

10-21

APPLICATION OR APPEAL#: ~~SW-213~~

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

Please check appropriate box(es) Variance Appeal of Cease & Desist

1) Applicant: Madeline Caraballo
Mailing Address: 34 Ilion Rd New Fairfield CT 06812
Phone#: (917) 214-0385
Email: madlo1@aol.com

2) Premises located at: 34 Ilion Road New Fairfield CT on the (N S E W) side of the street
at approx. 50 feet (N S E W) from Elmwood Rd (nearest intersecting road).

3) Property Owner Name: Madeline + Manuel Caraballo
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 35 Block No.: 11 Lot No.: 2+3

5) Zone in which property is located: R-44 Area of Lot: 0.4132 acres

6) Dimensions of Lot: Frontage: 180' Average Depth: 100

7) Do you have any Right of Ways or Easements on the property? NO

8) Is the property within 500 feet of Danbury, Sherman or New York State? NO

9) Have any previous applications been filed with ZBA on this property? NO

If so, give dates and application numbers: _____

10) Proposal for which variance is requested: for an above ground pool

Hardship: pre existing non conforming lot with significant slope

11) Date of Zoning Commission Denial: _____

12) Variance(s) Requested: () USE () DIMENSIONAL

Zoning Regulations (sections): See attached Non-Compliance Letter

Setbacks Requested: Front to: NR Rear to: 50' to 28'
Side to: NR Side to: NR

14' verbally agreed at 3/18/21 mtg. jmb

13) Use to be made of property if variance is granted: residential

14) If this Application relates to a Cease and Desist Order then this application must be made within 30 Days of the issue date of that Cease and Desist Order. CEASE & DESIST ORDER DATE: _____

SIGNATURE OF OWNER OR AGENT: Madeline Caraballo DATE: 2/13/2021

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan White, Zoning Enforcement Officer

DATE: February 23, 2021

PROPERTY OWNER: Madeline Carballo

PROPERTY ADDRESS: 34 Ilion Road

APPLICANT/AGENT: Madeline Carballo

MAILING ADDRESS: 34 Ilion Road

ZONING DISTRICT: R-44 MAP:35 BLOCK: 11 LOT: 2+3

Please be advised that the owner would like to propose (SEE ATTACHED APPLICATION...Proposal for which variance is requested).

Review of the New Fairfield Zoning Regulations indicated that the above proposal fails to meet the following Zoning Requirements:

Sections:

- 3.0.6-Swimming Pools (A+B)
- 3.2.5-Minimum Lot Area and Frontage (A)
- 3.2.6-Minimum Building or Structure Setbacks (C)
- 3.2.11-Minimum Lot Dimensions
- 7.1.12-Improved Lots Not in a Validated or Approved Subdivision (A+B)

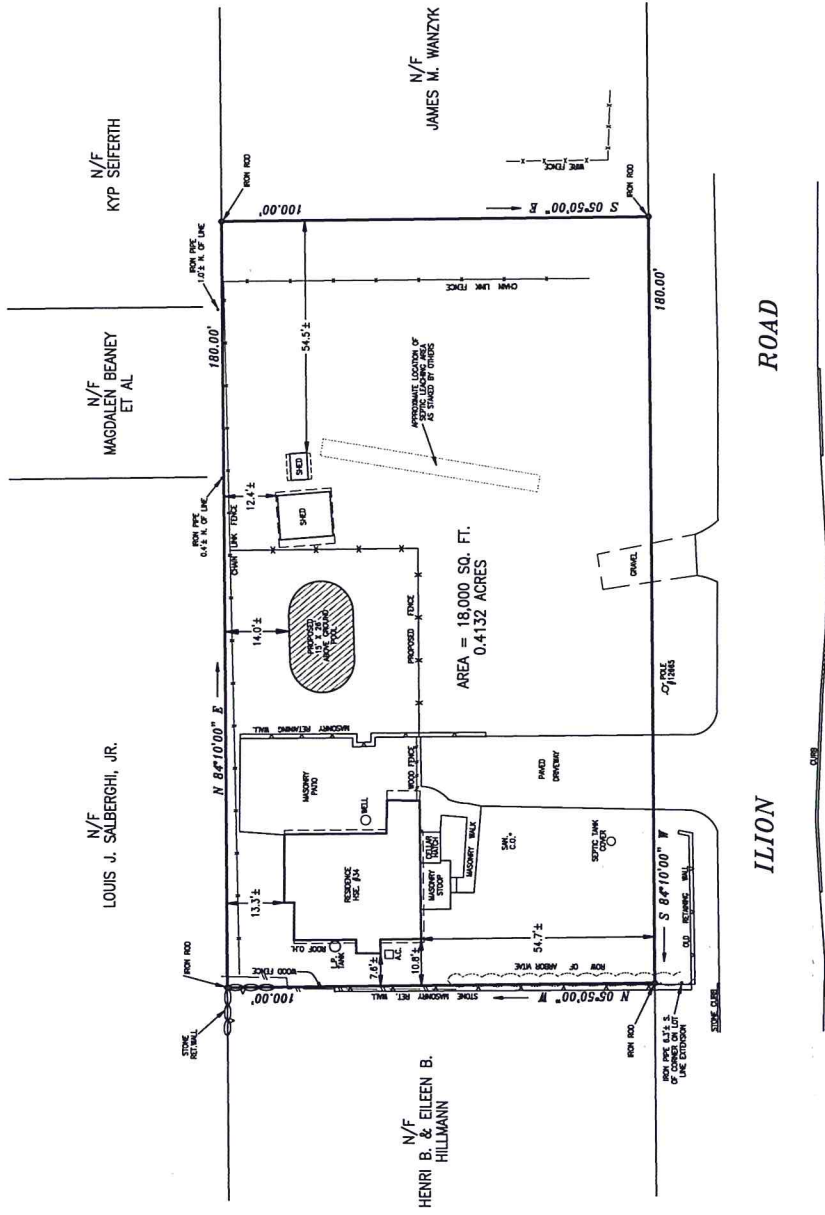
THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.

