

APPLICATION OR APEAL#:

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

PROPOSAL 15-23
MAY 15 2023
ZONING BOARD OF APPEALS

1) Applicant: CHRIS CREIGHTON
Mailing Address: 11 CLEMENT ROAD, NEW FAIRFIELD CT 06812
Phone#: 203 770-8020
Email: CHRISCREIGHTON@HOTMAIL.COM

2) Premises located at: 3 LANCASTER ROAD on the (S E W) side of the street
at approx. 200 feet (N S E W) from FULTON DRIVE (nearest intersecting road).

3) Property Owner Name: JENNIFER AMABILE AND DEAN EBERSON
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 36 Block No.: 7 Lot No.: 11

5) Zone in which property is located: R-44 Area of Lot: 18,000 SQ. FT.

6) Dimensions of Lot: Frontage: 180'-0" Average Depth: 100'-0"

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: FRONT YARD VARIANCE OF 25.6'
REQUIRED FRONT YARD SETBACK IS 40'-0" PER SECTION 3.2.6.
NEW GARAGE ADDITION WOULD HAVE A SETBACK OF 14'-4"

Hardship: THE EXISTING LOT IS VERY UNDER-SIZED FOR THE R-44 ZONE.
ALSO, THE EXISTING LOCATION OF THE HOUSE DOES NOT ALLOW FOR A CONFORMING

11) Date of Zoning Commission Denial: May 23, 2023 ADDITION.

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

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

Setbacks Requested: Front to: 14'-4" Rear to: EXISTING
Side to: EXISTING Side to: 23'-4"

13) Use to be made of property if variance is granted: RESIDENTIAL (EXISTING)

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: Dean A. Emerson DATE: 5/12/23
5/12/23

22

received
5-12-23

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: May 23, 2023

PROPERTY OWNER: Jennifer Amabile & Dean Enerson

PROPERTY ADDRESS: 3 Lancaster Road

APPLICANT/AGENT: Chris Creighton

MAILING ADDRESS: 3 Lancaster Road

ZONING DISTRICT: R-44 **MAP:** 36 **BLOCK:** 7 **LOT:** 11



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:

3.2.5-Minimum Lot Area & Frontage (A)

3.2.6-Minimum Building & 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 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

Jennifer Amabile and Dean Enerson
3 Lancaster Road
New Fairfield, CT 06812

Town of New Fairfield
4 Brush Hill Road
New Fairfield, CT 06812

To Whom It May Concern,

We are the Owners of the property at 3 Lancaster Road, New Fairfield. We hereby authorize Chris Creighton to act on our behalf with respect to all applications, town boards, and commissions in connection with this property.

Sincerely,



Jennifer Amabile



Dean Enerson



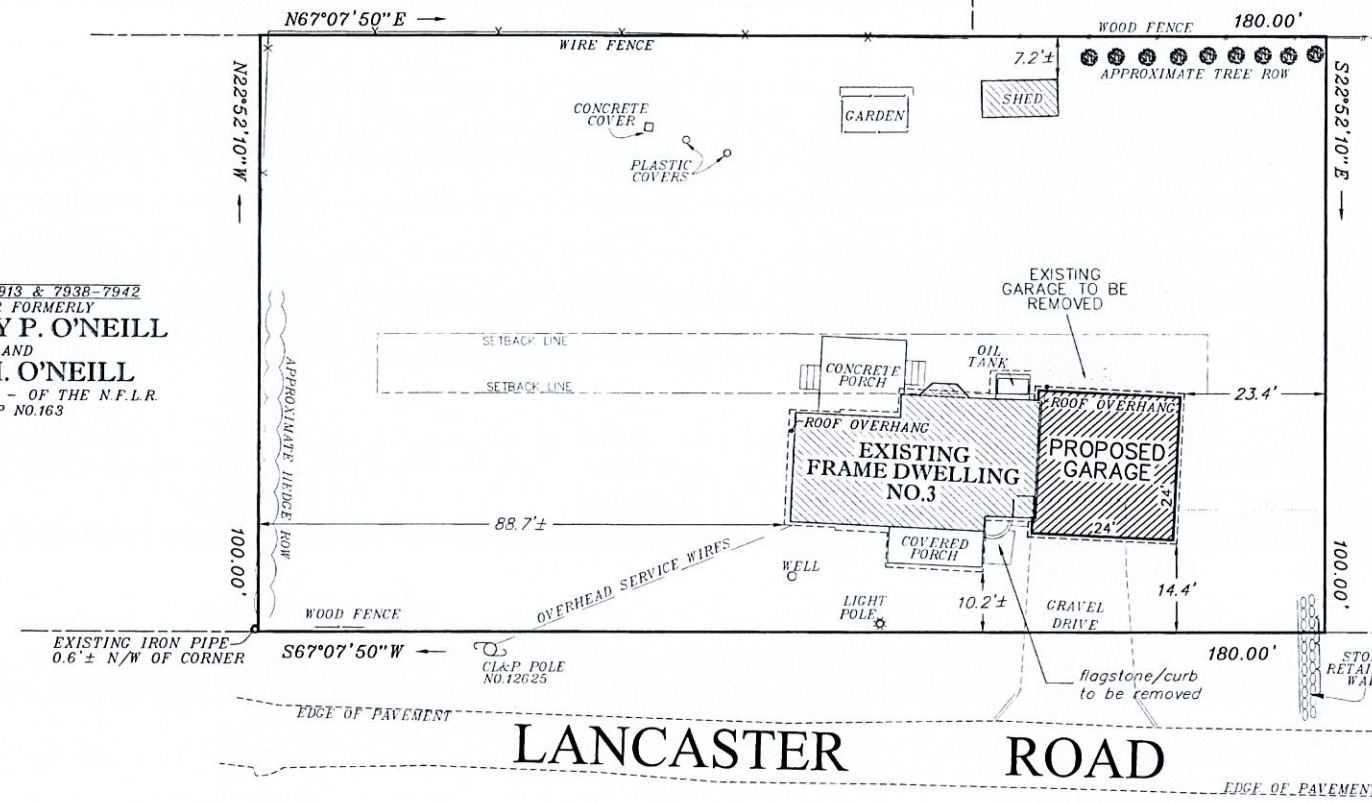
LOTS 7926-7935
NOW OR FORMERLY
VINCENT P. STANZIANO
AND
DARLYNE L. STANZIANO
VOL.283 PG.571 - OF THE N.F.L.R.
MAP NO.163

