

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: FRANK MOORE
Mailing Address: 7 BIRCH DR CANNEWOOD HILLS
NEW BRITAIN CT 06812 Phone#: 203-948-6917
Email: MOORE.COMMISSIONER@GMMTC.COM

2) Premises located at: 7 BIRCH DRIVE on the (N S E W) side of the street
at approx. 350 feet (N S E W) from CANDLE HILL ROAD (nearest intersecting road).

3) Property Owner Name: Evelyn Moore

Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 2 Block No.: 3 Lot No.: 19

5) Zone in which property is located: R-44 Area of Lot: .46 ac

6) Dimensions of Lot: Frontage: 21.9' Average Depth: _____

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? Yes

If so, give dates and application numbers: 59-18

10) Proposal for which variance is requested: New 3 CAR GARAGE WITH
Finished 2nd floor. Addition on Back of House
Mudroom to connect House & Garage (3 Car Garage)

Hardship: No garage on site, 2 Bedroom House No Attic or Basement
for storage. In existing narrow, shallow, odd shape 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 22' Rear to: _____
Side to: 20' to 7.2' Side 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: Evelyn E Moore DATE: 3-17-21

received
3-17-21

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan White, Zoning Enforcement Officer

DATE: March 23, 2021

PROPERTY OWNER: Evelyn E. Moore

PROPERTY ADDRESS: 7 Birch Drive

APPLICANT/AGENT: Frank Moore

MAILING ADDRESS: 7 Birch Drive

ZONING DISTRICT: R-44 MAP: 2 BLOCK: 3 LOT: 18

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)

3.2.6-Minimum Building & Structure Setbacks (A+B)

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+E)

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.

