

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#: _____
Submission Date: _____
Receipt Date: _____
Fee Paid: _____

1. Property Address: 6 MANITOU COURT Zone: RES. AAA
Commercial Property: or Residential:
2. Applicant's Name: BARR ASSOC. LLC E-Mail: BARRPLAN @ EARTHLINK . NET
Applicant's Address: 25 SYLVAN RD S. SUITE P Daytime Tel: 454-9933
WEST CT 06880

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: 6 MANITOU CT. LLC E-Mail: 70 gdesmond @ optonline.net
Property Owner's Address: 2 MANITOU CT. Daytime Tel: 203-258-5222
WEST CT 06880

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: SEE ATTACHMENT - A

8. Will any part of any structures be demolished? No Yes - If Yes Attach a Demolition Plan:
EXISTING COTTAGE/GARAGE ACCESSORY STRUCTURE
IS TO BE REMOVED. HDC APPROVED THE
DEMOLITION WAIVER ON 3.10.20

9. List each "Regulation Section Number" you are requesting a variance for: i.e. (Sec 6-2 = Set back)
- a) SEC. 6-2.1, EXTENSION OF N/C BUILDING
b) SEC. 6-2.1.6, NEW CONSTRUCTION & d) SEC. 31-7,
c) SEC. 6-3.1, N/C SETBACKS SETBACK FROM WATERCOURSE

10. List any other variances that are requested to legalize any previous issues: i.e. (Sec 11-5 Coverage for existing shed)
- N/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 - B

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

[Signature] 7.31.20 SEE ATTACHED LETTER, 5.6.20
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.

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) M^c INERNEY RESIDENCE
BY: RAC ARCHITECTURE DATE 6.25.20 NUMBER of PGS. 17
REVISOR: 7.21.20 NUMBER of PGS. 17

SURVEY OR SITE PLAN (TITLE) PROPOSED SITE IMPROVEMENTS
BY: LANDTECH DATE 5.12.20 NUMBER of PGS. 6
REVISOR: 5.27.20 NUMBER of PGS. 6

GROSS LOT AREA: 55,585 SF NET LOT AREA: (less 80% wetlands or steep slopes): 50,218 SF

SETBACKS: Front / Side / Rear (From Survey)
Existing: 104' | 2.2'± | 0.0'
Required: 30 | 25 | 25
Proposed: 160'± | 2.5'± | 0.0'

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

COVERAGE: Building / Total (From Survey)
Existing: N/A | 21.9 %
Required: N/A | 25 %
Proposed: N/A | 22.5 %

PARKING:
Existing: 2+
Required: 2
Proposed: 2+

HEIGHT: In Feet / # of Stories
Existing: 35' | 3
Required: 40' | 3
Proposed: 39.3' | 3

SIGNS:
Existing: _____
Required: _____
Proposed: _____

ATTIC / HALF STORY:
Existing: X / Proposed: _____

LANDSCAPING:
Existing: _____
Required: _____
Proposed: _____

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

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

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

JOHN DESMOND BUILDERS INC.

35 Old Post Road
Southport, Connecticut 06890
Telephone (203) 259-7323
Fax (203) 255-2045

MAY 6, 2020

TO: TOWN OF WESTPORT
TOWN HALL
110 MYRTLE AVENUE
WESTPORT, CT 06880

RE: AUTHORIZATION LETTER
6 MANITOU COURT

TO WHOM IT MAY CONCERN:

THIS WILL CONFIRM THAT BARR ASSOCIATES LLC, LANDTECH, RAC ARCHITECTURE & WESLEY STOUT ASSOCIATES ARE HEREBY AUTHORIZED TO REPRESENT APPLICATIONS ON OUR BEHALF FOR THE PROPERTY LOCATED AT 6 MANITOU COURT, WESTPORT, CONNECTICUT (PID # C05/039/000).

6 MANITOU COURT LLC

BY MEMBER: _____

Signature

THOMAS MC INERNEY

Print Name

7/23/20

ATTACHMENT A

PROPOSED PROJECT DESCRIPTION
6 MANITOU COURT

The proposal is to elevate (lift) and renovate the existing 2-story residence (the Boathouse) for FEMA compliance, as well as to construct an addition by way of an 8-foot wide enclosed breezeway (the Bridge) connecting to a building addition (the Barn) up-gradient of the Boathouse site. The proposed Boathouse/Bridge/Barn building will be one single-family residence.

The existing building extensions on the north and east sides of the Boathouse will be removed and a new roof, part gable and part flat, will be provided. The existing wood deck on the south end of the Boathouse will be replaced with a FEMA compliant, detached, low profile deck supported on piers.