NOW OR FORMERLY
JOSEPH MANDRACCHIA
VOL.130 PG.716 - OF THE N.F.L.R.
MAP NO.163

ZONING DATA - R-44 (SEC.3.0.2.A)			
GENERAL PROVISIONS	PERMITTED	EXISTING	PROPOSED
a. MINIMUM LOT AREA	43,560 Sq. Ft.	18,000 Sq. Ft.	18,000 Sq. Ft.
b. MINIMUM ROAD FRONTAGE	125.0'	180.00'	180.00'
c. MINIMUM FRONT YARD	40.0'	10.2±	10.2±
d. MINIMUM SIDE YARD	20.0'	88.7±(s/w) 35.6±(n/e)	23.4'(n/e)
e. MINIMUM REAR YARD	50.0'	7.2± (Shed)	7.2± (Shed)
f. MAXIMUM HEIGHT	35.0'	<35'	<35'
g. MAXIMUM BUILDING AREA	20% (3,600 Sq.Ft.)	6.1% (1,104 Sq.Ft.)	7.8% (1,399 Sq.Ft.)
h. MAXIMUM IMPERVIOUS SURFACES	25% (4,500 Sq.Ft.)	8.8% (1,591 Sq.Ft.)	9.99% (1,799 Sq.Ft.)

LOTS 7910-7913 & 7938-7942
NOW OR FORMERLY
GREGORY P. O'NEILL
AND
JEAN M. O'NEILL
VOL.282 PG.213 - OF THE N.F.L.R.
MAP NO.163

LOTS 7893-7900
NOW OR FORMERLY
JOSEPH K. KELLEY
AND
SHAYLENE K. KELLEY
VOL.499 PG.1028 - OF THE N.F.L.R.
MAP NO.163



OWNERSHIP NOTES:

1. OWNER OF RECORD: **DEAN ENERSON** AND **JENNIFER AMABILE** - VOL.386 PG.613 OF THE N.F.L.R.

SURVEY NOTES:

1. THIS SURVEY AND MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 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 AUGUST 29, 2019. IT IS AN IMPROVEMENT LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2.
2. MONUMENTATION FOUND OR SET DEPICTED HEREON.
3. REFERENCE MADE TO MAP NO. 163 OF THE NEW FAIRFIELD LAND RECORDS.
4. PROPERTY IS SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS AND AGREEMENTS OF RECORD.
5. SUBJECT TO RIGHTS, PRIVILEGES AND RESTRICTIONS RECORDED IN VOL.17 PG. 93, VOL.17 PG.226 AND VOL.31 PG.63 OF THE NEW FAIRFIELD LAND RECORDS.
6. UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST WITHIN THE AREA DEPICTED, THE EXISTENCE OF WHICH ARE UNKNOWN TO SYDNEY A. RAPP LAND SURVEYING, P.C. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 811 or 1-800-922-4455.
7. PROPOSED ADDITION DEPICTED HEREON TAKEN FROM INFORMATION SUPPLIED BY OTHERS.
8. NO FIELD INSPECTION OF PREMISES CONDUCTED FOR MAY 5, 2023 MAPPING.

