

APPLICATION OR APEAL#: 45-22

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: JORGE CRUZ
Mailing Address: 22 POPLAR ST, APT 4
JERSEY CITY, NJ 07307 Phone#: 201-759-1567
Email: JORGE@BRESLOW.COM

2) Premises located at: 55 SAIL HARBOUR DR on the (N)S E W side of the street
at approx. 100 feet (N)S E W from HERITAGE ISLAND RD (nearest intersecting road).

3) Property Owner Name: PETER WINN & KAREN DACHS
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

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

5) Zone in which property is located: RESIDENTIAL Area of Lot: 1.189 AC | 51,804 sq. ft.

6) Dimensions of Lot: Frontage: 145 ft. Average Depth: 350 ft.

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: NEW ALUMINUM PERGOLA OVER
EXISTING PATIO SIZE = 20 ft X 21'-10" X 10ft HIGH

Hardship: SIDE YARD SETBACK CONSTRAINS ALONG WITH
REAR YARD DRASTIC ELEVATION CHANGE UPWARD.

11) Date of Zoning Commission Denial: 10/25/22

12) Variance(s) Requested: USE DIMENSIONAL

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

Setbacks Requested: Front to: 40' ft. Rear to: 50 ft.
Side to: 20 ft. Side to: 20 ft.



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: Jorge Cruz DATE: 10/3/22

received
10-3-22

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: October 25, 2022

PROPERTY OWNER: Peter Winn & Karen Dachs

PROPERTY ADDRESS: 55 Sail Harbour Drive

APPLICANT/AGENT: Jorge Cruz

MAILING ADDRESS: 22 Polar Street, Apt 1, Jersey City, NJ 07307

ZONING DISTRICT: R-44 **MAP:** **BLOCK:** **LOT:**

Please be advised that the applicant would like (See Application Proposal).


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

Sections:
3.0.9-Pergolas(C+D+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

Peter Winn & Karen Dachs
55 Sail Harbour Drive
New Fairfield, CT 06812

Attn: To Whom It May Concern:

September 29, 2022

Please note that I, Peter Winn, the owner of 55 Sail Harbour Drive, New Fairfield, CT 06812, hereby authorizes, Jorge Cruz of Breslow, to be my agent in the variance application process relating to my residence.

Thanks very much. Feel free to contact me if any questions or concerns.

