

Trianovich, Amanda

Subject: FW: Please submit this to file 233 Hillspoint variance (ZBA#20-00305)
Attachments: updatetwo(09012020)_petition_to_ZBA_to_deny_application_#20-00305_et_al_for 233_Hillspoint_Rd.pdf

From: David J. van Dorsten <dvandorsten@optimum.net>
Sent: Tuesday, September 1, 2020 1:45 PM
To: Zoning Board of Appeals <ZBA@westportct.gov>
Cc: Tyminski, Cindy <ctyminski@westportct.gov>
Subject: Please submit this to file 233 Hillspoint variance (ZBA#20-00305)

RECEIVED
SEP 01 2020
WESTPORT Z.B.A.

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Dear P&Z and ZBA

This FEDEX original just arrived. The name of the owner and abutter already appears on the "updateone" petition email that was sent for submission referencing the hard copy to follow.. This is the original signature for your records. Please submit to the official file.

David van Dorsten

203 221 7131 h
917 282 4907 c

Regarding 233 Hillspoint Road (ZBA #7592, ZBA #7629, Revoked Zoning Permit #42345, ZBA 20-00305) ,

We the undersigned ask the ZBA to deny this application. We fully support the points below:

1. Westport Town P&Z & ZBA **must** enforce all rules to their fullest extent to protect ALL Westport residents from overdevelopment of this parcel, abutted by public & public park property on three sides.
2. Recognize that the owner/developer acted independently to abandon the Commercial Use of the property and to demolish the existing structure. In doing so, the owner lost all claims to prior, non-conforming uses and non-conforming coverages.
3. Recognize that all hardships, other than setbacks, are without merit under CT law for this parcel.
4. Financial considerations of the applicant, both direct and indirect, in this development cannot legally be considered a hardship.
5. Limit the development of this Westport property abutting town property on three sides, to:
 - a. 15% building coverage, which is the maximum allowed without a valid hardship variance
 - b. Height of 26' to the midpoint of the roof, starting at FEMA Base Flood Elevation
 - c. Enforcement of the definition of "Cupola", negating usage of stairs, elevators & storage
 - d. Limiting coverage/use of areas within setbacks so that they **do not** include:
 - i. Coverages for egress
 - ii. Coverage for mechanicals

NAME **Address** **Date**

WILLIAM HORWITZ, 232 HILLSPOINT RD.
Trustee, CARYL HORWITZ 8/31/20
REVOCABLE TRUST
C Horwitz