

APPLICATION OR APEAL#: #12-22

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: TSUS Neza
Mailing Address: 49 Whipperwill Rd E
Armonk NY 10504 Phone#: 917-573-8135
Email: TSUSNeza@gmail.com

2) Premises located at: 14 Bogus Hill Rd on the (N S E W) side of the street
at approx. 1500 feet (N S E W) from Stone pillar bogus entrance (nearest intersecting road).

3) Property Owner Name: TSUS Neza

Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 10 Block No.: 21 Lot No.: 2

5) Zone in which property is located: 1 Area of Lot: 6534 SF

6) Dimensions of Lot: Frontage: 50 Average Depth: 125

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: see attached

Hardship: Pre existing non conforming, narrow, shallow odd shaped lot with significant slope & ledge drag out.

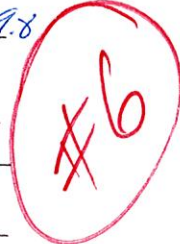
11) Date of Zoning Commission Denial: Feb February 28, 2022

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

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

Setbacks Requested: Front to: FP N/R | Shed N/R Rear to: 50 to 39 | N/R
Side to: 20' to 25' | N/R Side to: N/R | 10 to 9.8

13) Use to be made of property if variance is granted: Enjoy with Family & Friends



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: [Signature] DATE: 2-15-22



**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE
FROM: Evan G. White, Zoning Enforcement Officer
DATE: February 22, 2022
PROPERTY OWNER: Tsus Nezaj
PROPERTY ADDRESS: 14 Bogus Hill Road
APPLICANT/AGENT: Tsus Nezaj
MAILING ADDRESS: 49 Whipperwill Road, Armonk, NY 10504
ZONING DISTRICT: R-44 **MAP:** 10 **BLOCK:** 21 **LOT:** 2

Please be advised that the applicant would like to (See Application for Description).

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


Sections:

- 3.0.4-Minor Accessory Structures (C, E, + F)
- 3.2.5-Minimum Lot Area & Frontage (A+B)
- 3.2.6-Minimum Building & Structure Setbacks (B+C)
- 3.2.8-Maximum Impervious Surface
- 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 Buildings 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.



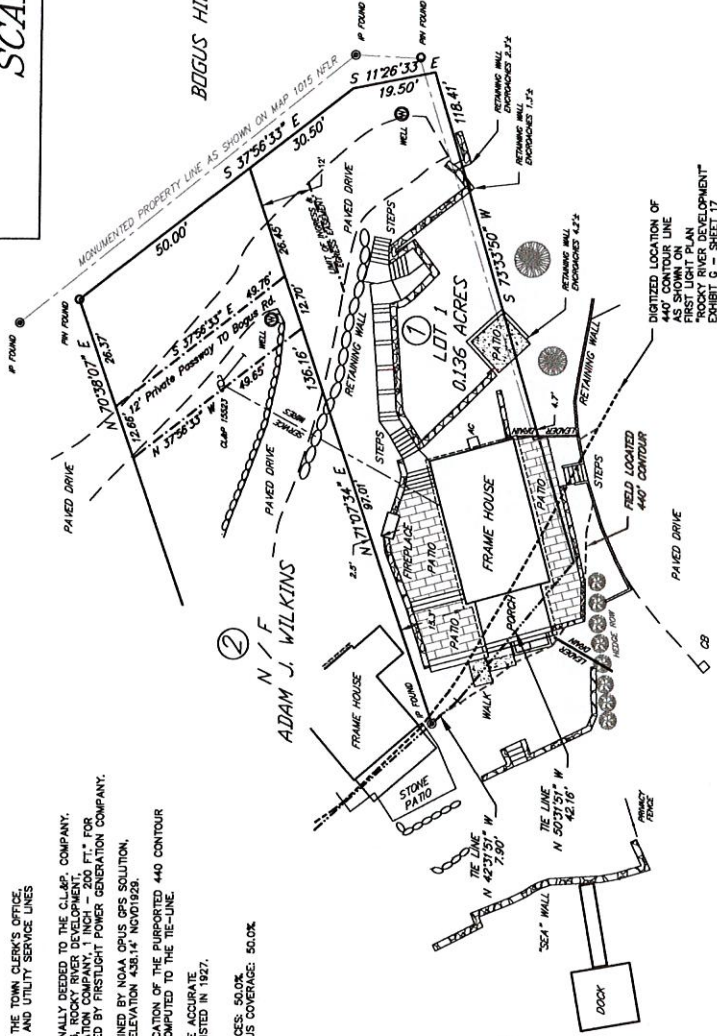
Evan White, Zoning Enforcement Officer
Town of New Fairfield