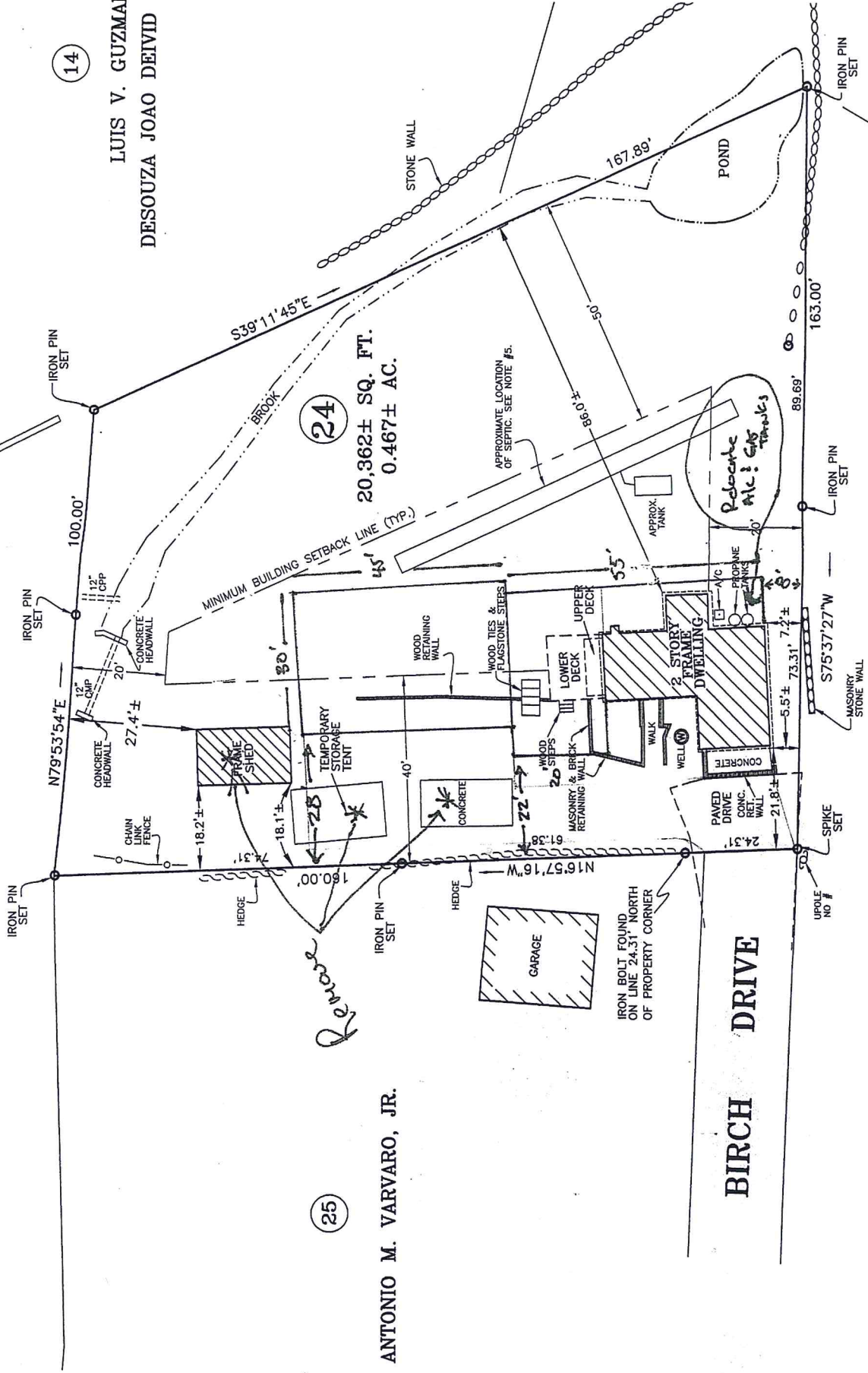


Evan White, Zoning Enforcement Officer
Town of New Fairfield

14

LUIS V. GUZMAI
DESOUZA JOAO DEIVID

PF



20,362± SQ. FT.
0.467± AC.

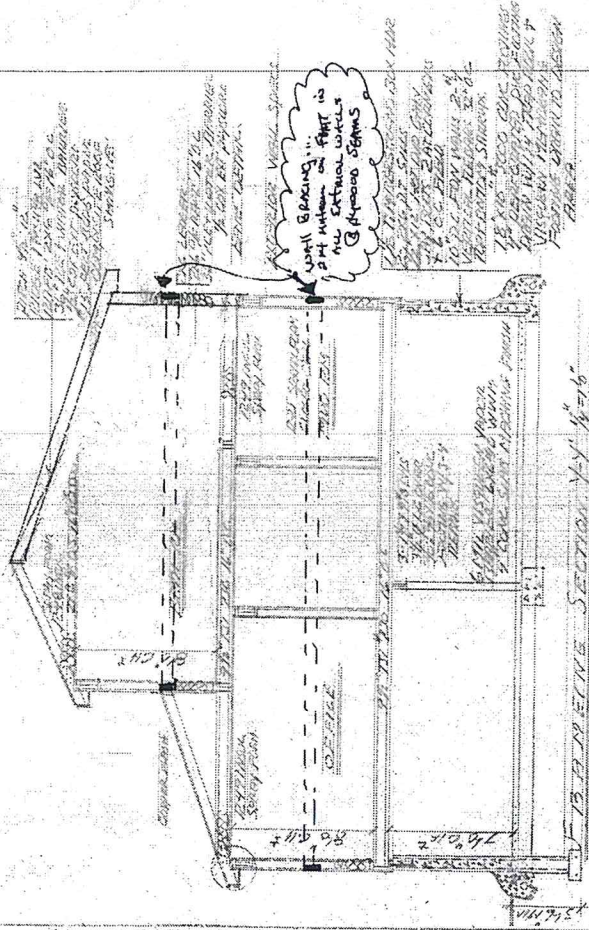
ANTONIO M. VARVARO, JR.