The existing non-conforming Cottage/Garage accessory structure will be removed.

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ATTACHMENT B
STATEMENT OF HARDSHIP & REASONS
6 MANITOU COURT

1. LOT SIZE: This is a 1.3 acre lot in a Res. AAA Zone for 2.0 acre lots. Consequently, this lot is non-conforming by 0.7 acres and undersized by 35%.
2. STEEP SLOPES: This lot is encumbered by 12,973 SF of steep slopes greater than 25%, which impact 23% of the lot area. As a result, these steep slopes create an even more non-conforming Base Lot Area of 1.06 acres, which is 47% undersized.
3. TOPOGRAPHY: This site drops some 52 feet from the east side near the street to the River on the west at an overall average grade of 18.9%. The drop from the two existing parking areas to the toe-of-slope near the River is about 20-23 feet at a slope of 34-35%. This severe topography creates an unusual hardship and exceptional difficulty for typical residential development on this lot.
4. EXISTING MAIN RESIDENCE: The existing 2-story residence (aka Boathouse) sits on the River at the toe-of-slope in the southwest corner of the site. It dates from 1960 as stated on the Tax Card and appears on the 1975 WLR Map #7286.

This main residence and decking is located within:

- a) the 25 foot side and rear setbacks;
 - b) the WPLO area, and
 - c) the VE flood zone.
5. PRIOR VARIANCE: On 8/22/95, the ZBA granted Variance #5157 “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.” The ZBA stated the HARDSHIPS as:
 - a) Existing location of house.
 - b) Severe flooding problem.
 - c) Topography.

The ZBA also found this 1995 application to be “Consistent with the CAM goals and policies”. This variance was implemented through the P&Z CAM Site Plan Resolution #95-084, Zoning Permit #26649, a January, 1997 As-Built Survey and a ZCC issued 2/21/97.

These same hardships at this pre-approved location still exist today.

6. FEMA FLOOD ZONE: FEMA changed the flood elevations in 2013 and the P&ZC changed them again in 2019. The current required VE flood elevation under the Zoning Regulations, as amended, is $14.0 + 1.0 = 15$ feet MSL to the bottom of joists or beams. This means the finished floor level should be at least Elevation 16.0 feet MSL to comply. The existing Finished Floor Elevation in this Boathouse is 14.6 feet MSL to the top of floor, which is 1.4 feet below the currently required flood elevation. Therefore, the existing Boathouse is non-compliant.

The proposed Finished Floor Elevation for the “lifted” Boathouse will be 21.0 feet MSL, which brings the Boathouse into compliance with FEMA and allows for a bridge connection into the Lower Level of the Barn addition at the same elevation.

7. COVERAGE WITHIN SETBACKS AND WPLO AREA: As a result of the proposed Boathouse modifications, the total coverages within the building setbacks and the WPLO area, will be reduced by 8% and 3%, respectively.

TOTAL COVERAGES

<u>CATEGORY</u>	<u>WITHIN REAR BUILDING SETBACKS</u>	<u>WITHIN WPLO AREA</u>
1. Existing	1,995 SF	2,295 SF
2. Proposed	1,835 SF	2,233 SF
3a. Difference	(160)	(62)
3b. % Reduction	(8.0%)	(2.7%)

8. OTHER NON-CONFORMING REDUCTIONS: The proposed project will further reduce existing non-conformities as follows:

- A. The 2nd detached residence (cottage/garage) will be removed;
- B. The existing main residence (the Boathouse) will be “lifted” for FEMA compliance to prevent hazard to life and property;
- C. Some of the existing building area (Boathouse footprint) and building “bulk” (Boathouse mass or size) located within the setbacks and/or WPLO area will be reduced as a result of the proposed Boathouse modifications;
- D. The existing non-conforming setbacks for the existing main residence (the Boathouse) will be slightly reduced by the removal of some existing decking along the River; and
- E. The existing wood deck on the south side of the Boathouse will be replaced with a FEMA compliant, detached, low profile deck supported on piers.

9. COMPLIANCES: The project has been designed to comply with:

- a) the FEMA VE Flood Elevation of 14+1 = 15 feet to the bottom of floor joists;
- b) a building height of 3 stories and 40 feet;
- c) the total coverage of 25% and
- d) the excavation fill standards for quantity, slope, distance and height.

However, this project will require a P&ZC Site Plan Review for some proposed regrading that extends beyond the 25 foot limit from structures.