We are proposing a request for a shed that is the size of 10 by 10 to store summer accessories like life vest, kayaks stuff of that nature. Another request we have is for a fireplace that was built. The fires place is inted more for a decor to the house as it will not be used in the summer time and during winter were are not there.

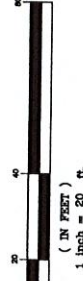
**PROPERTY SURVEY
14 BOGUS HILL ROAD
R-44 RESIDENCE ZONE
NEW FAIRFIELD, CONNECTICUT**

PREPARED FOR
14 BHR, LLC
JANUARY 14, 2022
SCALE: 1" = 20'

N / F
BOGUS HILL ASSOCIATION INC



GRAPHIC SCALE



STALKER LAND SURVEYING 1000 Shaker Ln Williston, Connecticut 06097	DRAWN BY: RAS	DATE: 1-14-22
TEL: (860) 563-0048	CHECKED BY: RAS	DRAWING NO.: 14 BOGUS
	JOB NO.: 0202022	SHEET 1 OF 1

NOTES:
ANY REPRODUCTION, ALTERATION, OR REPRINTING WITHOUT THE SURVEYOR'S KNOWLEDGE AND APPROVAL WILL VOID ANY CERTIFICATIONS, AND NO LIABILITY SHALL BE ASSUMED BY THE SURVEYOR FOR THE SAME.
THIS MAP NOT VALID WITHOUT THE SURVEYOR'S LIVE SIGNATURE AND EMBOSSED SEAL.
THE TERM "CERTIFIED" AS USED HEREON DOES NOT IMPLY A WARRANTY OR GUARANTEE.
THIS MAP REPRESENTS THE PROFESSIONAL OPINION OF THE PREPARER AS TO THE PROPERTY BOUNDARY LOCATION AT THE TIME IT WAS PREPARED, AND MAY BE SUBJECT TO ANY CHANGE WARRANTED BY THE DISCLOSURE OF ADDITIONAL FACTS OR DATA IN THE FUTURE. IT IS RECOGNIZED THAT CERTAIN FACTORS ARE BEYOND THE SURVEYOR'S PURVIEW AND MAY REQUIRE AGREEMENTS BETWEEN ADJOINING PROPERTY OWNERS OR ACTION BY THE COURTS.
THE PURPOSE OF THIS SURVEY IS TO ALLOW DETERMINATION OF COMPLIANCE WITH ZONING REGULATIONS.
ALL BUILDINGS SHOWN ARE GREATER THAN 3 YEARS OLD, AND THEREFORE ARE SUBJECT TO THE EFFECTS OF SECTION 8-13A OF THE CONNECTICUT GENERAL STATUTES.
UNDERGROUND UTILITIES, STRUCTURES, AND FACILITIES NOT FIELD LOCATED. THE SIZE, LOCATION, EXISTENCE OR NON-EXISTENCE OF SUCH UTILITIES, STRUCTURES, AND FACILITIES ARE UNDETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES. CONTACT "CALL BEFORE YOU DIG" AT 1-800-922-4433.
