

Westport Zoning Board of Appeals
Westport Zoning Department

From:

Don Miro 31 Sherwood Dr. Westport CT
203.858.0612

Re: ZBA Variance Request 24-00579 238 Hillspoint Rd N

Additionally: roof height regulations which need to be addressed and amended

Dear members of the Zoning Board of Appeals,

I believe the proposed house at 238 Hillspoint Road should not be allowed to encroach on the setbacks. Homes in our neighborhood that are maxed out to the setback lines in coverage should not be allowed to push the limits beyond. Additionally, 47% Lot coverage is excessive.

Architects are beginning to abuse the mid-roof line formula for roof height in Zone A and Zone B south of the railroad tracks. As previous Chairman of the Historic District Commission, I recognized the potential harm of these interpretations and even conceivably greater flagrant scenarios than this design, therefore over a decade ago and I tried to bring these to the attention of our relevant departments and boards. Unfortunately, the Architectural Review Board were the group who could not figure this out and eventually made it not worth my time to keep pursuing. Running a soffit along the side of a house should not be calculated in the roof formula in order to fabricate a mean roof line. I cannot believe this was the intentions of the creators of the regulation when determining roof heights. I can demonstrate examples that I believe overwhelmingly abuse the current interpretation of the mean roof-line formula well beyond the intentions of the creators of the formula. Therefore, I believe as a board granting a "hardship" variance you have a right to control the mass of a structure.

If this house were to step the upper floor walls below the roofline in so the actual roof area and not just soffit sits over finished floor space which begins to count as a more legitimate roof area, this house unfortunately still will tower over and overwhelm its neighbor's roofs. A 47' long house that is used to create an excessively high roof height because of the way someone is trying to define the formula to work to the applicants advantage without regard to their neighbor's is excessive.

Chip Steven's, who at the time was Chairman of the P&Z commission, had asked me after Hurricane Sandy to help define how the zoning regulations should be amended given FEMA's requirement to raise the BFE in Coastal Flood Zones. As a resident of Westport for over 66 years and a family of what I hope will be 6 generations in Westport in the near future, along with 4 generations in construction in Westport, I often regret not taking on that challenge, but honestly the effort it takes to do the right thing in this town can just be too much of a burden at times. I graciously thank and commend all of you that volunteer your time. Jim Ezzes in particular and Elizabeth Wong's long term commitment has gone beyond exemplary.