



TOWN OF WESTPORT

ZONING BOARD OF APPEALS

TOWN HALL, 110 MYRTLE AVENUE

WESTPORT, CT 06880

(203) 226-8511 EXT 214

August 25, 1995

John and Alison Lerch
6 Manitou Court
Westport, Ct. 06880

RE: ZBA #5157
ADDRESS: 6 MANITOU COURT
OWNER OF PROPERTY: JOHN AND ALISON LERCH

Dear Mr. and Mrs. Lerch:

This is to certify that at the work session of the Zoning Board of Appeals held on August 22, 1995, the Board voted unanimously 5 - 0 (Allen, Herman, Watson, McClellan, Freeman), to GRANT your request for variance, and the following resolution was adopted:

RESOLVED: "That the request of John and Alison Lerch at 6 Manitou Court for CAM Review and variance of Sec. 6-3 (non-conforming lot), Sec. 6-3.1 (non-conforming setbacks), Sec. 11-4 (setbacks), to remove living space and utilities from lower level, and to add new story with screened porch, entryway and boat storage area in a Res. AAA zone, (Assessor's Map #5304, lot 30-27), be granted in accordance with the plans submitted with the application ("Property surveyed for John A. Lerch & Alison Lerch, 6 Manitou Court, Westport, Connecticut, Note property is located in "AAA" Residence Zone. Scale: 1"=40', Date: June 9, 1992, Revised August 6, 1992 (Add Elevations), Revised April 21, 1995 (show addition), Revised June 5, 1995 (W.P.L.)" by Dennis A. Deilus, Surveyor, and Building Plans stamped "Approved" by Zoning Board of Appeals 8-22-95."

Effective Date: Contingent upon applicant filing this resolution with the Town Clerk no later than September 28, 1995.

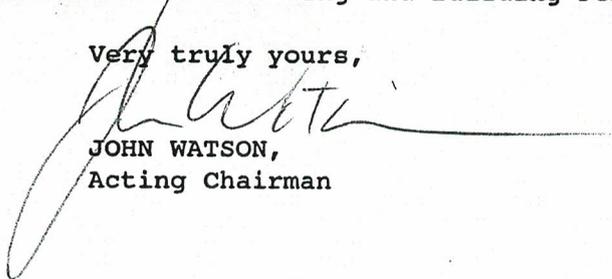
A Zoning Permit must be obtained within one year of the effective date of this variance, or it becomes null and void.

ZBA CASE #5157
LERCH - 6 MANITOU CT.
PAGE 2 OF 2

The project must be built in conformance with the approved plans. The structure cannot be demolished unless it has been specifically requested on the application.

After this variance has been filed with the Town Clerk you can then obtain the required Zoning Permit and Building Permit to proceed with your project. If your property is serviced by a septic system, the Health Department must review your final building plans prior to the issuance of the Zoning and Building Permits.

Very truly yours,



JOHN WATSON,
Acting Chairman

JW:ek
enc.
cc: ZEO
Certified Mail: RRR

ZBA CASE #5157

Application of John and Alison Lerch

6 Manitou Ct.

RECEIVED FOR RECORDING
WESTPORT LAND RECORDS
95 SEP - 1 PM 3:13
PAGE 1
YOUNG
CLERK

Pursuant to the publication in the Westport news on August 9, 1995 and August 16, 1995, a public hearing was held by the Zoning Board of Appeals in the Town Hall, 110 Myrtle Avenue, Westport, Connecticut on August 22, 1995 at 7:30 p.m. in the auditorium, on the application of John and Alison Lerch, 6 Manitou Ct. for a CAM Review and variance of Sec. 6-3 (non-conforming lot), Sec. 6-3.1 (non-conforming setbacks), Sec. 11-4 (setbacks), to remove living space and utilities from lower level, and to add new story with screened porch, entryway and boat storage area in a Res. AAA zone. (Assessor's Map #5304, lot 30-27).

MEMBERS PRESENT: John Watson, Acting Chairman, Judy McClellan, Barbara Herman, Dr. Stanley Freeman and alternate Win Allen.

STAFF PRESENT: Kathy Barnard, P&Z Administrator and Wendy Watson, Recording Secretary.

