



**Town of Westport**  
**Zoning Board of Appeals**  
Town Hall, 110 Myrtle Avenue  
Westport, CT 06880  
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[www.westportct.gov](http://www.westportct.gov)

September 13, 2024

Eric Bernheim, Esq.  
FLB Law  
315 Post Road West  
Westport, CT 06880

**RE: CASE # ZBA-24-00269**  
**ADDRESS: 63 Old Hill Road**  
**OWNER OF PROPERTY: James and Diane Coyne**

Dear Attorney Bernheim,

This is to certify that at the work session of the Zoning Board of Appeals held on September 10, 2024, it was moved by Ms. Rabiner-Gordon and seconded by Mr. Scordato to adopt the following resolution:

**RESOLVED: 63 Old Hill Road:** Appeal #ZBA-24-00269 submitted by Eric Bernheim, Esq. on behalf of property owners James and Diana Coyne, for appeal of decision of the Zoning Enforcement Officer Laurie Montagna's decision to deny issuance of a zoning permit dated May 6, 2024, for a pickleball court is hereby **DENIED**, and the action of the Zoning Officer is upheld, for property located in Residence AA, PID# B11017000.

This appeal was denied because the Zoning Board of Appeals weighed the evidence and found that the staff correctly interpreted the Front Setback to be measured from the edge of the road right-of-way as stated in the definition of Front Lot Line which states,

*"The property line(s) dividing the lot from the right of way of a street or streets. In the case of a rear lot, the front lot line shall be considered the line or lines most nearly parallel to and closest to a street or streets providing lot frontage."*

The Zoning Board of Appeals found the regulation is not ambiguous, has been consistently interpreted by Planning and Zoning staff for over 20 years and there was credible evidence to support the decision.

The appellant failed to persuasively prove that the Front Setback should be measured from the pavement of Side Hill Road.

**VOTE:**

AYES	-5-	{Wong, Newman, Scordato, Benson, Rabiner-Gordon}
NAYS	-0-	
ABSTENTIONS	-0-	

Yours Truly,



Elizabeth Wong, Vice Chairwoman  
Westport Zoning Board of Appeals