REFERENCE MADE TO MAPS #209, 289, 1015, 2616, 3057, & 3453 OF THE TOWN CLERK'S OFFICE.
REFERENCE MADE TO 12' PRIVATE PASSWAY AS RECORDED IN VOL. 32 PG. 411 OF NPLR.
REFER TO "EXPLANATION OF EMBOSSED RESOURCES" IN VOL. 448, P. 8 OF PG. 936 OF THE TOWN CLERK'S OFFICE FOR COMMON INGRESS AND EGRESS EASEMENT OVER THE EXISTING PAVED DRIVE, AND UTILITY SERVICE LINES EASEMENT IN FAVOR OF LOT 1 OVER LOT 2.
WESTERLY PROPERTY LINE IS THE 440' CONTOUR LINE AS IT EXISTED WHEN ORIGINALLY DEDED TO THE CLAPP COMPANY. REFERENCE MADE TO EXHIBIT G - SHEET 17 OF 28 SHEETS AUGUST 20, 1927, PROJECT MAP, FIRSTLIGHT POWER GENERATION COMPANY, 1 INCH = 200 FT., FOR THE PURPORTED HISTORICAL LOCATION OF THE 440' CONTOUR LINE AS DETERMINED BY FIRSTLIGHT POWER GENERATION COMPANY. CURRENT LOCATION OF 440' CONTOUR BASED ON BENCHMARK ELEVATION DETERMINED BY NOAA ORUS GPS SOLUTION, AND THEN CONVERTED TO THE CLAPP 1927 ROCKY RIVER DATUM, WHICH EQUALS ELEVATION 438.14' NVD01929.
"THE LINE" SHOWN IS FOR MATHEMATICAL CLOSURE AND IS BASED ON SCALED LOCATION OF THE PURPORTED 440' CONTOUR ON MAP #289 AND PROPERTY MARKERS PREVIOUSLY FOUND. PROPERTY AREA COMPUTED TO THE "THE-LINE".
LOT AREA AND DIMENSIONS HEREON ARE SUBJECT TO CHANGE BASED ON A MORE ACCURATE DETERMINATION OF THE HISTORIC LOCATION OF THE 440' CONTOUR LINE AS IT EXISTED IN 1927.
MAXIMUM ALLOWABLE BUILDING AREA: 20%. EXISTING BUILDING AREA: 15.00%.
MAXIMUM ALLOWABLE COVERED AREA: 10%. EXISTING COVERED AREA: 12%.
EXISTING EFFECTIVE IMPERVIOUS SURFACES: 50.00%.
MAXIMUM EFFECTIVE IMPERVIOUS COVERAGE: 10%. EXISTING EFFECTIVE IMPERVIOUS COVERAGE: 50.00%.

N / F
**FIRSTLIGHT POWER RESOURCES
(CANDLEWOOD LAKE)**

THIS MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTION 20-300B-1 THROUGH 20-300B-20 AND THE STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996, AMENDED OCTOBER 26, 2018.

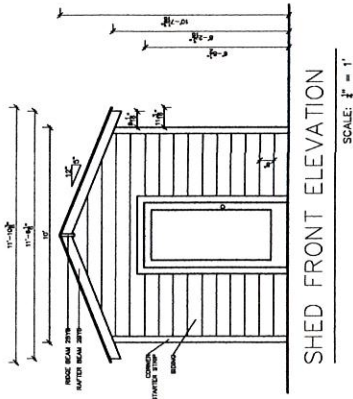
SURVEY TYPE: PROPERTY SURVEY
BOUNDARY DETERMINATION CATEGORY: RESURVEY
CLASS OF ACCURACY: A-2

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
CERTIFIED BY:



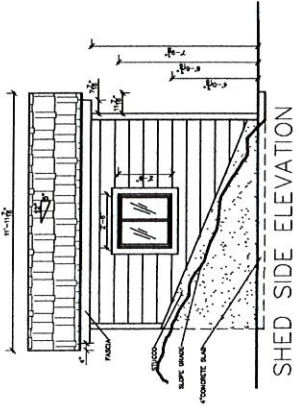
PDF COPY

NO.	DATE	DESCRIPTION	BY
1	1-14-22	SITE RESURVEYED	RAS



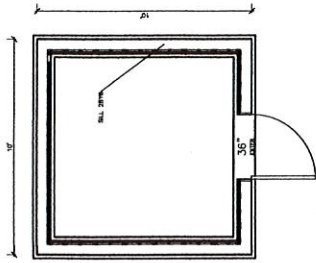
SHED FRONT ELEVATION

SCALE: 1/2" = 1'



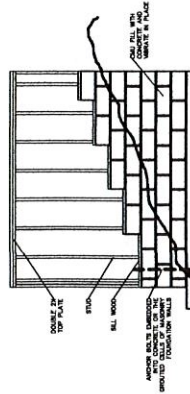
SHED SIDE ELEVATION

SCALE: 1/2" = 1'



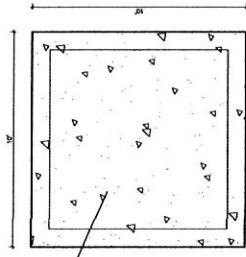
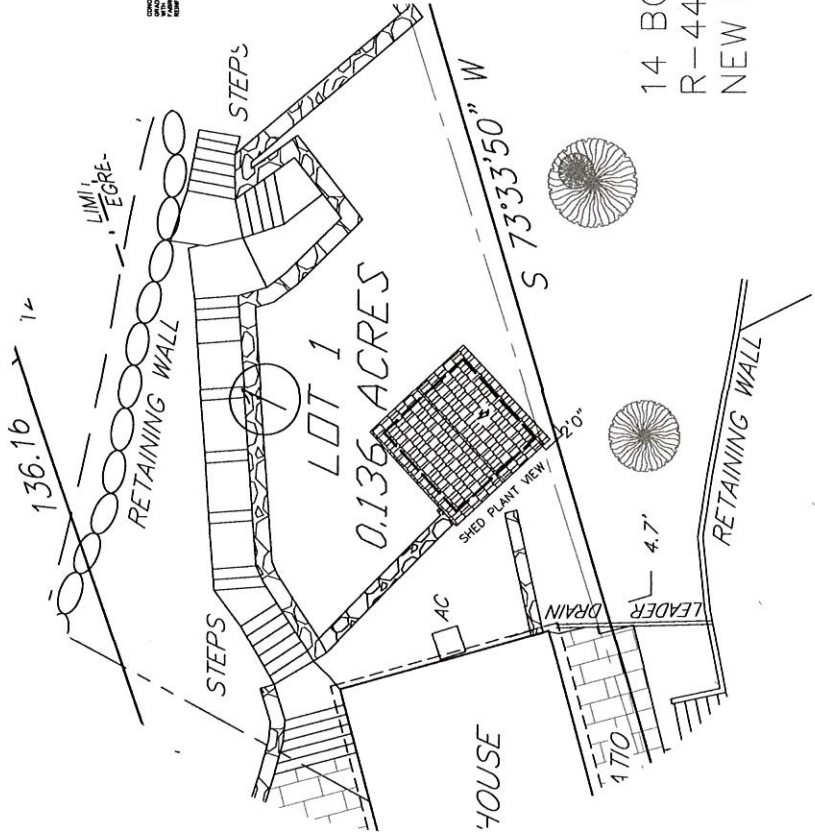
SHED PLANT VIEW

SCALE: 1/2" = 1'



