

APPLICATION OR APEAL#: 43-21

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: JOHN MCGUIRK, ARCHITECT  
Mailing Address: 18 EDWARDS DRIVE, OXFORD, CT 06478  
Phone#: 203-470-2864  
Email: MCGUIRK13@ATT.NET

2) Premises located at: 36 LAKE DRIVE SOUTH on the (N S E W) (W) side of the street  
at approx. 2000 feet (N S E W) from CANDLEWOOD ISLE CAUSEWAY (nearest intersecting road).

3) Property Owner Name: SIMLAKE, LLC (MOHAMMED BADI)  
Interest in Property: OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 20 Block No.: 01 Lot No.: 054

5) Zone in which property is located: R44 Area of Lot: 15,724 SF

6) Dimensions of Lot: Frontage: 100' Average Depth: 151'

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: 11/14/00 #38-00 / 4/24/08 #11-08

10) Proposal for which variance is requested: CONSTRUCTING DETACHED TWO CAR GARAGE

Hardship: STEEP SITE, PRE-EXISTING NON CONFORMING NARROW, UNDERSIZED LOT

11) Date of Zoning Commission Denial: October 26, 2024

12) Variance(s) Requested: ( ) USE (  ) DIMENSIONAL, AND IMPERVIOUS COVERED VARIANCE TO 32.08% (FROM EXISTING 32.48%)  
Zoning Regulations (sections): See attached Non-Compliance Letter

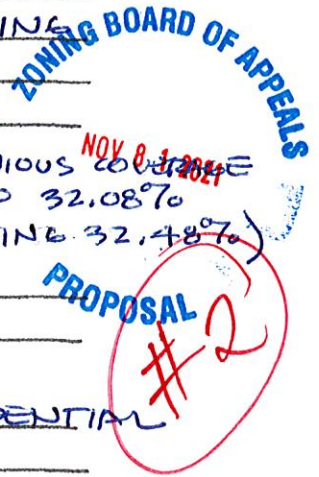
Setbacks Requested: Front to: 9.1' Rear to: -  
Side to: - Side to: -

13) Use to be made of property if variance is granted: SINGLE FAMILY 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: John P. McGuirk DATE: 10/18/21

received  
10-20-21





**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT: VERIFICATION OF NON-COMPLIANCE**

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

**DATE: October 26, 2021**

**PROPERTY OWNER: SIMLAKE, LLC**

**PROPERTY ADDRESS: 36 Lake Drive South (C.I.)**

**APPLICANT/AGENT: John McGuirk, Architect**

**MAILING ADDRESS: 18 Edwards Drive, Oxford, CT 06478**

**ZONING DISTRICT: R-44    MAP: 20    BLOCK: 1    LOT: 54**

Please be advised that the applicant would like to (SEE ATTACHED).

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

Sections:

3.0.5-Private Detached Garages (C)

3.2.5-Minimum Lot Area and Frontage (A+B)

3.2.6-Minimum Building and Structure Setbacks (A)

3.2.11-Minimum Lot Dimensions

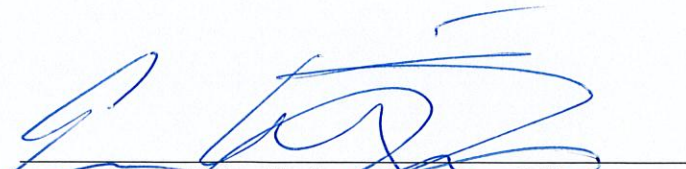
7.1.12-Improved Lots Not in a Validated or Approved Subdivision

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

I hereby give permission to John McGuirk, Architect to act as my agent on my behalf to attain the required Zoning variances for my property at 36 Lake Drive South, Candlewood Isle, New Fairfield Connecticut. Thank you.