Alison Lerch: Purchased in July of 1992. In December of 1992 we had a bad flood with 2.5 feet of salt water in our home causing extensive damage. 2900 square feet, 40% which is in lower level. Family of four, all space needed. Ninth version of plans given to get out of flood area. Coverage, height and flood level okay. Need variance for setback. Hardship 1 - Forced to work with existing house already within setback from Saugatuck River. Addition on top of existing structure. Hardship 2 - Topography, house at base of very steep hill, (photos shown), rocky terrain. Hardship 3 - To remove living space from flood plane. Been flooded 3 times since. Addition to be 17% increase of living space. Flood is main, only concern. Health, WPLO approval received.

Barnard: CAM review. Consistent with policies. Will meet flood zone requirements. Septic being upgraded.

Watson: Public?

Watson: On existing foundation.

A. Lerch: Next step is to speak to town engineers for approval.

Barnard: To P&Z with Cam review.

With no additional comments or questions from the board or audience, this hearing is closed.

A verbatim tape of this hearing is available in the Zoning Board of Appeals office, Tape 705, side A.

Meeting in Work Session on August 22, 1995, the Board discussed this case as follows:

Mr. Allen made the motion to GRANT

HARDSHIP

- Existing location of house.
- Severe flooding problem.
- Topography.

Freeman: Absolute necessity.

Watson: No impact on the neighbors.

Herman: Dangerous to have living area that floods.

McClellan: Existing house is in setbacks, that is the hardship.

Watson: Have other approvals. Will conform to V zone regulations. Will conform to the flood zone requirements.

Ms. Herman seconded and the Board voted 5 - 0 (Allen, Herman, Watson, McClellan, Freeman).

Consistent with the CAM goals and policies.

The Resolution was adopted per the attached letter.

STANLEY FREEMAN, D.D.S.,
Secretary

by Eve Kaminsky
Eve Kaminsky, Clerk



WESTPORT CONNECTICUT

THE PLANNING & ZONING COMMISSION
TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 226-8311

Hearing: September 21, 1995
Decision: September 21, 1995

September 26, 1995

Mrs. Alison Lerch
6 Manitou Court
Westport, CT 06880

Re: 6 Manitou Court, Appl. #95-084

Dear Mrs. Lerch:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on September 21, 1995 it was moved by Mark Owades and seconded by Rick Benson to adopt the following resolution.

RESOLUTION #95-084

BE IT RESOLVED that Application # by Alison Lerch for property owned by John and Alison Lerch for CAM Site Plan Approval to construct an addition above flood elevation in a Res AAA, Map 5304, Lot 30-27 be Approved subject to the following conditions:

1. Conformance to ZBA Variance #5157.
2. Conformance to Property Survey, prepared by Dennis A. Deilus dated 6/9/92, revised to 6/5/95 and received by P&Z on July 20, 1995.
3. Conformance to Building Floor Plans and Elevations (3 sheets) prepared by Benjamin M. Baker, Architects dated 6/28/93, revised to 9/5/95 and received by P&Z on September 6, 1995.
4. Prior to the issuance of a Zoning Permit please submit the following documents to the office:
 - a. 3 copies of final site development plans for Engineering review.
 - b. A Sedimentation and Erosion Control Plan approved by the Conservation Commission Director.

ZONING PERMIT
WESTPORT, CONNECTICUT

09577

This permit is hereby applied for in accordance with the requirements of the Westport Zoning Regulations for: recessed 145,230.

Principal Bldg. - new Swimming Pool Sign: Wall, free standing
 Principal Bldg. - add. Access. Struct. Other
 Address... 6 Manitow Court... on W side of Street
 Tax Map No. 5304... Tax Lot No. 30-27... WLR Map No. 7911.9.7560
 Zoning District AAA... Lot Area 58,800.7
 Lot Owner John & Alison Leach... 80% steep slope = 51,680
 Address... same... Telephone 227-2394
 Applicant same
 Address... same... Telephone...

