

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Father Robert Wolfe, Agent
Mailing Address: P.O. Box 8866
New Fairfield, CT 06812 Phone#: (203) 400-5284
Email: frnick@saintedwardchurch.org

2) Premises located at: 21 Brush Hill Rd. on the (N) (S) (E) (W) side of the street
at approx. 0 feet (N) (S) (E) (W) from Marjorie Drive (nearest intersecting road).

3) Property Owner Name: Saint Edward the Confessor Corporation
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 23 Block No.: 2 Lot No.: 1

5) Zone in which property is located: R-44 Area of Lot: 5.37 acres

6) Dimensions of Lot: Frontage: 1790'± Average Depth: 350'±

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: 2000, Variance #32-00

10) Proposal for which variance is requested: Parking lot improvements

Hardship: See attached sheet.

11) Date of Zoning Commission Denial: February 21, 2023

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

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

Setbacks Requested: Front to: N/A Rear to: N/A
Side to: N/A Side to: N/A



13) Use to be made of property if variance is granted: Church (no change)

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: N/A

SIGNATURE OF OWNER OR AGENT: [Signature] DATE: 9/12/22



**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE
FROM: Evan G. White, Zoning Enforcement Officer
DATE: February 21, 2023
PROPERTY OWNER: Saint Edward the Confessor Corporation
PROPERTY ADDRESS: 21 Brush Hill Road
APPLICANT/AGENT: Father Robert Wolfe & Benny Doto P.E.
MAILING ADDRESS: P.O. Box 8866
ZONING DISTRICT: R-88 **MAP:** 23 **BLOCK:** 2 **LOT:** 1

Please be advised that the applicant would like to request Parking Lot Improvements. (See attached application in regards to attached "Requested Variances" Word Document).

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


Sections:

3.2.6-Minimum Building & Structure Setbacks (A+B+C)
3.2.7-Maximum Building Area
3.2.8-Maximum Impervious Surfaces
6.1-Landscaping & Parking Area Standard-(6.1.1.A & 6.1.1.B & 6.2.1.A.1 & 6.6.2.K
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

**St. Edward the Confessor Church
Parking Lot Improvements ZBA Application
21 Brush Hill Road, New Fairfield, CT**

6/9/22

Requested Variances:

Section 6.1.1.A. Eliminate the requirement to install island & plant one 3" caliper tree for every 10 parking spaces (southerly end of existing parking rows only). Variance previously granted.

Hardship: To accommodate additional parking requirement necessitated by removal of existing non-compliant parking on Macbean Drive and Marjorie Drive as required by Town Zoning Commission (ref. Special Permit 00-17)

Section 6.1.1.B. Eliminate the requirement to have intermediate recessed parking islands.

Hardship: Steep topography (+/- 10% existing parking lot grade) makes recessed islands not function as intended as they are unable to hold and/or store stormwater.

Section 6.2.1.A.1. Reduce the length of 90°, head-to-head parking spaces from 20' to 18' in new parking spaces that are contiguous with existing parking areas.

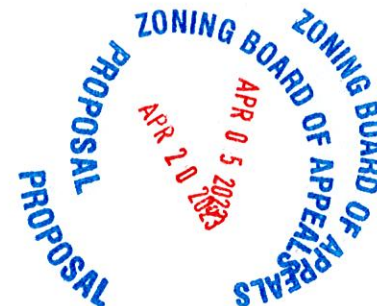
Hardship: The need to maintain and match existing north-south driveway aisles and their alignment, spacing and dimensions.