EXISTING/PROPOSED

IMPROVEMENT LOCATION SURVEY

PREPARED FOR
DEAN ENERSON AND JENNIFER AMABILE
DEPICTING PROPERTY SITUATED AT
3 LANCASTER ROAD
NEW FAIRFIELD, CONNECTICUT
TAX ASSESSOR LOT ~ 36 / 7 / 11-12



*** IMPORTANT ***
LOCATION OF UNDERGROUND UTILITIES DEPICTED HEREON ARE APPROXIMATE. NO WARRANTY NOR GUARANTEE OF LOCATION MADE PRIOR TO ANY CONSTRUCTION OR EXCAVATION CONTACT
"CALL BEFORE YOU DIG" 811 or (800)922-4455

SCALE: 1"=20'
AREA: 18,000 Sq.Ft.
DRAWING NAME: 23108-ILS.R
Sydney A. Rapp Land Surveying, P.C.
30 Lindcrest Drive, Danbury, Connecticut 06811
1-B Grand Street, Bethel, Connecticut 06801
email:maps@sarlandsurveying.com - Phone (203)744-6261

TO MY KNOWLEDGE AND BELIEF
THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON
ZACHARY S. RAPP, PLS
LICENSE NO.70420
NOT VALID WITHOUT A USE SIGNATURE AND EMBOSSED SEAL

Project Team

ARCHITECT
 Chris Creighton
 11 Clement Road
 New Fairfield, CT 06812
 Tel: 203-770-8020
 Fax: N/A
 Contact: Chris Creighton

Title

ENERSON/AMABILE RESIDENCE

3 LANCASTER ROAD
 NEW FAIRFIELD, CT

Issued for ZBA

MAY 12, 2023

Drawing Index

Dwg. #	Title	Scale
C-1	Legends, Symbols and Abbreviations	None
EX101	Demo/Existing Floor Plans	1/4" = 1'-0"
EX201	Demo/Existing Exterior Elevations	1/4" = 1'-0"
EX202	Demo/Existing Exterior Elevations	1/4" = 1'-0"
A101	Proposed First Floor Plan	1/4" = 1'-0"
A102	Proposed Second Floor Plan	1/4" = 1'-0"
A201	Proposed Exterior Elevations	1/4" = 1'-0"
A202	Proposed Exterior Elevations	1/4" = 1'-0"

NOTES

1 ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, LAWS, AND STATUTES AS REQUIRED PER THE 2021 INTERNATIONAL RESIDENTIAL CODE

Architectural Abbreviations

A/C - AIR CONDITIONING	N/E - NOT ELECTRIFIED
ADJ - ADJUSTABLE	N/A - NOT APPLICABLE
A.F.F. - ABOVE FINISH FLOOR	N.I.C. - NOT IN CONTRACT
ALUM - ALUMINUM	N.T.S. - NOT TO SCALE
B.F. - BOILER FLUE	O.C. - ON CENTER
B.O. - BOTTOM OF	O.D. - OUTSIDE DIAMETER
BR - BEDROOM	OPG - OPENING
BLDG - BUILDING	P.LAM - PLASTIC LAMINATE
BLKG - BLOCKING	POL - POLISHED
BSMT - BASEMENT	PLWD - PLYWOOD
C.B. - CATCH BASIN	R - RADIUS
C.J. - CONTROL JOINT	R.D. - ROOF DRAIN
CAB - CABINET	R.O. - ROUGH OPENING
CLG - CEILING	REQ'D - REQUIRED
CONC - CONCRETE	RM - ROOM
CTR - COUNTER TOP	SH - SHELF
CL - CENTER LINE	S.S. - STAINLESS STEEL
CT - CERAMIC TILE	SYM - SYMMETRICAL
DS - DOWNSPOUT	T - THICK
DW - DISH WASHER	T.B. - TOWEL BAR
DBL - DOUBLE	T.B.D. - TO BE DETERMINED
DN - DOWN	T.O. - TOP OF
DR - DOOR	T.P. - TOILET PAPER HOLDER
E.J. - EXPANSION JOINT	TV - TELEVISION
ELEV - ELEVATION	T&G - TONGUE AND GROOVE
EQ - EQUAL	TEL - TELEPHONE
EXIST - EXISTING	TYF - TYPICAL
F.B.O. - FURNISHED BY OWNER	U.N.O. - UNLESS NOTED OTHERWISE
F.D. - FLOOR DRAIN	VIF - VERIFY IN FIELD
F.O.F. - FACE OF FINISH	VERT - VERTICAL
F.S. - FULL SIZE	VEST - VESTIBULE
FDN - FOUNDATION	W/ - WITH
FIN - FINISH	W/O - WITHOUT
FL - FLOOR	W/W - WALL TO WALL
FTG - FOOTING	WP - WATERPROOF
GWB - GYPSUM WALL BOARD	WWF - WELDED WIRE FABRIC
GC - GENERAL CONTRACTOR	WC - WATER CLOSET
H.B. - HOSE BIB	WD - WOOD
H.W.H. - HOT WATER HEATER	
HDR - HEADER	
HDW - HARDWARE	
HT - HEIGHT	
H.T.B. - HEATED TOWEL BAR	
HTG - HEATING	
HVAC - HEAT, VENTILATION, & A.C.	
I.D. - INSIDE DIAMETER	
KIT - KITCHEN	
L.C.C. - LEAD COATED COPPER	
LAM - LAMINATE	
LAV - LAVATORY	
LIB - LIBRARY	
MWGWB - MOISTURE RESISTANT GYPSUM WALL BOARD	