THE OWNER/APPLICANT SHALL BE RESPONSIBLE FOR ANY DECISION MADE FROM RELIANCE ON THIS FORM AND IT SHALL NOT CREATE LIABILITY ON THE PART OF ANY OFFICER OR THE TOWN OF NEW FAIRFIELD.

IN COMPLEX MATTERS, THE OWNER/APPLICANT MAY WISH TO SECURE THE SERVICES OF AN ATTORNEY.



Evan White, Zoning Enforcement Officer
Town of New Fairfield



PROPERTY SURVEY
 PREPARED FOR
MANUEL & MADELINE CARABALLO
 34 ILION ROAD
 TOWN OF NEW FAIRFIELD FAIRFIELD COUNTY, CT.

SCALE: 1" = 20'
 FEB. 8, 2021
 REVISED MAR. 29, 2021 FOR POOL LOCATION

- NOTES:
- 1) PROPERTY IS LOCATED IN R-44 ZONING DISTRICT.
 - 2) REFERENCE MADE TO TOWN CLERK MAP NO. 154, 3538 AND VOL. 130 PG. 134, VOL. 136 PG. 823, VOL. 160 PG. 720, VOL. 130 PG. 151 & VOL. 524 PG. 91 OF THE NEW FAIRFIELD LAND RECORDS.
 - 3) THIS MAP REPRESENTS A DEPENDENT RESURVEY OF PROPERTY AS DEPICTED ON T.C. MAP NO. 3538.
 - 4) PROPERTY IS SUBJECT TO COVENANTS, RESTRICTIONS, CONDITIONS AND EASEMENTS OF RECORD.
 - 5) MONUMENTATION FOUND OR SET DEPICTED HEREON.
 - 6) REFERENCE MADE TO SECTION 8-13A OF THE CONNECTICUT GENERAL STATUTES.
 - 7) UNDERGROUND UTILITIES, DRAINAGE, SANITARY SYSTEMS, AND OTHER SUBSURFACE IMPROVEMENTS, IF ANY, ARE NOT SHOWN HEREON.
 - 8) BUILDING COVERAGE EQUALS 5.5% ±.
 EXISTING IMPERVIOUS SURFACES COVERAGE EQUALS 16.6% ±.
 PROPOSED IMPERVIOUS SURFACES COVERAGE EQUALS 18.5% ±.



THIS SURVEY MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" (P.L. NO. 06-21-96) AS ENFORCED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC.

IT IS A PROPERTY SURVEY BASED ON A DEPENDENT RESURVEY OF EXISTING MAPS.

THIS SURVEY MEETS CLASS A-2 STANDARDS. TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

PREPARED BY THE OFFICE OF
PAH, INC. ~ LAND SURVEYORS
 85 DANBURY ROAD NEW MILFORD, CT.