DETAIL ON SLOPING GROUND

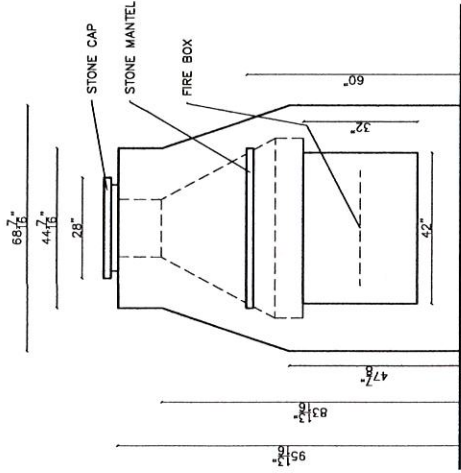
SCALE: 1/2" = 1'



CONCRETE SLAB ON GRADE 4"

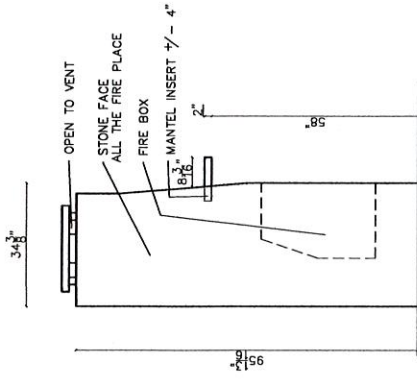
SCALE: 1/2" = 1'

14 BOGUS HILL ROAD
R-44 RESIDENCE ZONE
NEW FAIRFIELD, CONNECTICUT



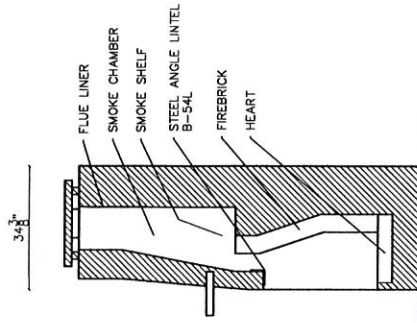
FIRE PLACE
FRONT ELEVATION

SCALE: 1/2" = 1'



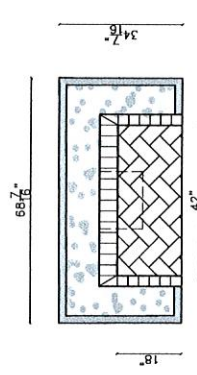
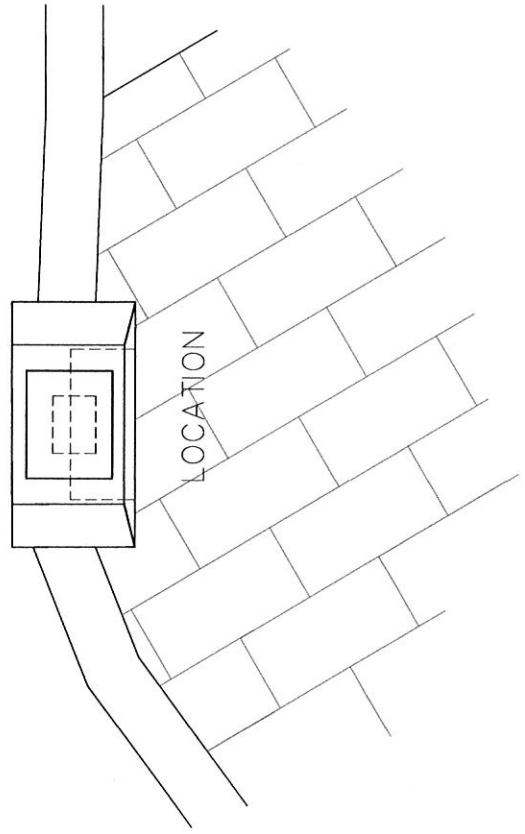
SIDE ELEVATION

SCALE: 1/2" = 1'



FIREPLACE SECTION

SCALE: 1/2" = 1'



FIREPLACE PLAN VIEW

SCALE: 1/2" = 1'

14 BOGUS HILL ROAD
 R-44 RESIDENCE ZONE
 NEW FAIRFIELD, CONNECTICUT