Electrical Symbols

	220 Receptacle
	Duplex Outlet
	Duplex Split
	Floor Recept.
	GFI Recept.
	Quad Recept.
	Single Recept.
	WP Waterproof Recept.
	Switch - 2 way
	Switch - 3 way
	Switch - 4 way
	Switch - Dimmer
	Switch - GFI
	Switch - Timer
	Switch - Waterproof
	Door Bell
	Phone jack
	Phone jack - Floor
	Speaker
	TV Jack
	Junction box - round
	Junction box - square
	Thermostat
	Ceiling fixture - Surface
	Recessed Downlight
	Recessed Downlight (Directional)
	Wall Mount - Surface Fixture
	Fluorescent Strip
	110 v Plug Mold strip
	EP Electrical Panel Box
	Alarm Control Panel

Graphic Legend

	Wetlands
	Earth or Compact fill
	Rock
	Porous fill
	Concrete
	Concrete Block (CMU)
	Stucco or Mortar
	Stone or Marble
	Brick
	Metal - Large Scale
	Hardwood
	Plywood
	Rough Lumber
	Wood Blocking
	Gypsum wallboard - Large Scale
	Imperial board
	Metal lath and Plaster
	Carpet
	Rigid insulation
	Batt insulation

Drawing Symbols

	Floor Plan 1/4" = 1' - 0"	Drawing title
		Elevation reference: drawing and sheet number
		Section reference: drawing and sheet number
		Detail reference: drawing and sheet number
		Window tag: window number
	Bedroom 201	Room name & number
	First Floor 0' - 0"	Datum - control point
		North arrow
		Dimension line

