



Town of Westport
Zoning Board of Appeals
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MEMORANDUM

To: Members of the Zoning Board of Appeals
From: Laurie Montagna, CAZEO, Zoning Official
Date: October 24, 2024



ADDRESS: 33 Woods Grove Road
ZONE: Residential A zone
ZBA #: ZBA-24-00563
PID #: C11074000
OWNER: James and Linda Hussey
APPLICANT: Cindy Tyminski/Moon Gardens, LLC

Proposal per applicant: To modify single family dwelling to bring into FEMA compliance by installing flood vents, filling in part of the existing cellar, removing the cellar door from setbacks and relocating and lifting mechanicals to an elevation of 12.5'. A second floor will be constructed on the portion of the dwelling that is currently a single story, a new expanded front portico will be added to the front entry and a terrace will be converted into a screened porch, over building and total coverage, in flood zone AE, EI. 11.5 in Res. A zone.

Variance History: No prior variances.

Variances requested: Sec. 13-6 for building and total coverage Res. A zone

Hardship Offered by Applicant: "Lot area is unusually diminished (10,361 sf where 21,780 sf is required; 48% of what is required); land under water on small lot; steep slopes (bank) and Wetlands (to top of bank); setback to watercourse undulated and changes over time. Surveyor error in 1950. Existing location of dwelling. Safety, will bring into FEMA compliance."

Flood Zone Data:

Is the property in a Flood Zone?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
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If yes,

Flood Zone & Base Flood Elevation:	AE 11.5 + 1 = El. 12.5
Proposed First Floor Flood Elevation:	El. 12.5'
Existing Average Grade:	10.3'
Proposed Average Grade:	10.3'
Additional Height Earned Per §6-3.3:	NA

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

Additional Information: 33 Woods Grove Road is a non-conforming lot of 13,237 sf in a Res. A zone, requiring 21,780 sf. The lot is developed with a single-family residence. There are 3506 sf of wetlands and 86 sf of steep slopes, bringing the net lot area to 10,361 sf, after wetlands and steep slopes are deducted. The lot is connected to the Town sewer system.

This variance application proposes to add **two additions: a new entryway and a screened porch over building and total coverage**. The applicant also proposes to bring the house into FEAMA compliance by filling in the lower level, installing flood vents and raising the mechanicals. If the variance is granted and a zoning permit issued, an Elevation Certificate would be required to confirm compliance upon ZCC issuance.

- **Coverage:** The existing building coverage is non-compliant at 19.03% and the existing total coverage is compliant at 24.36%. There are no prior variances or information regarding how the lot became non-conforming to building coverage. The proposed building coverage is 21.86%, which is 6.86% over the 15% maximum permitted. The proposed total coverage is 27.19%, which is 2.149% over the maximum 25% permitted. A variance is required for Sec. 13-4 for building and total coverage.
- **Setbacks:** The additions are compliant to zoning setbacks. The house appears to be slightly in the front setback since construction in 1950. Front setback is 29.8', per the Existing Conditions survey by Walter Skidd, amended July 31, 2024. No variance is needed for the existing house in the setbacks, as C.G.S 8-13a legalizes this condition.
- **Height:** Both proposed additions are one story and are compliant to the height for this zone. There is a second-floor addition shown on the building plans (Drawing A4) that does not need a variance.

Department Comments:

- **Engineering:** The revised building plans (plans dated 10/22/24) have been reviewed by Ted Gill, PE, in Engineering Department and determined that the house will brought into FEMA compliance. If the variance is granted, the application will need Engineering approval prior to zoning permit issuance and an Elevation Certificate will be needed for ZCC issuance, to confirm FEMA compliance.
- **Conservation:** On 10/16/24 the Conservation Commission approved the application in case #IWW-WPL-120001-24.

Zoning Data: Zoning Data taken from Proposed Conditions Survey by Walter Skidd, LS, revised September 18, 2024

	Required/Allowed	Existing	Proposed
Lot Area (Gross):	21,780 SF .5 acres	13,237 SF .30 acres	No change
Wetlands	0	3,506 SF	No change
Steep Slopes	0	86 SF	No change
Lot Area (Net):	N/A	10,361 SF .30 acres	No change
Coverage:			
Building	15%	19.03% (1,971.9 sf)	21.86%* (2,265.2 sf)
Total	25%	24.36% (2,523.9 sf)	27.19% * (2,817.2 sf)
Setbacks:			
Front	30'	29.8'	29.8' NC
Side	10'	6.1' (bilco door) and	10' and 10'
Rear	25'	10' 25'	25'
Height	2 ½ stories 35 feet	2 stories/ 23 feet	Proposed Addition: 2 stories / 23' feet

**Variance requested for building and total coverage.*