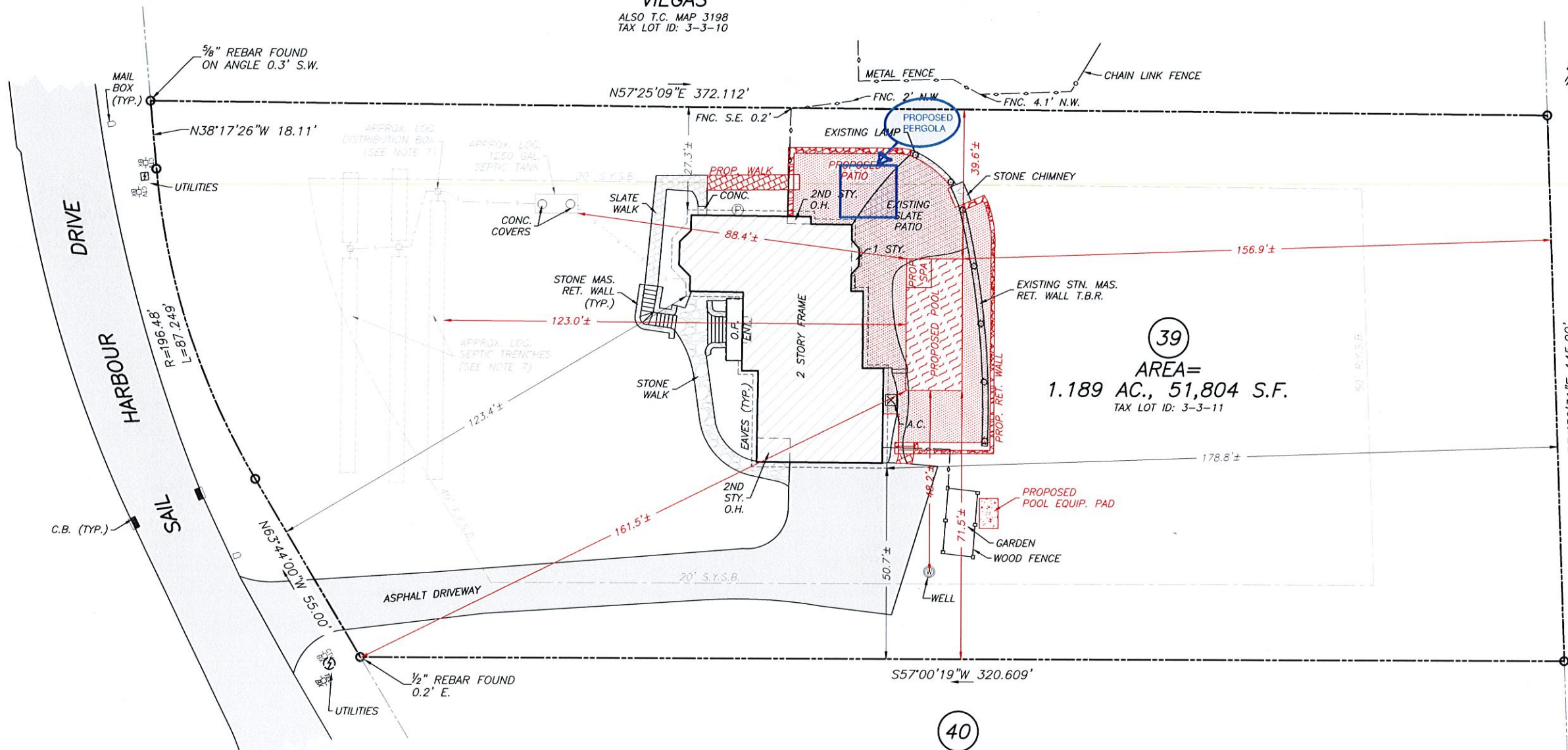


Peter Winn

winnpeteri@gmail.com

917-327-9061

38
N/F VIEGAS
ALSO T.C. MAP 3198
TAX LOT ID: 3-3-10



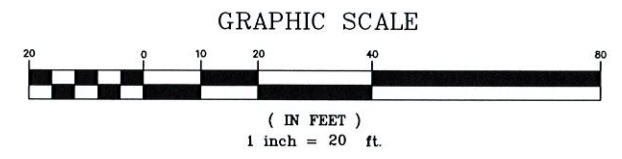
39
AREA=
1.189 AC., 51,804 S.F.
TAX LOT ID: 3-3-11

41
N/F SANDLER
TAX LOT ID: 3-3-13

40
N/F BOGGAN
TAX LOT ID: 3-3-12

ZONING TABLE - R44 (ZONE 1)

TOWN REQ.	AREA (S.F.)	BUILDING AREA (S.F.)/%	IMP. SURFACE (S.F.)/%
43560	10361	20.0%	12951
EXISTING	51804	2440 4.7%	7078 13.7%
PROPOSED	51804	2440 4.7%	8966 17.3%



PROPOSED SHOWN IN RED

DRAWN BY: EF
CHECKED BY: EF
FIELD PARTY: EF

CERTIFICATION

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 ON SEPTEMBER 26, 1996, AS FOLLOWS:

- THIS MAP WAS PREPARED AS A LIMITED BOUNDARY/PROPERTY SURVEY.
- BOUNDARY DETERMINATION IS IN ACCORDANCE WITH THE STANDARDS FOR A DEPENDANT RESURVEY. (REFER TO T.C. MAP NO. 2429 ON FILE WITH THE NEW FAIRFIELD LAND RECORDS).
- THIS MAP MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR HORIZONTAL ACCURACY FOR CLASS A-2 SURVEYS.