* NOTE: DO NOT SCALE FROM DRAWINGS

Drawing Issue			
No.	Date	By	CC
1.	05.12.23	SUBMIT FOR ZBA	CC

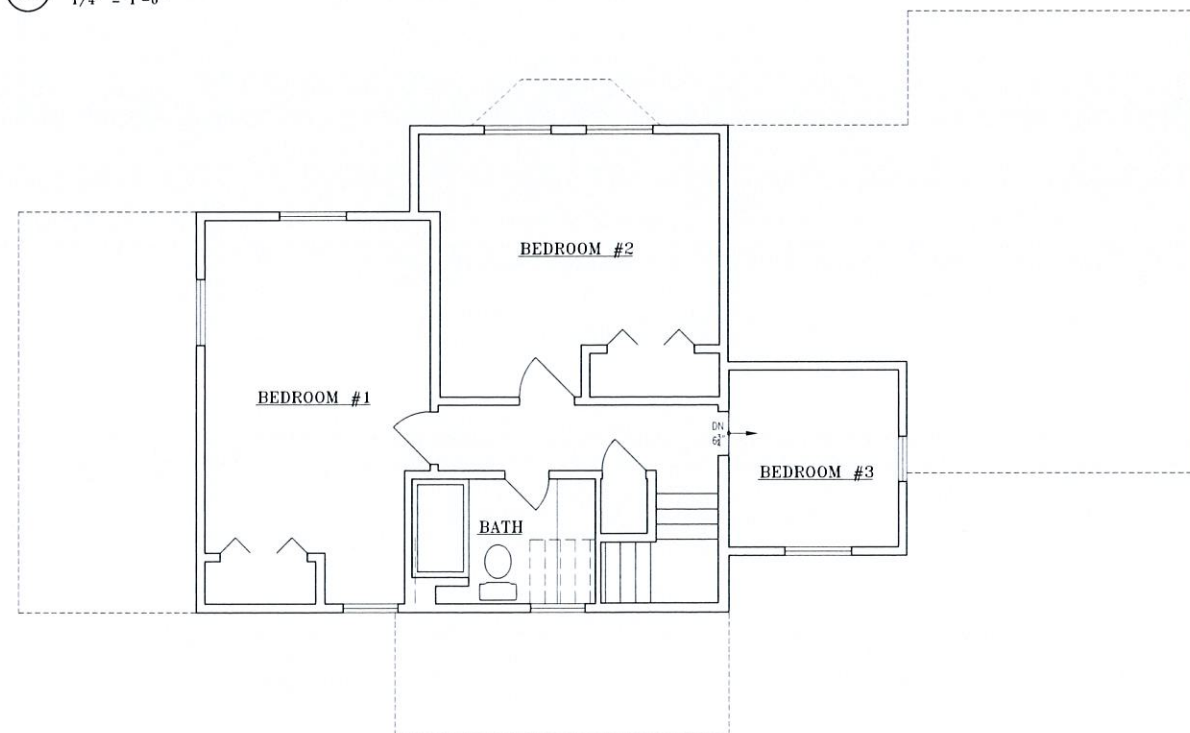
Drawing Revisions			
No.	Date	By	CC

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ENERSON/AMABILE RESIDENCE NEW FAIRFIELD, CT			
COVER SHEET			
Project # CC	Date 2/01/23	Scale N/A	Sheet C-1



D3 EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"



H3 EXISTING SECOND FLOOR PLAN
1/4" = 1'-0"

NOTES

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, LAWS, AND STATUTES AS REQUIRED.
2. REVIEW DEMO PLANS WITH ARCHITECT IN FIELD PRIOR TO INITIATING CONSTRUCTION.
3. PROVIDE PLASTIC BARRIERS BETWEEN EXISTING AREAS AND AREAS OF NEW CONSTRUCTION. PROTECT ALL ADJACENT AREAS TO REMAIN UNDISTURBED.
4. IN AREAS TO BE DEMOLISHED, PROVIDE ADEQUATE STRUCTURAL SUPPORT FOR ADJACENT AREAS TO PREVENT SETTLEMENT OR SHIFTING OF EXISTING WALLS, ROOF ETC.
5. PROTECT AREAS ADJACENT TO DEMOLITION FROM DAMAGE AND FROM NATURAL ELEMENTS.
6. CONTRACTOR TO COORDINATE DEMO WORK AT EXISTING EXTERIOR WALLS AS REQUIRED FOR NEW DOORS AND WINDOWS IN ADDITION TO INFORMATION SHOWN ON THIS DRAWING. CONTRACTOR TO PROVIDE ALL DEMOLITION AS REQUIRED BY NEW PLANS AND ELEVATIONS.
7. CONTRACTOR SHALL PROVIDE FOR REMOVAL AND DISPOSAL OF ALL DEMOLITION AND CONSTRUCTION DEBRIS ASSOCIATED WITH THIS PROJECT.

WALL TYPES

- EXISTING WALLS TO REMAIN
- - - - - EXIST WALLS TO BE DEMOLISHED

* NOTE: DO NOT SCALE FROM DRAWINGS

Drawing Issue		
No.	Date	By
1.	05.12.23	CC

Drawing Revisions		
No.	Date	By

Client: ENERSON/AMABILE RESIDENCE
NEW FAIRFIELD, CT

Title: EXISTING FLOOR PLANS

Drawn by: CC	Scale: 1/4" = 1'-0"	Sheet: EX101
Date: 2/01/23		

A
B
C
D
E
F
G
H



D3 EXISTING FRONT ELEVATION
1/4" = 1'-0"



H3 EXISTING SIDE ELEVATION
1/4" = 1'-0"

NOTES

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, LAWS, AND STATUTES AS REQUIRED.
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WALL TYPES