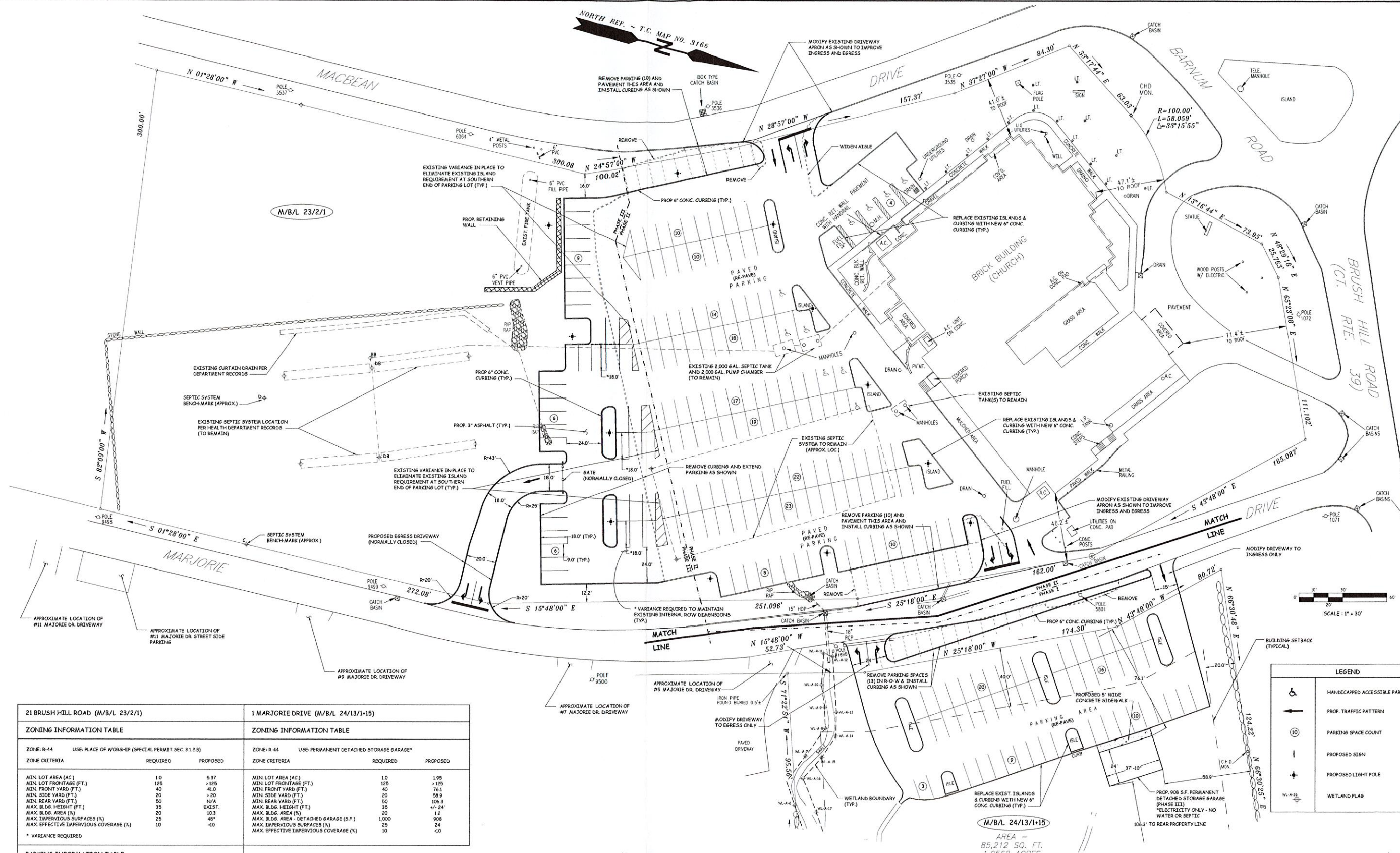
Section 6.6.2.K. Increase maximum height of luminaries (lights) in a R-44 Zone from 12' to 18.'

Hardship: A church use is more similar to a commercial use (18' high lights permitted) than a residential use (12' max. light height).

Section 3.2.8. Increase maximum impervious surface coverage from 25% to 48%.

Hardship: To accommodate additional parking requirement necessitated by removal of existing non-compliant parking on Macbean Drive and Marjorie Drive as required by Town Zoning Commission (ref. Special Permit 00-17)





21 BRUSH HILL ROAD (M/B/L 23/2/1)		
ZONING INFORMATION TABLE		
ZONE: R-44	USE: PLACE OF WORSHIP (SPECIAL PERMIT SEC. 3.1.2.B)	
ZONE CRITERIA	REQUIRED	PROPOSED
MIN. LOT AREA (AC)	1.0	5.37
MIN. LOT FRONTAGE (FT.)	125	125
MIN. FRONT YARD (FT.)	40	41.0
MIN. SIDE YARD (FT.)	20	> 20
MIN. REAR YARD (FT.)	50	N/A
MAX. BLDG. HEIGHT (FT.)	35	EXIST.
MAX. BLDG. AREA (%)	20	10.3
MAX. IMPERVIOUS SURFACES (%)	25	48*
MAX. EFFECTIVE IMPERVIOUS COVERAGE (%)	10	-10
* VARIANCE REQUIRED		

1 MARJORIE DRIVE (M/B/L 24/13/1-15)		
ZONING INFORMATION TABLE		
ZONE: R-44	USE: PERMANENT DETACHED STORAGE GARAGE*	
ZONE CRITERIA	REQUIRED	PROPOSED
MIN. LOT AREA (AC)	1.0	1.95
MIN. LOT FRONTAGE (FT.)	125	125
MIN. FRONT YARD (FT.)	40	76.1
MIN. SIDE YARD (FT.)	20	58.9
MIN. REAR YARD (FT.)	50	106.3
MAX. BLDG. HEIGHT (FT.)	35	47-24'
MAX. BLDG. AREA (%)	20	1.2
MAX. BLDG. AREA - DETACHED GARAGE (SF.)	1,000	908
MAX. IMPERVIOUS SURFACES (%)	25	24
MAX. EFFECTIVE IMPERVIOUS COVERAGE (%)	10	-10

