit #39076 was issued for interior renovation to building B, first floor, for Dr. Lyons, a Plastic Surgeon having 1,961 sf of floor area. ZCC issued 06/14/13.

06/24/14 ZBA Res. #7288 was granted for height and FAR for an increase in building area and for parking, for an addition to a nonconforming building.

Proposed Floor Area: 29,752 sf (increase of 493 sf) and Existing Parking: 116 spaces

09/09/14 Modification to ZBA Res. #7288 was granted for new height for the dormers and a new elevator shaft wall.

03/28/17 ZBA Res. #7527 was granted for expansion of nonconforming buildings, connecting buildings over 2,500 sf and for FAR over 0.25 and floor area over 2,500 sf.

Proposed Floor Area: 35,402 sf (Increase of 114 sf) and Existing Parking: 116 spaces

Additional Information

- The property currently has 116 parking spaces. The current usage requires 119 parking spaces.
 - This was approved via variance #7288
 - 29,752sf of office space parking at 1:250 = 119 spaces
- The applicant seeks to permit a medical use tenant in 1,950sf (Building B first Floor)
 - This requires 2 additional parking spaces
 - 1,950sf of medical space parking at 1:200 = 9.75 spaces + remaining 27,802sf of office space parking at 1:250 = 111.2 spaces
 - Total spaces required = 120.95 spaces (121) with 116 existing on site.
- The site will now require 121 parking spaces, with relief for 3 spaces granted by variance #7288. Therefore, the applicant will require a variance for an additional 2 parking spaces.