- EXISTING WALLS TO REMAIN
- - - - - EXIST WALLS TO BE DEMOLISHED

* NOTE: DO NOT SCALE FROM DRAWINGS

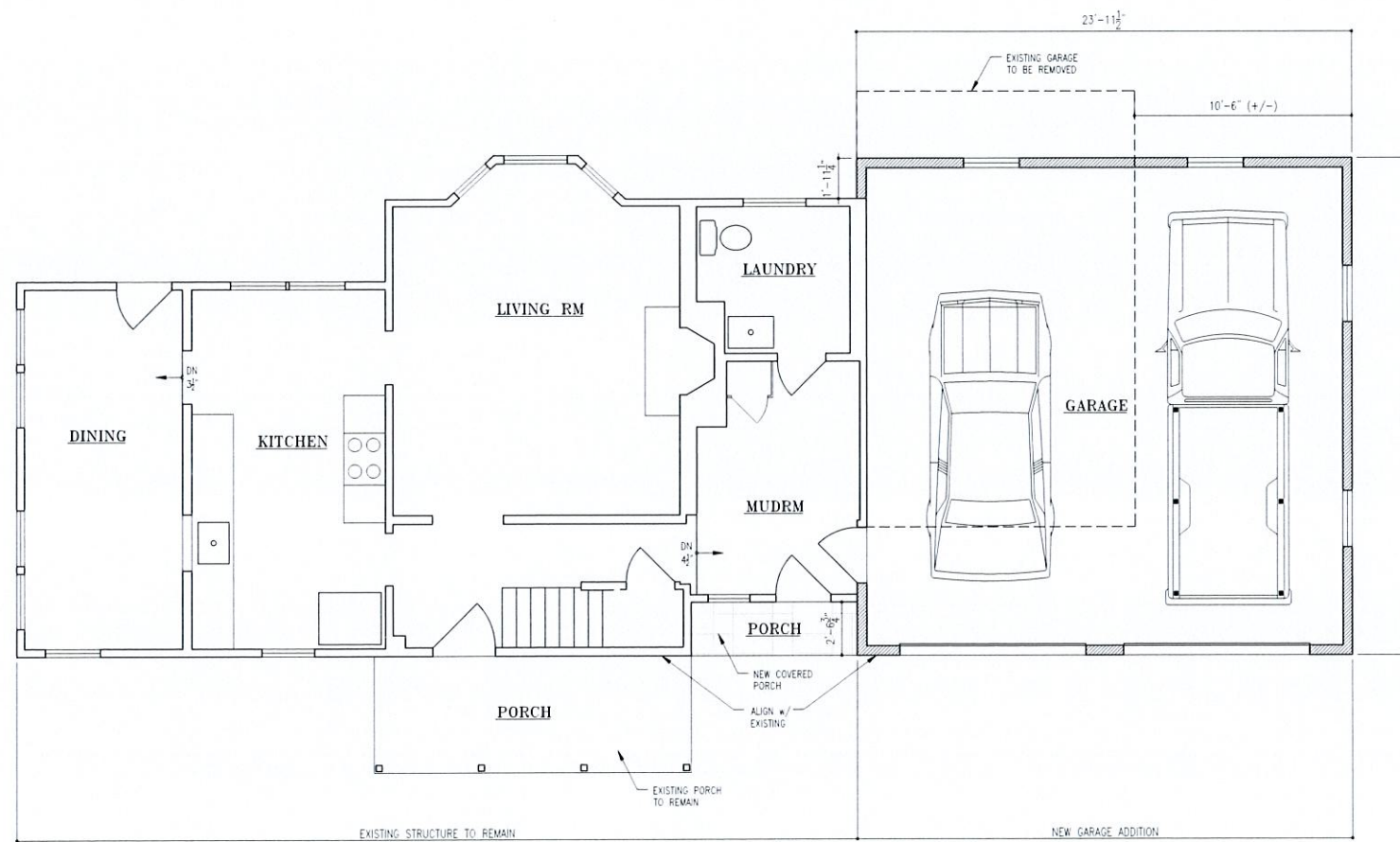
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No.	Date	By
1.	05.12.23	CC

Drawing Revisions		
No.	Date	By

Client: ENERSON/AMABILE RESIDENCE
NEW FAIRFIELD, CT

Title: EXISTING EXTERIOR ELEVATIONS

Project # / Drawn By: CC	Scale: 1/4" = 1'-0"	Sheet: EX201
Date: 2/01/23	Drawn By:	



F3 PROPOSED FIRST FLOOR PLAN
 1/4" = 1'-0"

