



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

15 Gorham Avenue: Application #ZBA-23-00158 by Mark Bartolone, AIA, for property owned by Joyce E. Stites, for variance of the Zoning Regulations: §6-2.1 (Expansion of a Non-Conforming Building), §6-2.1.3 (Expansion of Non-Conforming Building and Total Coverage), §6-2.1.6 (Non-Conforming New Construction), §6-3 (Building and Total Coverage on a Non-Conforming Lot), §6-3.1 (Setbacks on a Non-Conforming Lot), §13-4 (Setbacks), §13-6 (Building and Total Coverage), and §34-11.5 (Driveway Slopes), to construct a second-floor addition with a covered front porch, a new walkway with steps, driveway expansion with associated retaining wall, and to retain existing stairs in rear setback over Building and Total Coverage, located in Residence A district, PID# D11027000.

RESOLUTION

WHEREAS, the Zoning Board of Appeals (“ZBA”) granted Application #ZBA-23-00158 for a variance of the zoning regulations to permit the defendant-applicant, Joyce E. Stites, to undertake certain improvements to residential real property located at 15 Gorham Avenue.

WHEREAS, Jason P. Wulf, an abutting property owner, timely appealed the ZBA’s decision to the Superior Court for the Judicial District of Bridgeport at Bridgeport (FBT-CV23-6125620-S) (the “Appeal”).

NOW THEREFORE, BE RESOLVED, the ZBA makes the following findings:

1. The defendant-applicant, Joyce E. Stites, filed a Statement In Lieu of Brief with the court on August 16, 2024. Stites confirmed that she will no longer defend the Appeal.
2. In accordance with ZBA policy (if the property owner/applicant who receives a variance subsequently elects not to defend the ZBA decision in Superior Court, the ZBA will not offer a defense either), and on advice of legal counsel, the ZBA has elected to forego any further defense of the Appeal on behalf of the defendant-applicant. The ZBA waives its right to file a brief in opposition to the Appeal and to oral argument.
3. In the event the court sustains the Appeal and reverses the decision of the ZBA, the ZBA will not petition for certification to appeal, file a motion to open or reconsider or otherwise object to the trial court’s decision.

VOTE:

The Zoning Board of Appeals voted on September 24, 2024 as follows:		
AYES	-5-	Ezzes, Wong, Newman, Scordato, Benson
NAYS	-0-	
ABSTENTIONS	-0-	

Yours Truly,



James Ezzes, Chairman
Westport Zoning Board of Appeals