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON



GEOLIGIC LAND SURVEYING, PLLC
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WWW.GEOLIGICLANDSURVEYING.COM
GEOLIGICLANDSURVEYING@GMAIL.COM

Evan J. Fogle, P.L.S.
LICENSE NO. 70432

PLOT PLAN / PROPERTY SURVEY
PREPARED FOR

PETER WINN & KAREN DACHS

BEING
LOT 39
(T.C. MAP No. 2439)
ALSO KNOWN AS
55 SAIL HARBOUR DRIVE
SITUATE IN THE

TOWN OF NEW FAIRFIELD FAIRFIELD CO., CT.
SCALE: 1" = 20'
MAY 9, 2022

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REVISIONS / ADDITIONS

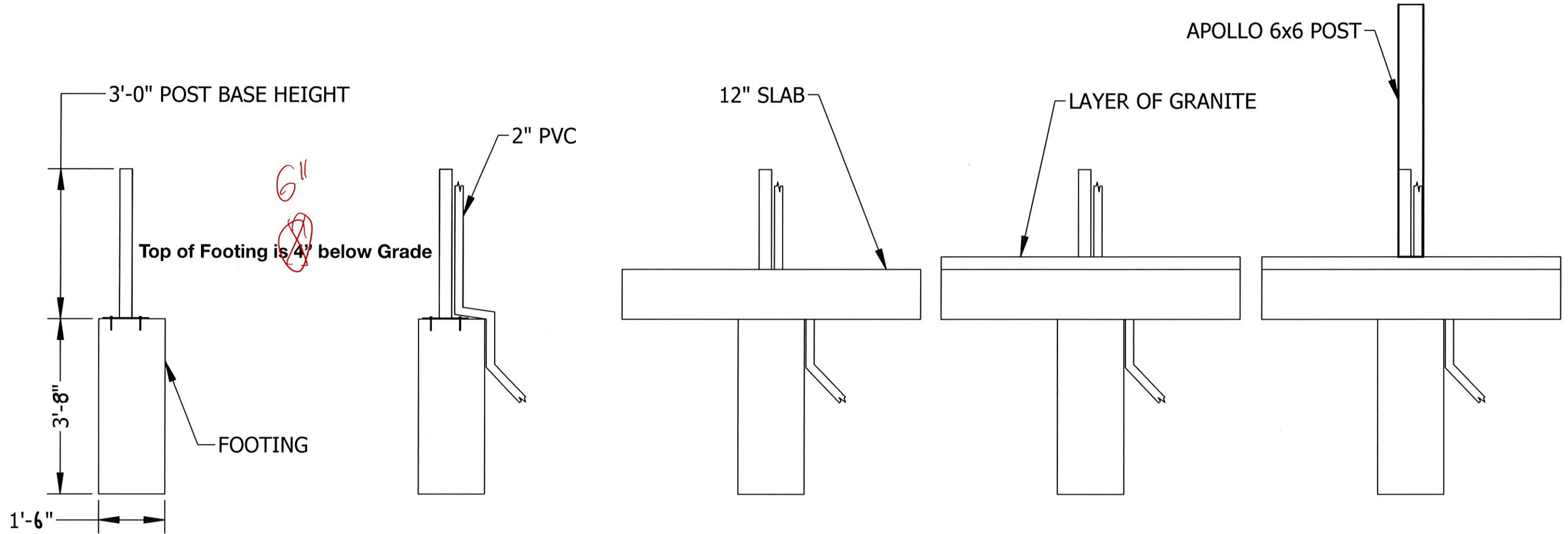
DATE	DESCRIPTION	BY

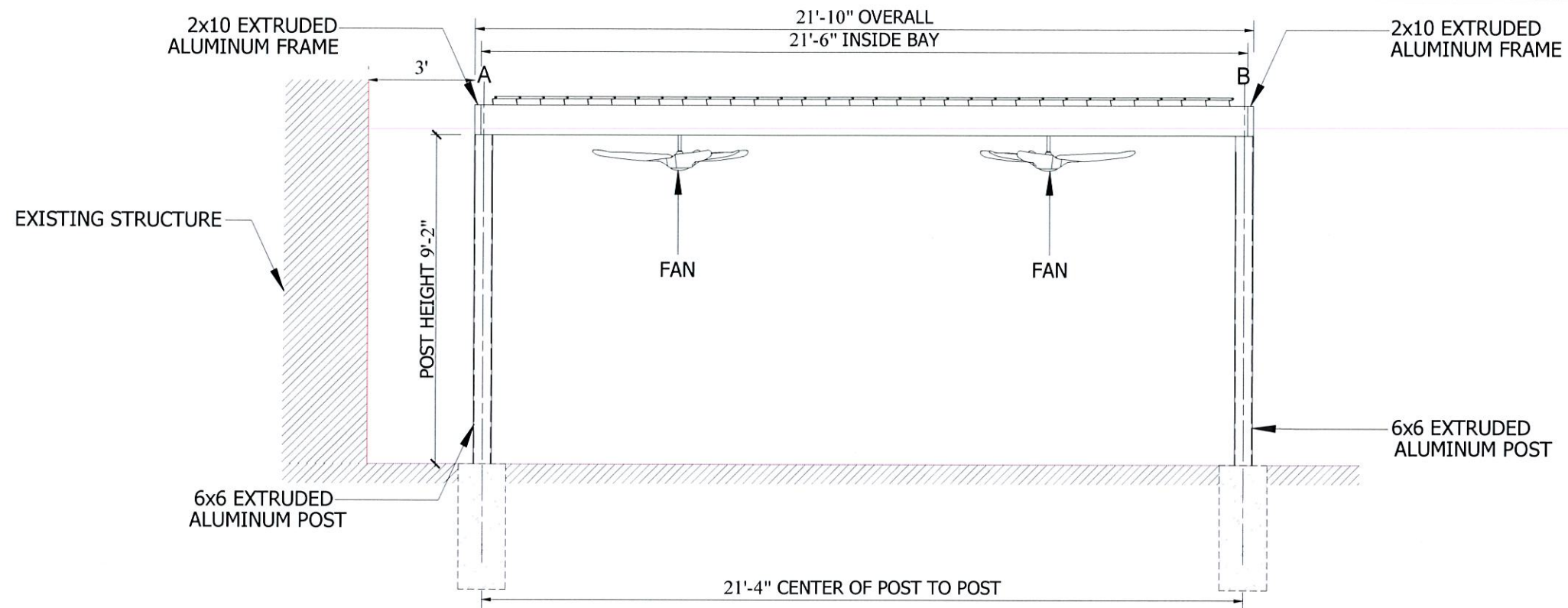
MAP NOTES

- THIS SURVEY WAS CONDUCTED ON THE GROUND ON MAY 9, 2022.
- PROPERTY LOCATED IN ZONE 1(R-44) ZONING DISTRICT.
- PROPERTY SUBJECT TO COVENANTS AND RESTRICTIONS OF RECORD.
- NO CERTIFICATION IS MADE TO THE LOCATION OF UNDERGROUND FEATURES AND/OR STRUCTURES; UNDERGROUND FEATURES, IF ANY, ARE NOT SHOWN HEREON.
- REFERENCES MADE TO TOWN CLERK MAP No. 2429, 3198, AS WELL AS BOOK 565 PAGE 848.
- OFFSETS SHOWN HEREON REFER TO THE BUILDING EAVES U.O.N.
- SEPTIC SHOWN HEREON DEPICTED PER AS-BUILT ON FILE WITH THE BUILDING DEPARTMENT. LOCATIONS ARE APPROXIMATE.
- ONLY COPIES OF THE ORIGINAL OF THIS SURVEY, BEARING THE ORIGINAL IMPRESSION OF THE SURVEYOR'S EMBOSSED SEAL ATOP THE COMPANY LOGO, SHALL BE CONSIDERED TO BE VALID, TRUE, COPIES.