DAWN WILSON

BIRCH DRIVE

IRON BOLT FOUND
ON LINE 24.31' NORTH
OF PROPERTY CORNER

Front View - 73



Small cloud-shaped note:

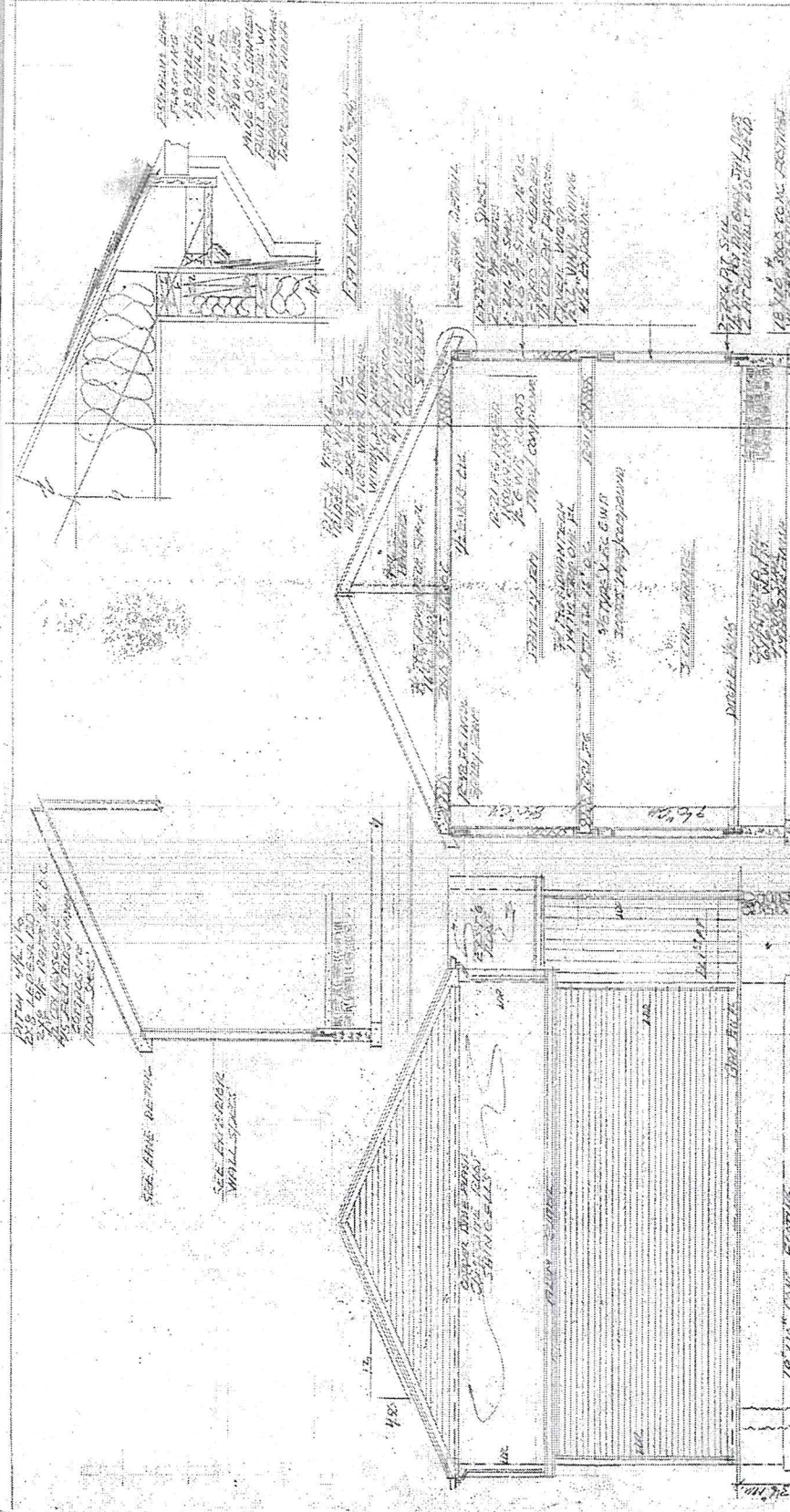
Small cloud-shaped note: vent bracing in 2nd story on floor is not structural walls @ second story

Vertical text on the right side of the drawing:

ADDITIONAL SCHEDULED BUILDING
 1937
 7-11-37
 7-11-37

Vertical text at the bottom of the drawing:

SECTION Y-Y 1/4" = 1'-0"



AT THIS POINT
 FLASHING
 1/2" x 1/2" x 10'
 1" x 1/2" x 10'
 2 3/8" x 1/2" x 10'
 ANGLE OR SHIMMER
 BRACKET ON SIDE WITH
 2" x 2" x 1/2"

ITEM No. 153
 2 3/8" x 1/2" x 10'
 ANGLE OR SHIMMER
 BRACKET ON SIDE WITH
 2" x 2" x 1/2"

SEE ANGLE DETAIL
 SEE EXTERIOR
 WALL SYSTEM

PLATE 4' x 4' x 1/2"
 1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'

EXTERIOR SHEET
 1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'

1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'

2 3/8" x 1/2" x 10'
 ANGLE OR SHIMMER
 BRACKET ON SIDE WITH
 2" x 2" x 1/2"

TRUSS
 3 1/2" x 1/2" x 10'
 ANGLE OR SHIMMER
 BRACKET ON SIDE WITH
 2" x 2" x 1/2"

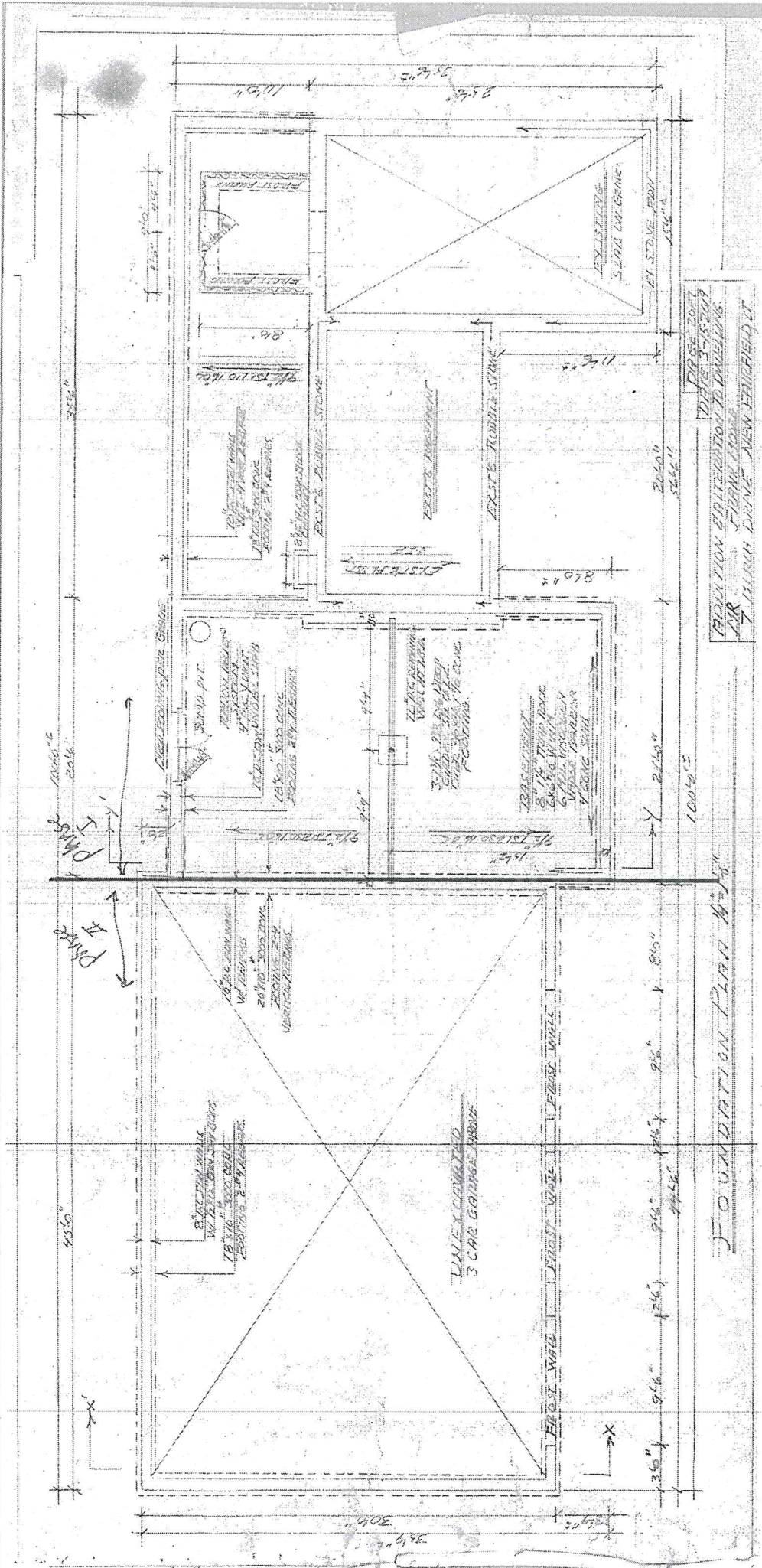
1/2" x 1/2" x 10'
 1/2" x 1/2" x 10'