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Mohammed Badi

36 Lake Drive South

New Fairfield, Connecticut

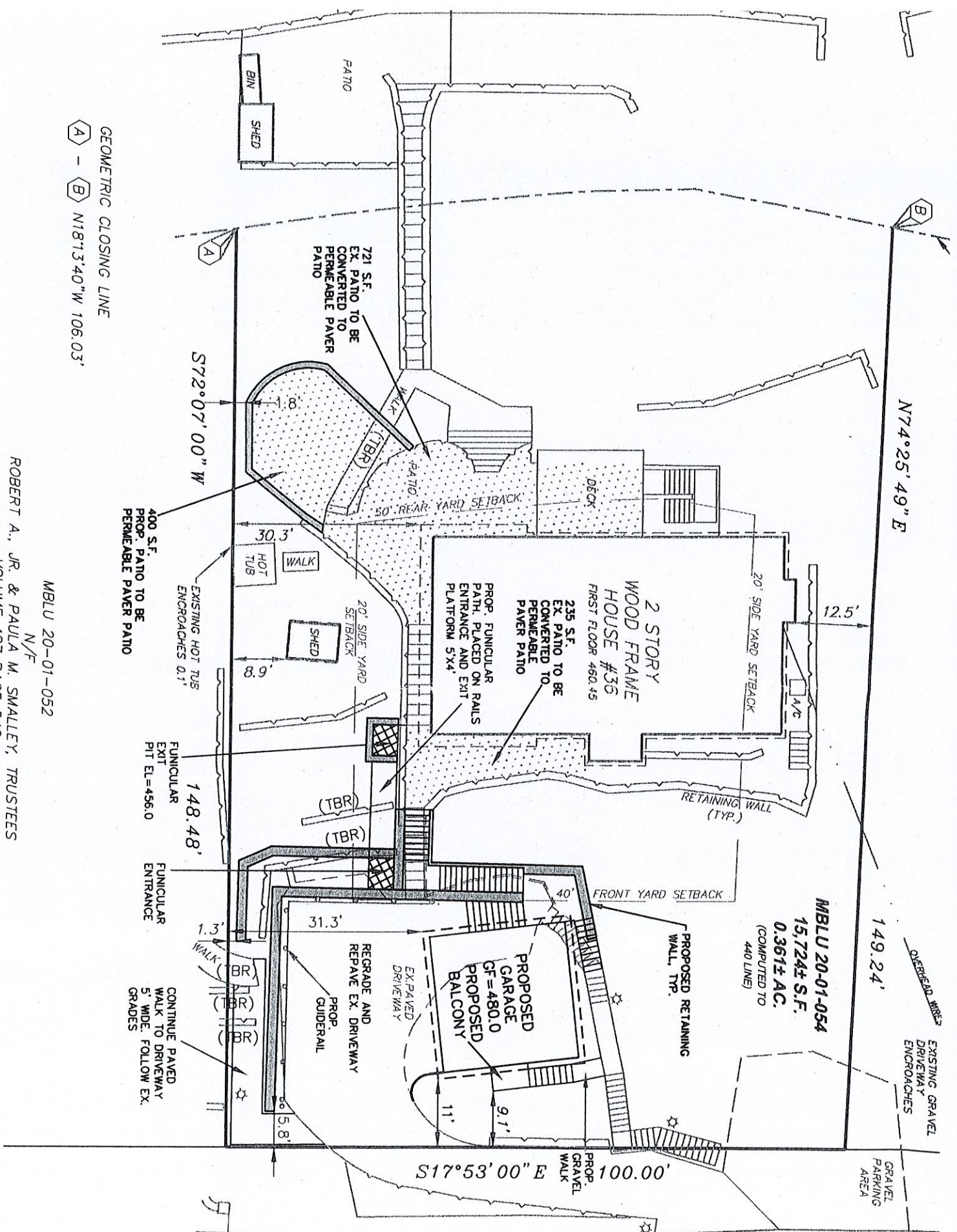




GEOMETRIC CLOSING LINE  
A - B N181°34'0"W 106.03'