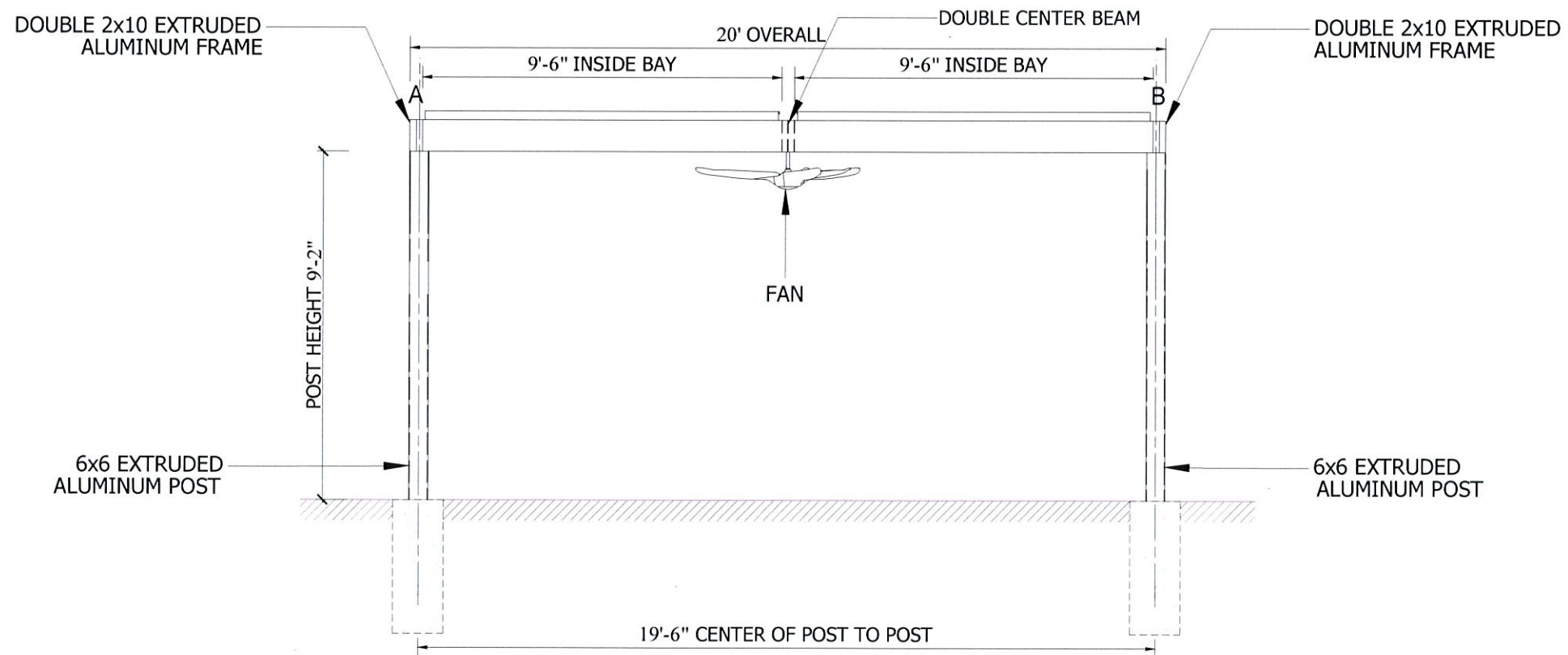
JOB NO. 3-3-11 (WINN 2022)

6x6 Post Detail Internal Plumbing or Electrical Conduit





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



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