DATE 5-15-2008

ADDITIONAL ALTERATION TO DWELLING
 FOR STAINLESS STEEL
 ATTACHED ABOVE MEMPHIS REPORT

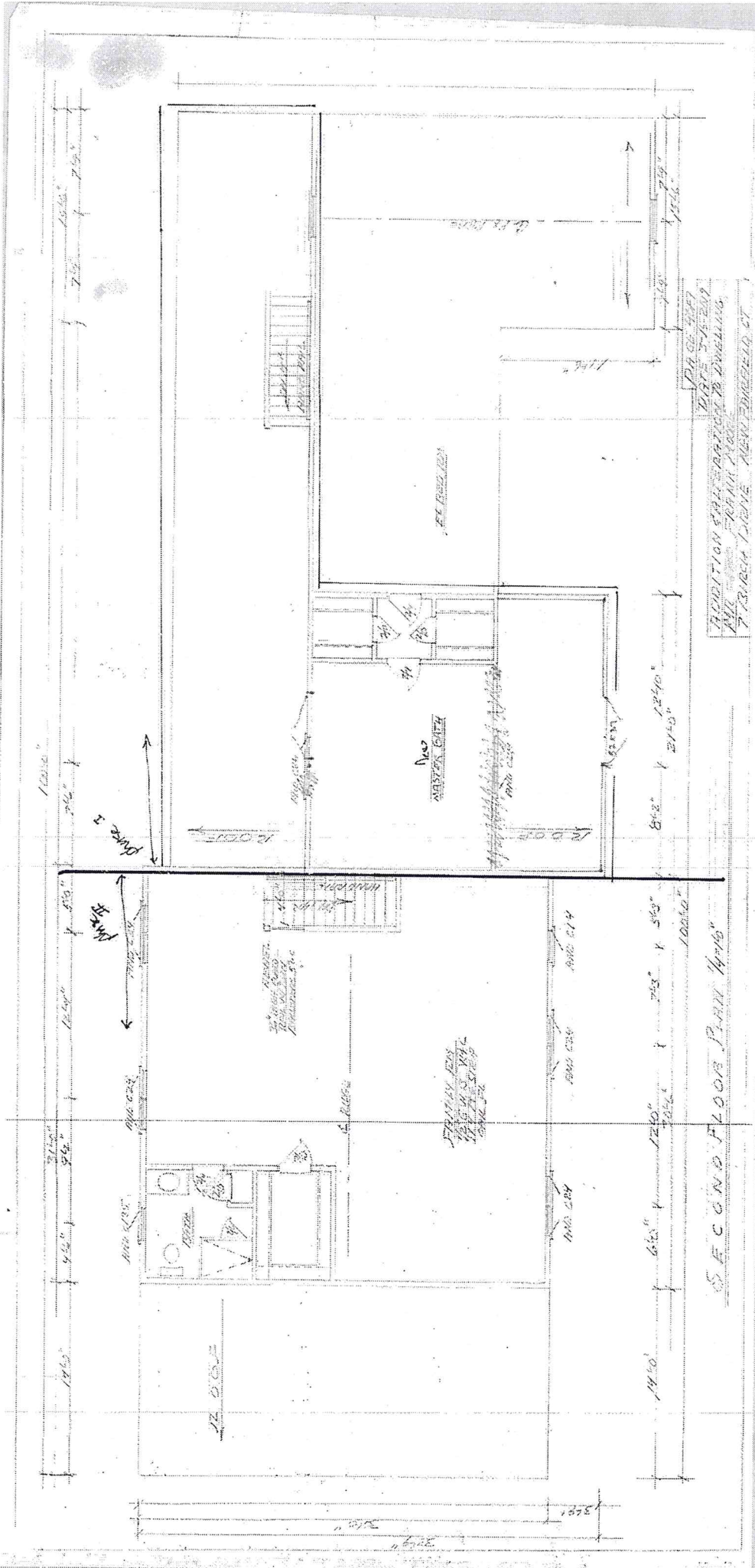