NOTES

* NOTE: DO NOT SCALE FROM DRAWINGS

Drawing Issue

No.	Date	Description	By
1.	05.12.23	SUBMIT FOR ZBA	CC

Drawing Revisions

No.	Date	Description	By

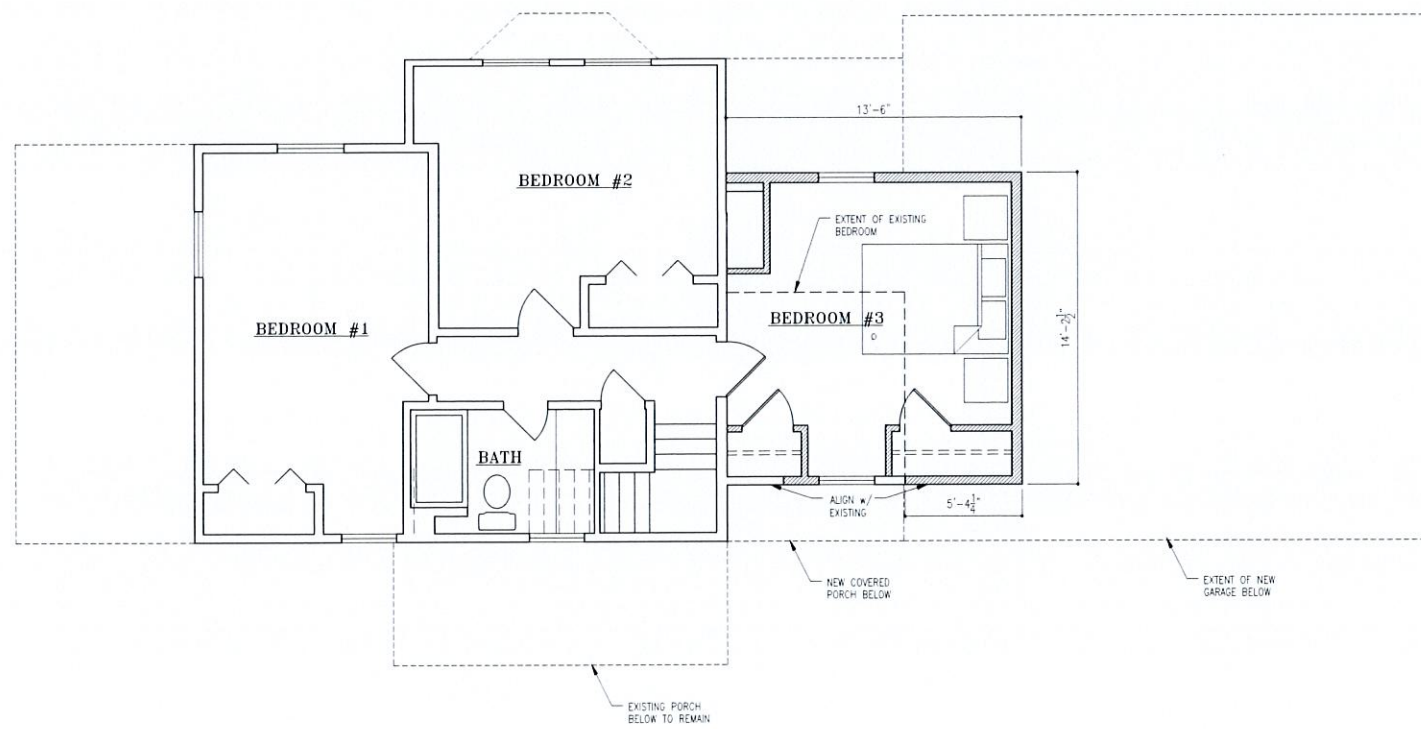
ENERSON/AMABLE RESIDENCE
 NEW FAIRFIELD, CT

PROPOSED FIRST
 FLOOR PLAN

Project #	CC	Scale	1/4" = 1'-0"	Sheet	A101
Date	2/01/23				

1 2 3 4 5 6 7 8 9 10

A
B
C
D
E
F
G
H



○ PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"

