

APPLICATION OR APEAL#: 11-21

### APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: James Shull  
Mailing Address: 9 Dunham Drive units 19+20 New Fairfield  
06812 Phone#: 203 313-1572  
Email: jshullCUSTOMSTAIRS@Sbcglobal.NET

2) Premises located at: 17 Great meadow on the (N S E W) side of the street  
at approx. 1500.0 feet (N S E W) from RT 39 (nearest intersecting road).

3) Property Owner Name: Paul Fortuna  
Interest in Property: OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 10 Block No.: 5 Lot No.: 2

5) Zone in which property is located: Z Area of Lot: \_\_\_\_\_

6) Dimensions of Lot: Frontage: 51' Average Depth: 95'

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: 6'-2" x 28' Deck off rear of existing Home

Hardship: pre existing, non conforming narrow shallow lot

11) Date of Zoning Commission Denial: March 23/2021

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

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

Setbacks Requested: Front to: 40' to w/a Rear to: 50' to 32'  
Side to: 20' to 3' Side to: 20' to

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: James Shull DATE: 3/11/21



ZONING BOARD OF APPEALS  
APR 15 2021

PROPOSAL

received  
3-11-2021

**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT: VERIFICATION OF NON-COMPLIANCE**

**FROM: Evan White, Zoning Enforcement Officer**

**DATE: March 23, 2021**

**PROPERTY OWNER: Paul Fortuna**

**PROPERTY ADDRESS: 17 Great Meadow**

**APPLICANT/AGENT: James Shull**

**MAILING ADDRESS: 9 Dunham Drive Units 19 & 20 (New Fairfield)**

**ZONING DISTRICT: R-44    MAP: 10    BLOCK: 5    LOT: 2**

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:

- 3.2.5-Minimum Lot Area and Frontage (A+B)
- 3.2.6-Minimum Building & Structure Setbacks (B+C)
- 3.2.11—Minimum Lot Dimensions
- 7.1.1.2-Improved Lots Not in a Validated or Approved Subdivision
- 7.2.3-Nonconforming Use of Building or Structure; Nonconforming Building or Structures (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.**



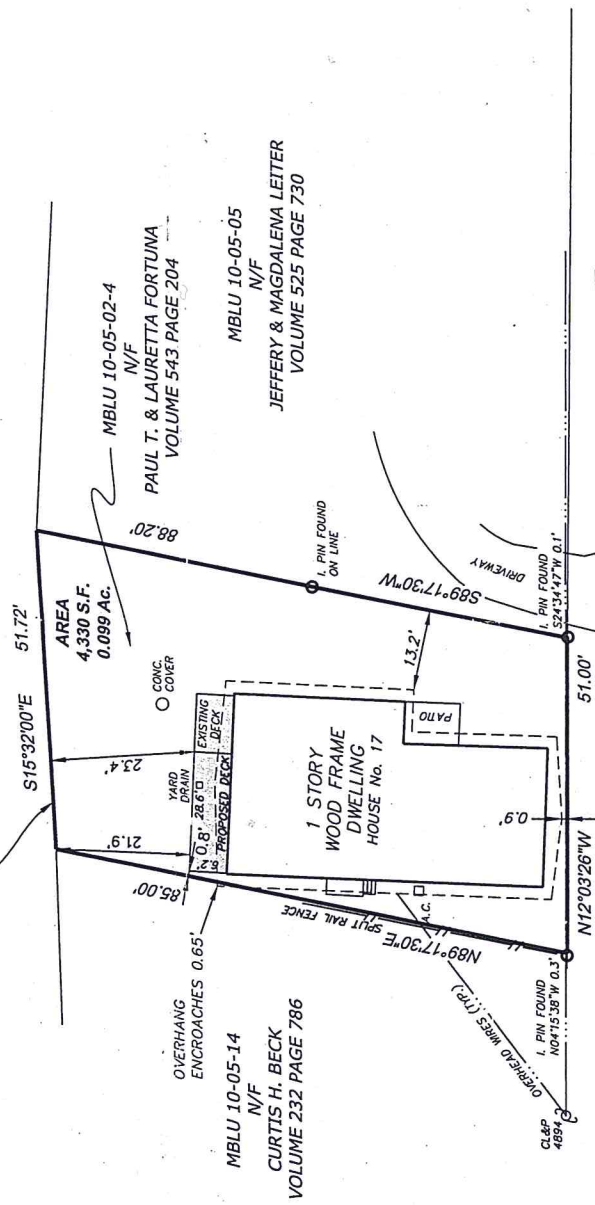
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Evan White, Zoning Enforcement Officer  
Town of New Fairfield

PATIO

4" PVC

PROPERTY AND 440 CONTOUR LINE AS DEPICTED ON T.C. 346



GREAT MEADOW ROAD

ZONING REQUIREMENTS	EXISTING	PROPOSED
MINIMUM LOT AREA	1 ACRE (43,560 SQ. FT.)	0.099 AC (4,330 SQ. FT.)
FRONT SETBACK MIN	40 FT	0 FT
		NO CHANGE

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EXISTING HOUSE

EXISTING DECK 112"

10" CONDUIT

74"

107"

106"

106 1/2"

12"

34 1/2" 28' 7/8"

SEPTIC TANK LID

STAINLESS STEEL CABLE RAIL NO MORE THAN 4" APART

2x10 GIRDER

6x6 POST

SIMPSON JOIST HANGERS

6x6 SIMPSON ADJ POST BASE W/ 1/2" FOUNDATION BOLT

4" CONCRETE PIER 10" DIA.

2x8 FLOORING

2x10 GIRDER

EXISTING DECK

POSTS ARE 4x4 WITH PVC POST SLEEVES

1/4" SCALE