MBLU 20-01-052  
N/F

ROBERT A., JR. & PAULA M. SMALLLEY, TRUSTEES  
VOLUME 487 PAGE 542



LAKE DRIVE SOUTH

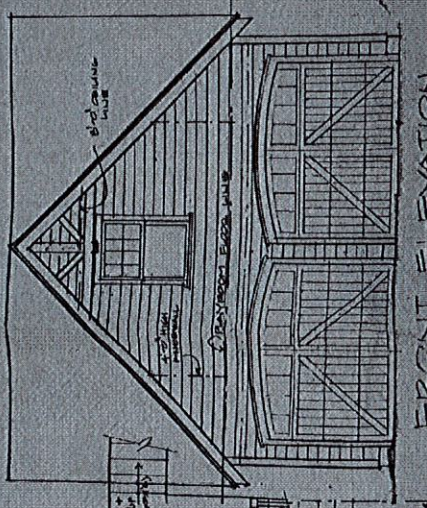
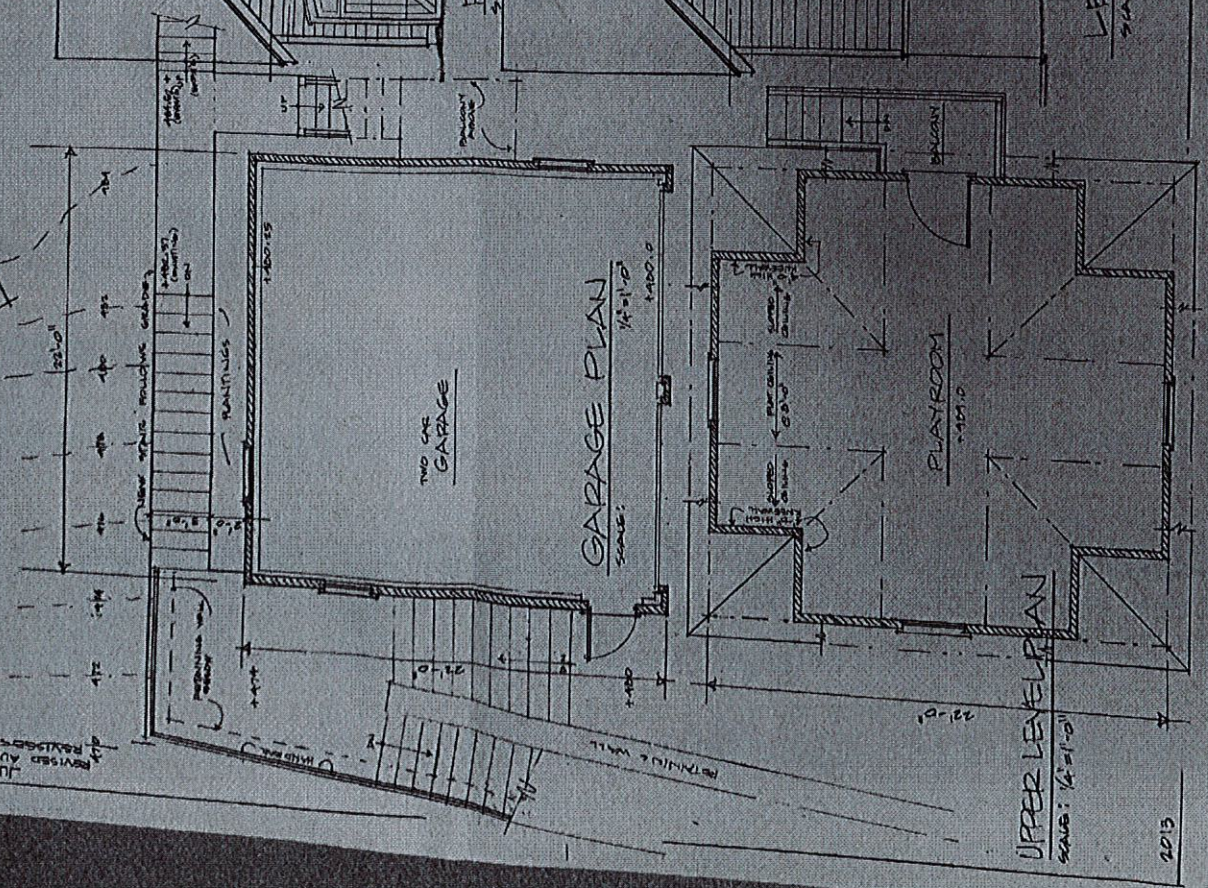