FIG. 12 DETAIL SECTION X-X 4/7/12

NORTH ELEVATION PLAN 4/12



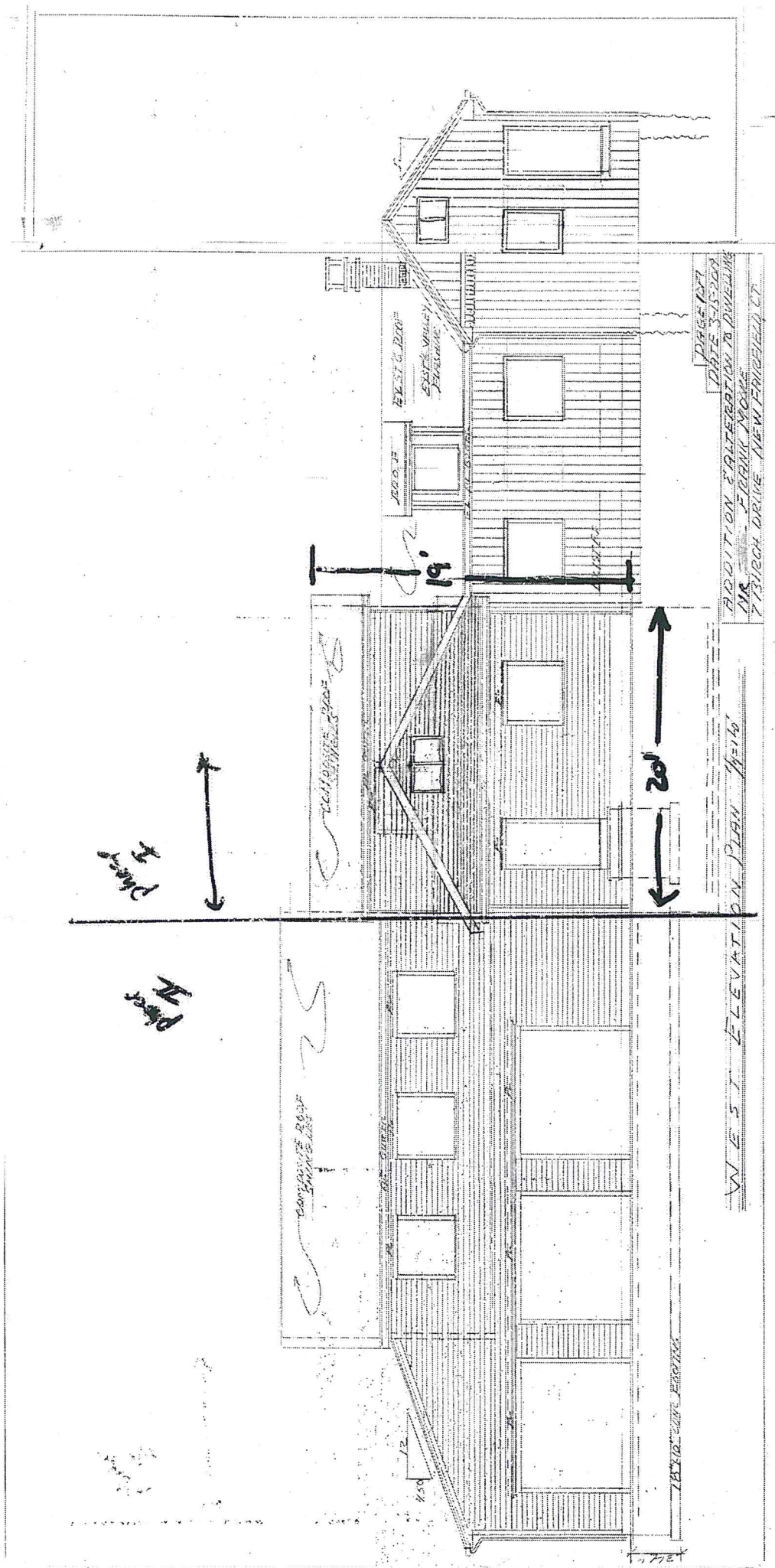
DATE 5-15-2009
 FOUNDATION EXPANSION TO INCLUDE
 AIR
 HORN DRIVE NEW FLOOR PLAN