Proposed Use: int. reno. to convert exist basement (story) to screen porch & storage of boat equipment, 40'x54' (35'14" peak to incl. of pt.) overall dimensions of 2nd fl addn for 1/4 rms/baths w/ a/bz above 10'x13' (14'2" incl. addn)

5/14/96

Proposed Structures: same to add 2nd fl addn Existing Structures: 2 front porch, 6'x14' 2nd fl
 1. Dimensions... x... x (hgt.)... Number... 2 front porch
 2. Dimensions... x... x (hgt.)... Present Uses single fam. dwell
 3. Dimensions... x... x (hgt.)... det. gar. acc. apt.
 4. Parking Spaces Req'd/Provided... 4/4... 5. Signage Allowed/Proposed... 0
 6. Coverage Allowed: Bldg. 25% Total Coverage Proposed Bldg. 25% Total
 7. Setbacks: non-conf. 30' front, 25' sides & rear

Prior Approval Status:
 1. ZBA Variance 5/5/95 for addn. 35'6" 10. Town Engineer Appr. 9/3/95
 2. Health Appr. Date 6-21-95 5/5/96 11. WPLD/IWW Approval Date 6/23/95
 3. Sewer Permit No. 2 12. S&E Plan Appr. 3/20/96 5/3/27/96
 4. Driveway/CT DOT Permit No. 2 13. DEP/ARMY COE Permit...
 5. ARB Appr. 9-21-95 9-5-084 14. Flood Elevation 14 zone V6 with 6.0' of water
 6. P&Z/ARC Appr. Date 9-21-95 15. Aquifer Zone...
 7. CAM Appr. Date 9-21-95 16. Other Approvals... contract 4/29/96 zone C
 8. Subdivision Appr. Date...
 9. F&ECB Appr. 2
 17. Building Plans (Titled) Leach, Ben. 6 Manitow Court (5/13/96)
 (by) Benjamin M. Baker (dated) 5/22/95 (Revised) 3/17/96 No. of Sheets 13

Permit hereby ISSUED or DENIED subject to conformance with/to the Westport Zoning Regulations and attached Site or Plot Plan:

Titled: John A. & Alison Leach 6 Manitow Ct.
 Prepared by: Benjamin Baker Dated 6/19/95 Revised 6/5/95 and the following conditions (reasons) basement to be used only for screen porch & storage of boat equipment & other (flood proof) items new construction to meet code requirements for flood zone V (el. 14 m.s.l.), final Health / engin / cons. dept. approvals req'd for ZCC, final inspection req'd for ZCC, final driveway confirming addn setbacks & house elevations for flood zone req'd for ZCC
- no liv. quarters below main floor, addn. const. cost < 1/2 MV or

Certified Foundation Plan Required NO Final As-Built Plan Required YES
 Zoning Certificate of Compliance Required YES Temporary Z.P. Time Period
 Permit void if: a. Work or activity not commenced within 1 year of the date of issuance, or b. Construction authorized not completed within 2 years of date of issuance.
 Failure to comply with the conditions of approval of this permit shall constitute a violation of the Westport Zoning Regulations.
 Construction Cost contract 129,240 or 5/14/96 SR Permit Fee 175.00 Signature of Agent or Owner Alison Leach
 Date 3/27/96 5/14/96 SR ZCC Fee 10.00 By: Dana S. Arnold
 Permit # 26649 SR Paid Total 185.00 Westport Planning & Zoning Commission

ZONING CERTIFICATE OF COMPLIANCE
Planning & Zoning Commission

Westport, Connecticut

This is to certify that property located at 6 Manitou Court

Tax Map #5304, Tax Lot #30-27, WLR # 4911, ZBA #.

Premises covered by Zoning Permit #26649, Zone Res. AAA

Issued to: John & Alison Lerch

Mailing Address: Same

To verify that a plot plan titled John & Alison Lerch certified by Dennis Deilus and dated 1-2-97 for the above referenced lot and the structures thereon has been presented to the Zoning Enforcement Officer, and such plan indicates that the construction or use is in conformance with:

1. All applicable Zoning Regulations;
2. All conditions and requirements of the Zoning Permit;

Date: January 29, 1997

Inspected by: Steve Pa

Date: 2/21/97

Issued by: Susan Reynolds

Zoning Enforcement Office
Westport P & Z Commission

Health 1-31-97

Conservation 2-21-97

Engineering 1-30-97

Unheated porch cannot be converted to permanent living area

