



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

September 26, 2024

Kurt Niquette
154 New Haven Avenue
Milford, CT 06460

RE: CASE # ZBA-24-00430
ADDRESS: 78 Hillandale Road
OWNER OF PROPERTY: Michael Fromm and David Gonzales

Dear Mr. Niquette,

This is to certify that at the work session of the Zoning Board of Appeals held on September 24, 2024, it was moved by Ms. Gordon and seconded by Mr. Scordato to adopt the following resolution:

78 Hillandale Road: #ZBA-24-00430 by Kurt Niquette on behalf of property owners Michael Fromm and David Gonzales, for variance of the Zoning Regulations: §12-6 (Total Coverage), to permit construction of new entryway over allowable Total Coverage, located in Residence AA district, PID #F08099000 was **GRANTED**.

The Zoning Board of Appeals found the following unique and specific hardship from the application of the regulations to the subject property:

1. Small Non-Conforming Lot

The lot is in a Residence A district that has a 1 acre, or 43,560 SF, minimum lot area requirement, and the property is approximately 85% of the minimum lot size at 0.84 acres, or 37,021 SF.

2. Steep Slopes/Wetlands

Approximately 19,388 SF of the lot contains Steep Slopes. The definitions in §5-2 of the Zoning Regulations for Building Coverage and Total Coverage as well as the Lot Coverage Worksheets contained in Appendix D of the Zoning Regulations measure building potential by excluding all but 20% of the land that has development constraints (steep slopes and/or wetlands), to determine the base Lot Area. Specifically, the Zoning Regulations identify: *"No more than 20% of the land covered by water bodies, watercourses, wetlands, and land of severe topography having slopes of twenty five percent (25%) or greater shall be included in the lot area used for computing the maximum allowable building and total coverage."*

78 Hillandale Road has a gross Lot Area of approx. 0.84 Acres or 37,021 SF but after the mandatory deduction is taken for the steep slopes, a base Lot Area of 0.48 Acres or 21,510 SF remains.

The base Lot Area is used to determine Coverage potential.

3. Public safety

The entryway will provide shelter from the elements which will increase public safety.

VOTE:

AYES	-5-	Ezzes, Newman, Scordato, Gordon, Benson
NAYS	-0-	
ABSTENTIONS	-0-	

The above has been **GRANTED** in accordance with the plans submitted with the application: EXISTING CONDITIONS SURVEY, prepared by Charles L. Leonard IV, L.S., dated 5/2/24; PROPOSED SURVEY prepared by Charles L. Leonard IV, L.S., dated 5/2/24; and ARCHITECTURAL PLANS prepared by MAF Architects, dated 1/29/24, revised 4/15/24. Said plans are stamped "APPROVED" by the Zoning Board of Appeals on September 24, 2024.

Effective Date: Contingent upon applicant filing this resolution with the Town Clerk.

Prior to the issuance of a zoning permit this variance must be filed with the Town Clerk.

Subsequent to recording the variance with the Town Clerk you will need to obtain a Zoning Permit. You may also require a Building Permit, and you should contact the Building Department at 203-341-5025 for further information.

Yours Truly,



James Ezzes, Chairman

Westport Zoning Board of Appeals