



## Zoning Board of Appeals

Town Hall, 110 Myrtle Avenue, Room 203  
Westport, CT 06880  
[www.westportct.gov](http://www.westportct.gov)  
[ZBA@westportct.gov](mailto:ZBA@westportct.gov)  
Telephone (203) 341-1030

# MEMORANDUM

TO: Zoning Board of Appeals  
FROM: Amanda Trianovich, CZEO, Planner  
DATE: August 28, 2024

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**ADDRESS:** 25 Hickory Drive  
**ZBA #:** ZBA-24-00453  
**ZONE:** Residence A district  
**PID #:** F09143000  
**OWNER:** Tammy Lo, Trustee  
**APPLICANT:** Louis E. Donofrio Jr.



*Date of Photo per Tax Assessor: 4/15/2015*

**Proposal:** To retain the existing Total Coverage and the existing bay window in the Setbacks and to construct an addition with a driveway expansion exceeding both Building and Total Coverage.

### History

- No prior Variances or Special Permits sought.
- According to the Tax Assessors Card the single-family residence was constructed in 1954.
- There are no zoning permits seen in the file.
- As seen in the zoning file and prior Tax Assessors Cards, the dwelling once had an unpermitted accessory apartment dating back to at least 1977 but has since been removed as confirmed by the applicant.

### Variances Needed

- §13-4, Setbacks
- §13-6, Building and Total Coverage

### Hardship Offered by Applicant

- As stated by the applicant on the Variance application revised 8/28/24, "*Limited Lot Area*".

**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?	N/A	
Is ARB Review Required?	N/A	
CAM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		

**Additional Information**

25 Hickory Drive is a single-family residence situated within the Residence A district, adjacent to Jenning's Plaza at 999 Post Road East. According to the Tax Assessor's Card, the house was built in 1954, and underwent both exterior and interior renovations in 2006 due to damage from a fallen tree. The property is free from wetlands, steep slopes, and is outside the flood hazard zone and coastal area management boundary. It is also serviced by town sanitary sewer and public water.

The application proposes a two-story addition to the existing home. This addition will include a new two-car garage with a family room and deck located above. Additionally, the proposal includes expanding the driveway to provide access to the new garage.

As detailed in the data table on the following page, the applicant is seeking a Building and Total Coverage Variance. This is necessary to legalize the existing total coverage of the property and to accommodate the proposed expansion. A Setback Variance is also required due to an existing bay window that was constructed within the front setback without Planning & Zoning approvals. This bay window is not visible in Town aerials, making it necessary to legalize its location.

Currently, the property exceeds the Total Coverage limit by 512 square feet. It is unclear how this non-conformity arose, as there are no prior variances or zoning permits on record.

All proposed improvements comply with the required setbacks. There is an existing covered front stoop that extends 5.7 feet into the front setback. According to WLR Map #9307, dated February 10, 1993, the location of the stoop is legalized under C.G.S. §8-13a. Additionally, a play structure located in the rear of the property, which partially encroaches into the side setback, is also legalized, having been installed between April and September 2019, as confirmed by Nearmap.

To accommodate the proposed improvements, the existing greenhouse and rear deck will be removed. The proposed survey indicates that an existing patio will be relocated. Although a zoning permit is not required for an at-grade patio, the applicant/property owner should confirm that the relocated patio complies with setback requirements to avoid encroachment.

**DATA TABLE** **Variations requested in Red**

	<b>Existing</b>	<b>Proposed</b>	<b>Required/Allowed</b>
<b>Gross Lot Area:</b>	11,351 sf Non-conforming Lot	Same	21,780 sf 0.5 Acre Zone
<b>Building Coverage:</b>	1,522 sf (13.4%)	1,841 sf (16.2%) Increase of 319 sf from existing Over 139 sf from the allowed	1,702 sf (15%)
<b>Total Coverage:</b>	3,349 sf (29.5%) Unknown to Staff how the property came to be non-conforming	4,352 sf (38.3%) Increase of 1,003 sf from existing Over 1,515 sf from the allowed	2,837 sf (25%)
<b>Setbacks</b>			
<b>Front:</b>	24.3' ( <i>Front Stoop</i> ) 29' ( <i>Bay Window</i> )	24.3' ( <i>Front Stoop</i> ) 29' ( <i>Bay Window</i> )	30'
<b>Sides:</b>	West: 20' ( <i>Greenhouse</i> ) East: 8' ( <i>Play Structure</i> )	West: 27.2' ( <i>Existing House</i> ) East: 8' ( <i>Play Structure</i> )	10'
<b>Rear:</b>	29' ( <i>Play Structure</i> )	29' ( <i>Play Structure</i> )	25'
<b>Stories:</b>	2-Stories	2-Stories	2 1/2-Stories
<b>Height:</b>	22.6'	22.6'	35' Height