PARKING INFORMATION TABLE	
CHURCH (PLACE OF WORSHIP)	
1 SPACE PER 4 SEATS (24" PER SEAT) PLUS 1 SPACE PER 2 EMPLOYEES ON LARGEST SHIFT	
800 SEATS = 200 SPACES PLUS 18 EMPLOYEES = 9 SPACES	
1) TOTAL REQUIRED PARKING	209 SPACES
2) TOTAL EXISTING PARKING (INCLUDING 10 HANDICAPPED)	226 SPACES
3) TOTAL PROVIDED PARKING (INCLUDING 10 HANDICAPPED)	
PHASE I	213 SPACES
PHASE II	193 SPACES
PHASE III	234 SPACES
NOTE: 10 HANDICAPPED PARKING SPACES ARE ADEQUATE FOR UP TO 500 TOTAL PARKING SPACES.	

REQUIRED VARIANCES: 21 BRUSH HILL ROAD	
1.	SECTION 6.11.A - ELIMINATE THE REQUIREMENT TO INSTALL ISLAND & PLANT ONE 3" CALIPER TREE FOR EVERY 10 PARKING SPACES (SOUTHERLY END OF EXISTING PARKING ROWS ONLY). VARIANCE PREVIOUSLY GRANTED.
2.	SECTION 6.11.B - ELIMINATE THE REQUIREMENT TO HAVE INTERMEDIATE RECESSED PARKING ISLANDS.
3.	SECTION 6.2.1.A.1 - REDUCE THE LENGTH OF 90° HEAD-TO-HEAD PARKING SPACES FROM 20' TO 18' IN NEW PARKING SPACES THAT ARE CONTIGUOUS WITH EXISTING PARKING AREAS.
4.	SECTION 6.2.K - INCREASE MAXIMUM HEIGHT OF LUMINARIES (LIGHTS) IN A R-44 ZONE FROM 12' TO 18'.
5.	SECTION 3.2.B - INCREASE MAXIMUM IMPERVIOUS SURFACE COVERAGE FROM 25% TO 48%.
REQUIRED VARIANCES: 1 MARJORIE DRIVE	
6.	SECTION 2.1 - ALLOW AN ACCESSORY BUILDING (STORAGE GARAGE) ON A LOT WITHOUT A PRINCIPAL USE.

- GENERAL NOTES**
- THIS IS A CONCEPTUAL SITE PLAN FOR PRELIMINARY PLANNING PURPOSES ONLY. THESE DRAWINGS ARE NOT INTENDED FOR LAND USE APPROVALS OR CONSTRUCTION. ADDITIONAL INFORMATION, DRAWINGS, DETAILS, AND SPECIFICATIONS WILL BE REQUIRED PRIOR TO THE START OF THE LAND USE APPROVAL AND/OR CONSTRUCTION PROCESS.
 - BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM HISTORICAL ELECTRONIC FILES PROVIDED BY PAUL HERO, L.S. AND DODONA ASSOCIATES.
 - ALL NEW SITE LIGHTINGS IS TO CONFORM TO SECTIONS 6.6 AND 9.1 OF THE TOWN OF NEW FAIRFIELD ZONING REGULATIONS (EXCEPT FOR HEIGHT - VARIANCE REQUIRED).
 - ALL SIGNS ARE TO CONFORM TO SECTION 6.3 OF THE TOWN OF NEW FAIRFIELD ZONING REGULATIONS.
 - ALL WORK WITHIN THE TOWN ROAD RIGHT-OF-WAY IS TO BE APPROVED BY THE TOWN OF NEW FAIRFIELD.
 - ALL WORK WITHIN THE STATE ROAD RIGHT-OF-WAY IS TO BE APPROVED BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION.
 - WETLAND FLAGS LOCATED BY PAUL J. JAEHNING, WETLANDS AND SOIL CONSULTING, RIDGEFIELD, CT., JUNE 22, 2017. FLAGS SCANNED AND OVERLAIN ON SURVEY.



REVISIONS		ST. EDWARD THE CONFESSOR CHURCH 21 BRUSH HILL ROAD (ROUTE 39) NEW FAIRFIELD, CONNECTICUT	
1	02/05/19	SCALE: 1" = 30'	DRAWN BY: bvd
2	04/30/19		
3	05/30/19	DATE: October 26, 2018	APPROVED BY: bvd
4	01/16/20		
5	06/08/22		
# 211		CONCEPTUAL SITE PLAN	
		DRAWING NUMBER CP-01	
Benjamin V. Doto, III, P.E., LLC 248 Main St., Suite 3A, Danbury, CT 06810		DRAWING NUMBER CP-01	