DETACHED GARAGE AT  
 BAD | RESIDENCE  
 36 LAKE DRNE SOUTH  
 NEW FAIRFIELD, CONNECTICUT

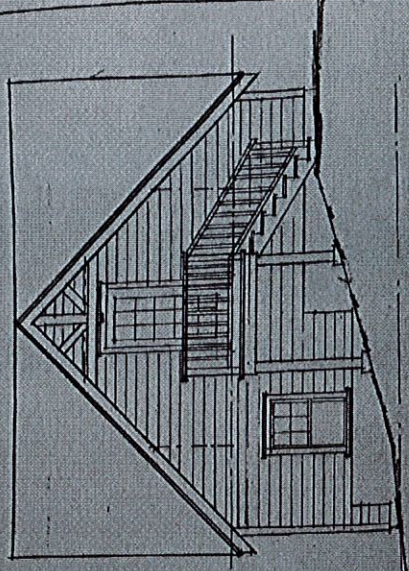
1 OF 1

PRELIMINARY

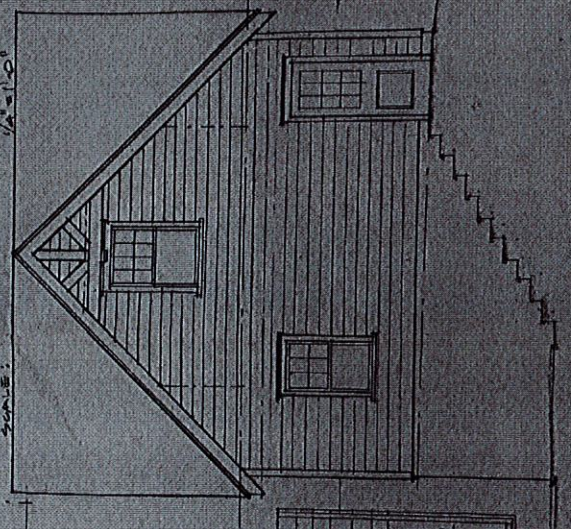
JULY 20, 2021  
 REVISED AUGUST 27, 2021  
 REVISED SEPT. 30, 2021



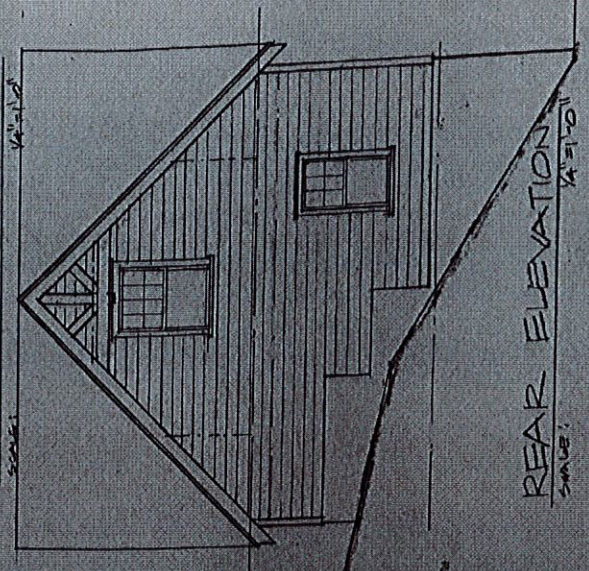
FRONT ELEVATION  
 SCALE: 1/4"=1'-0"



RIGHT SIDE ELEVATION  
 SCALE: 1/4"=1'-0"



LEFT SIDE ELEVATION  
 SCALE: 1/4"=1'-0"



REAR ELEVATION  
 SCALE: 1/4"=1'-0"

John P. McGuirk, Architect  
 18 Edwards Drive, Oxford, Connecticut  
 203-470-2864