FOUNDATION PLAN 4-15-09



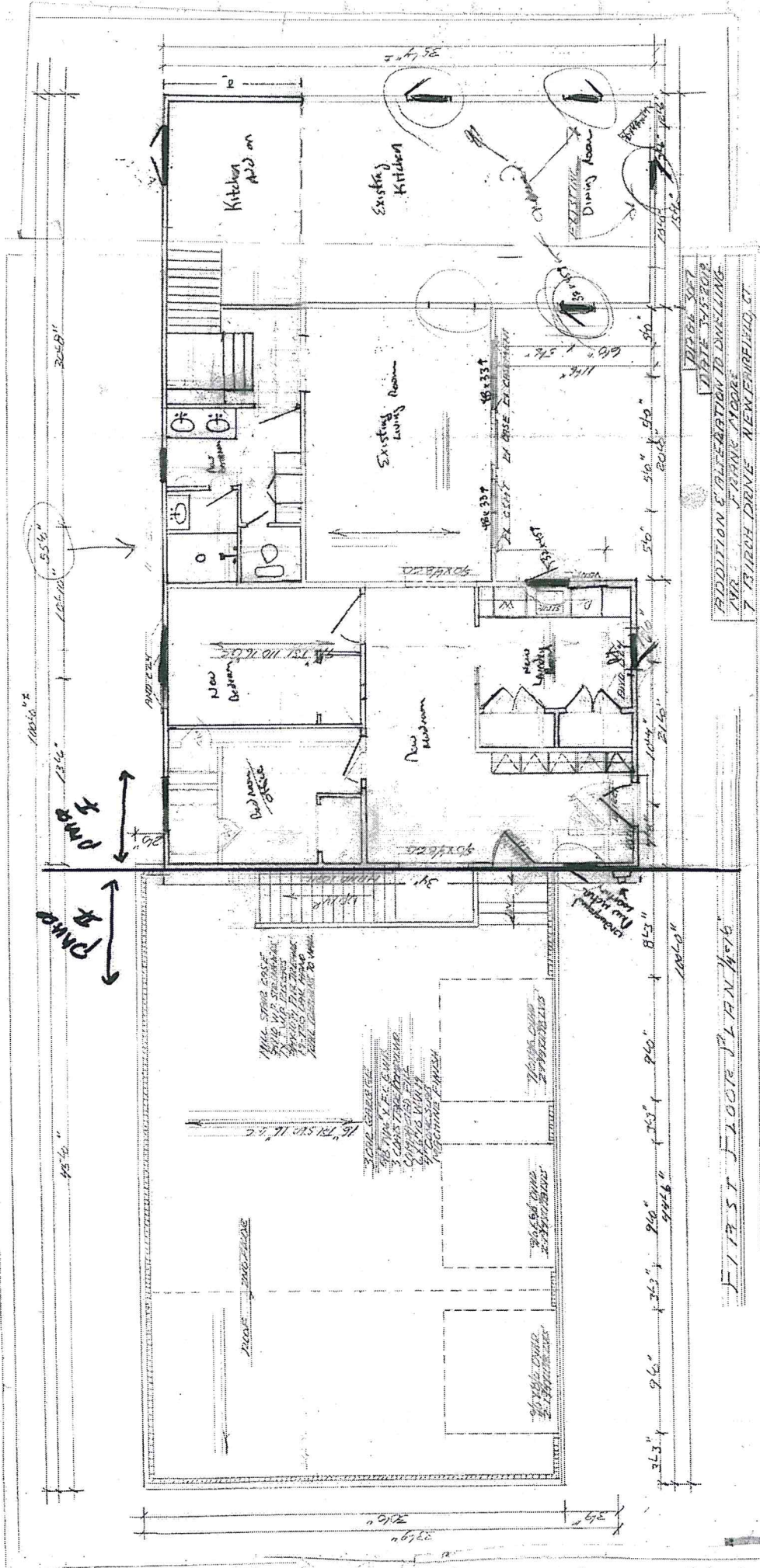
ADDITION EAST PART OF DWELLING
 7. STREET, CORNER NEW BRIDGE ST.
 NEW BRIDGE ST.

