



**Town of Westport**  
**Zoning Board of Appeals**  
Town Hall, 110 Myrtle Avenue  
Westport, CT 06880  
Tel: 203-341-1030 Fax: 203-454-6145  
www.westportct.gov

## MEMORANDUM

TO: Zoning Board of Appeals  
FROM: Laurie Montagna, CAZEO, Zoning Official  
DATE: 9/10/2024

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**Address:** 4 Rocky Ridge Road  
**ZBA#:** ZBA-22-00246  
**ZONE:** Res A  
**PID#:** D07102000  
**Owner:** Stelian Epure  
**Applicant:** Same

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**Proposal:** For grading that has taken place in excess of approved by ZBA in case #ZBA-22-00522; variances needed for fill height greater than .2 times the distance to the property line, for grading greater than 20% slope, grading within 5' of the lot line and for a variance for total coverage over 25%, associated with the construction of new single family residence in Res. A zone.

<b>Variances Needed:</b>	Sec. 13-6	For total coverage in Res. A zone;
	Sec. 32-8.2.3	For fill height in excess of ratio of 0.2 relative to distance to the lot line;
	Sec. 32-8.3.2	For grading within 5' of the lot line and grading greater than 20% slope.

**Hardship per applicant:** “Non-conforming site”

**History: ZBA-22-00522 – 9-20-22** – Stelilan Epure - For construction of new single-family dwelling over building coverage and partially in the front setback that does not conform with the standards of Sec. 32-8, located in Res. A zone. **GRANTED WITH CONDITIONS**

**Conditions:** If construction activities access the site from Valley Road, the applicant shall coordinate with the Town Tree Warden to meet all requirements regarding impact to or removal of trees in the Town Right-of-Way. Also, additional S&E controls shall be required, and a Road Opening Permit will be required prior to commencement of any activity in the town Right-of-Way.

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"/>	Is CAM Site Plan Required? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	List Section:

**Additional Information:** 4 Rocky Ridge Road is a conforming lot in a Residential A zone with frontage on Valley Road and Rocky Ridge Road with severe topography. The lot is considered a through lot with two front setbacks of 30’ and the remainder are side setbacks at 15’. The gross lot area is conforming to Residential A standards at 30,548 sf, but when the steep slopes are removed, the net lot area is 18,500 sf.

The project was granted variances by ZBA for coverage, setbacks and grading standards in case #ZBA 22-00522 on 9/20/2022 to construct a new single-family residence. Zoning permit #ZN-23-00085 was then issued on 3/21/2023. Upon receipt of the Final As-built survey, P&Z Staff had discussions with Ted Gill and Kevin Pierce regarding the grading and drainage. P&Z Staff informed the owner that a variance was needed for the grading and for the total coverage, both in excess of what was approved on the submitted plans for the zoning permit.

**Coverage:**

**Building Coverage:** A variance of Building Coverage was granted as the proposed building coverage was 18.9%, which exceeds the maximum permitted of 15%. The Final As-built Survey shows building coverage is compliant to what was approved by ZBA at 18.9%.

**Total Coverage:** The total coverage was proposed to be compliant, but the Final As-Built survey indicates the total coverage is over the maximum of 25%, at 28.7%. The driveway appears slightly larger than approved. So, a variance for total coverage is requested with this application.

**Setbacks:** A variance of the front setbacks was granted as the new house extends into the front setback about 10'. The Final As-built survey shows compliance for the location of the new residence.

	Required/Allowed	Existing	Approved by ZBA
<b>Lot Area:</b>	21,780 SF 0.5 acres	30,545 SF 0.70 acres	No change
<b>Building Coverage:</b>	15% (3,707 SF)	18.9% * (3498 sf)	18.9% (3498 SF) No change
<b>Lot Coverage:</b>	25% (6,179 SF)	28.7%** (5315 sf)	25% (4640 sf)
<b>Setbacks:</b> Front Side Rear	30' 15' 25'	17' * 15.1'/15.7' 49.8'	No change No change No change
<b>Height</b>	2 1/2-stories/35 ft	2 stories/27.1 ft	No change

\* **Approved by variance ZBA-22-00522**

\*\* **Variance requested.**

**Existing conditions report what is on the lot presently. Total coverage is over what was approved with zoning permit, which showed compliant coverage, so variance of total coverage is requested with this application.**

**Department Comments:**

**Engineering:** Comments dated 9/10/24 from Kevin Pierce, Engineer, state "we find no issues in our review that would preclude granting these variances."

**Conservation:** No Conservation review is needed per Nate Hartshorne, Conservation Technical Staff comments dated 4/11/2022.