ZBA VARIANCE *or* APPEAL APPLICATION

WESTPORT ZONING BOARD OF APPEALS Tel: 203-341-1030 Fax: 203-454-6145

INSTRUCTIONS *for* APPLICANT: *For Questions visit P&Z office Daily 9:00-11:30.*
Complete pgs 1 & 2 then, REVIEW & COLLECT ALL materials listed on pgs 3&4.
When all is collected DROP OFF to P&Z OFFICE DAILY between 8:30 & 4:00.
After the STAFF REVIEW is complete, a Hearing Date will be set. Please Review pgs. 5&7.
Note: Commercial projects may require Architectural Review Board approval, If needed. You MUST submit ARB application BEFORE going to ZBA Hearing.

OFFICE USE ONLY
Application#: ZBA-20-00364
Submission Date: 6-3-20
Receipt Date: 6-9-20
Fee Paid: 660 - 6.10.20

1. Property Address: 61 Kings Hwy South Zone: _____
Commercial Property: ○ or Residential: ◉

2. Applicant's Name: BARR ASSOC. LLC E-Mail: BARRPLAN@EARTHLINK.NET
Applicant's Address 25 SYLVAN RD S WSPT, CT 06880 Daytime Tel: 454-9933

***NOTE:* Below List Owner's Name (s) as appears on the DEED (No abbreviations) If more space needed submit list.**

3. Property Owner's Name: George Vindicla E-Mail: George_Vindicla@Campbells.com
Property Owner's Address: 61 Kings Hwy South Daytime Tel: (203) 846-7265

4. Is this property on: a Septic System: ○ or Sewer: ◉
5. Is this property within 500 feet of any adjoining municipality? Yes ○ No ◉
6. Does this project involve the **demolition** of any **structures** that are **50 years old or more?** Yes ○ No ◉

7. Briefly Describe your Proposed Project: LEGALIZATION OF EXISTING DRIVEWAY MODIFICATION AND EXISTING PATIO MODIFICATION TO A SMALLER, AT-GRADE WOOD DECK, AS WELL AS THE MINOR HOUSE & POOL MODIFICATIONS. HAB

8. Will any part of any structures be demolished? No ○ Yes ◉ - If **Yes** Attach a Demolition Plan:

9. List each ***"Regulation Section Number"*** you are requesting a variance for: *i.e. (Sec 6-2 = Set back)*
SEC. 13-6 for BUILDING & TOTAL COVERAGE FOR EXISTING DRIVEWAY & AT-GRADE DECK, AS WELL AS THE MINOR HOUSE & POOL MODIFICATIONS

10. List any other variances that are requested to legalize any previous issues: i.e. *(Sec 11-5 Coverage for existing shed)* HAB
SAME AS #9 ABOVE

RECEIVED
JUN 03 2020
WESTPORT Z.B.A.

11. List the **PROPERTY HARDSHIP(s)** or **REASON(s)** why this Variance or Appeal should be granted, stating clearly the exceptional difficulty **REGARDING YOUR PROPERTY. Note: Financial Hardship will NOT warrant a variance approval** *see pg 5.*
SEE ATTACHMENT - A

I hereby certify that the above information is correct and that the accompanying exhibits attached are true.

[signature] 7.13.20 [signature]
Applicant's Signature *(If different than owner)* ***Owner's Signature*** *(Must be signed)*

If the applicant is unable to obtain the signature of the property owner, a letter of authorization by the property owner must be submitted.

ATTACHMENT A
STATEMENT OF HARDSHIP & REASONS

61 KINGS HIGHWAY SOUTH

1) This non-conforming Rear Lot is 20% undersized due to extensive wetlands; 0.4 acre existing vs 0.5 acre required.

2) Over 56% of the lot is severely impacted by wetlands, greatly reducing the Base Lot Area, which drives up the coverage calculations.

3. The driveway modification is needed for public safety to prevent vehicles from backing out of a 240 foot long driveway.

4) The wood deck is installed at-grade; is safer than a stone patio; and is smaller than the previously proposed patio.

5) Per the P&Z Commission's "Coverage Chart" as revised to 9/23/16, "patios, terraces less than 3 feet above grade at all points regardless of material, <u>including wood</u>" are not counted in Coverage, provided that they "must be flush to the ground <u>with no air space below and have no structural support</u>." As a result, a wood patio exemption is virtually impossible to achieve, since the wood planking has to be attached to something just to keep it in place. This provision creates an exceptional difficulty for an at-grade wood patio.

# # #

TO BE COMPLETED BY OWNER/ APPLICANT

After all required materials are collected, DROP OFF to P&Z OFFICE DAILY between 8:30 & 3:00 ONLY.

BUILDING PLANS (*TITLE*) DECK PLAN
BY: MLR PROPERTIES DATE MAY '20 NUMBER of PGS. 1
REVISED DATE _____ NUMBER of PGS. _____

SURVEY OR SITE PLAN (*TITLE*) GEORGE & SHANNON VINDIOLA
BY: LEONARD SURVEYORS DATE 8·27·19 NUMBER of PGS. 1
REVISED DATE 5·20·20 NUMBER of PGS. 1

GROSS LOT AREA: 32,120 SF **NET LOT AREA:** (*less 80% wetlands or steep slopes*): 17,629 SF

SETBACKS: Front / Side / Rear) *(From Survey)*
Existing: 30 / 15 / 25
Required: 30 / 15 / 25
Proposed: 30 / 15 / 25

FLOOR AREA / FAR:
Existing: _____
Allowed: _____
Proposed: _____

COVERAGE: Building / Total *(From Survey)*
Existing: 18.41% / 30.62%
Required: 15% / 25%
Proposed: 18.41% / 30.62%

PARKING:
Existing: 2
Required: 2
Proposed: 2

HEIGHT: *In Feet / # of Stories*
Existing: N/A
Required: _____
Proposed: _____ / _____

SIGNS:
Existing: _____
Required: _____
Proposed: _____

ATTIC / HALF STORY: N/A
Existing: _____ / Proposed: _____

LANDSCAPING:
Existing: _____
Required: _____
Proposed: _____

CRAWL SPACE - CELLAR - BASEMENT:
Existing: _____ / Proposed: N/A

NOTE: **If you submit Revised Plans – You MUST SUBMIT A COVER LETTER listing EACH CHANGE & 9 COPIES.**

REVISONS FEE: Revised Plans, which require additional staff review ***ADDITIONAL FEE*** of HALF of original Appl. fee is *REQUIRED.*