SECOND FLOOR PLAN 4/16/08



PAGE 07
DATE 5-15-2008
ADDITION ALTERATION & DWELLING
MR. FRANK MOON
7 BIRCH DRIVE NEW BRITAIN CT

WEST ELEVATION PLAN 4/11/08



**New Fairfield Zoning Board of Appeals
4 Brush Hill Road
New Fairfield, Connecticut 06812**

VARIANCE

Pursuant to the requirement of the Connecticut General Statutes, the Zoning Board of Appeals of the Town of New Fairfield hereby gives notice that it has granted a Variance of the Zoning Regulations as more particularly set forth below:

RECORD OWNER OF PROPERTY: Frank Moore

PROPERTY LOCATED AT: 7 Birch Drive

ZONING DISTRICT: R-44; Map: 2; Block: 3; Lot: 18

VARIANCE DESCRIPTION: A front setback to 22' to allow construction of a garage and addition per the revised plans as submitted to the Zoning Board of Appeals on February 28, 2019.

ZONING SECTIONS VARIED: 3.2.5A&B, 3.2.6A, 3.2.11, 7.1.1.1A&B and 7.2.3A,B&E

I hereby certify that the Zoning Board of Appeals of the Town of New Fairfield approved this variance on February 28, 2019.

Application # 59-18

Dated: February 28, 2019

Joseph DePaul

Joseph DePaul, Chairman
Zoning Board of Appeals

Continued Application # 59-18: Moore, 7 Birch Drive, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 9.5', 3.2.6B Side Setback to 7.2', 3.2.11, 7.1.1.1A&B and 7.2.3A,B&E for the purpose of constructing a two car garage with finished 2nd floor and an addition for a mudroom to connect the house and garage. Zoning District: R-44; Map: 2; Block: 3; Lot: 18.

Bob Jano made a motion to hear Continued Application # 59-18, July 2nd, approved 5-0. Frank Moore returned to the board with revised plans. During this process, the applicant discovered that the existing septic is located too close to the existing well. The applicant moved the garage back to accommodate the change in the location of the well and septic. The existing front setback is 21.8' and the applicant is requesting a 22' front setback with no side or rear setbacks needed. Joe DePaul asked the public for comment. None given. Dan McDermott made a motion to enter into the Business Session, July 2nd, approved 5-0. Joe DePaul made a motion to grant a front setback to 22' to allow construction of a garage and addition per the revised plans as submitted; the hardship being the placement of the well and septic, July 2nd, approved 5-0. Variance granted.