NOTES

* NOTE: DO NOT SCALE FROM DRAWINGS

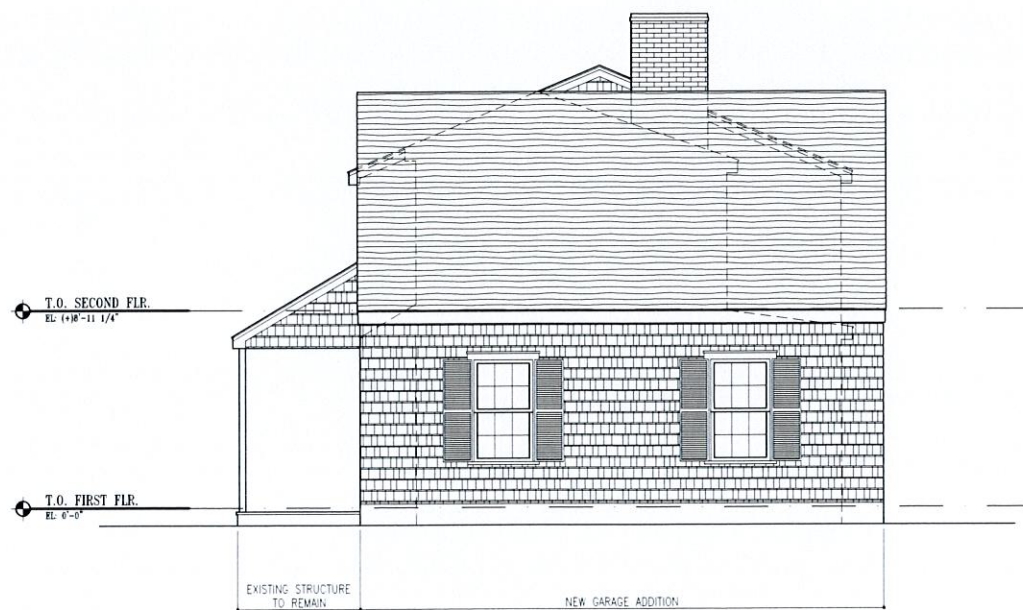
Drawing Issue		
No.	Date	By
1	05/12/23	CC

Drawing Revisions		
No.	Date	By

Client	ENERSON/AMABILE RESIDENCE NEW FAIRFIELD, CT		
	Title		
Project/Drawn by	PROPOSED SECOND FLOOR PLAN		
	CC	Scale	A102
Date	2/01/23	Sheet	



(D3) PROPOSED FRONT ELEVATION
1/4" = 1'-0"



(H3) PROPOSED SIDE ELEVATION
1/4" = 1'-0"

* NOTE: DO NOT SCALE FROM DRAWINGS

Drawing Issue

No.	Date	By
1.	05.12.23	CC

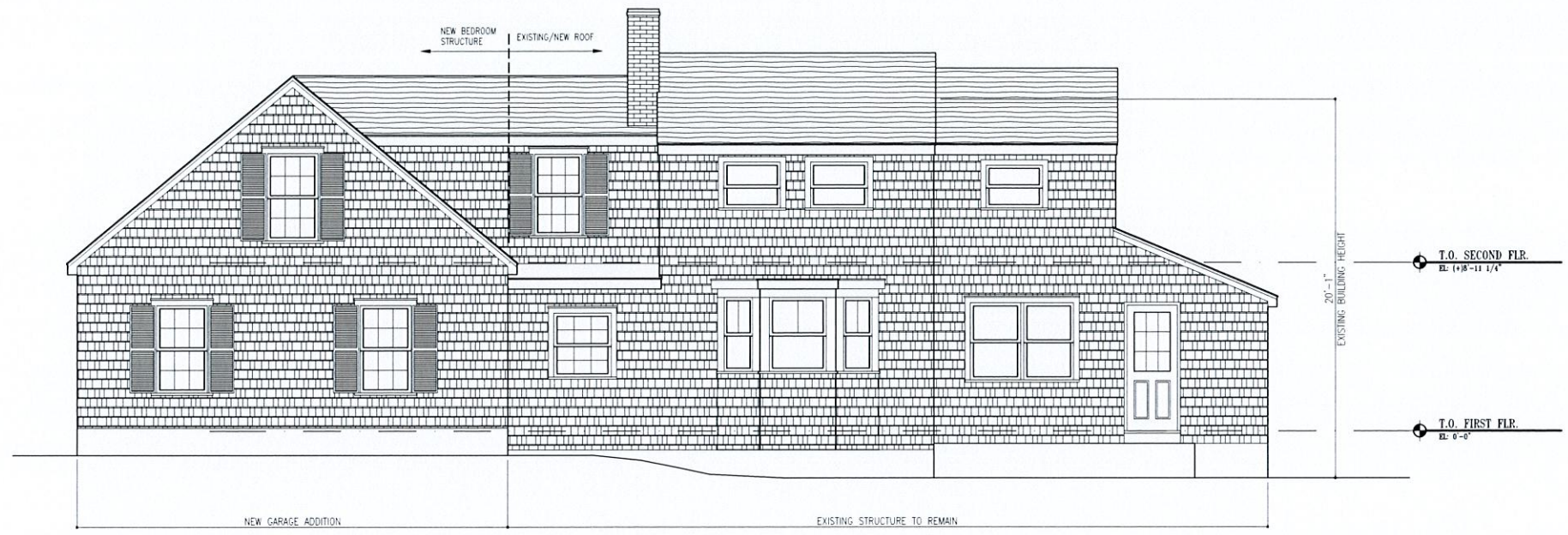
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No.	Date	By

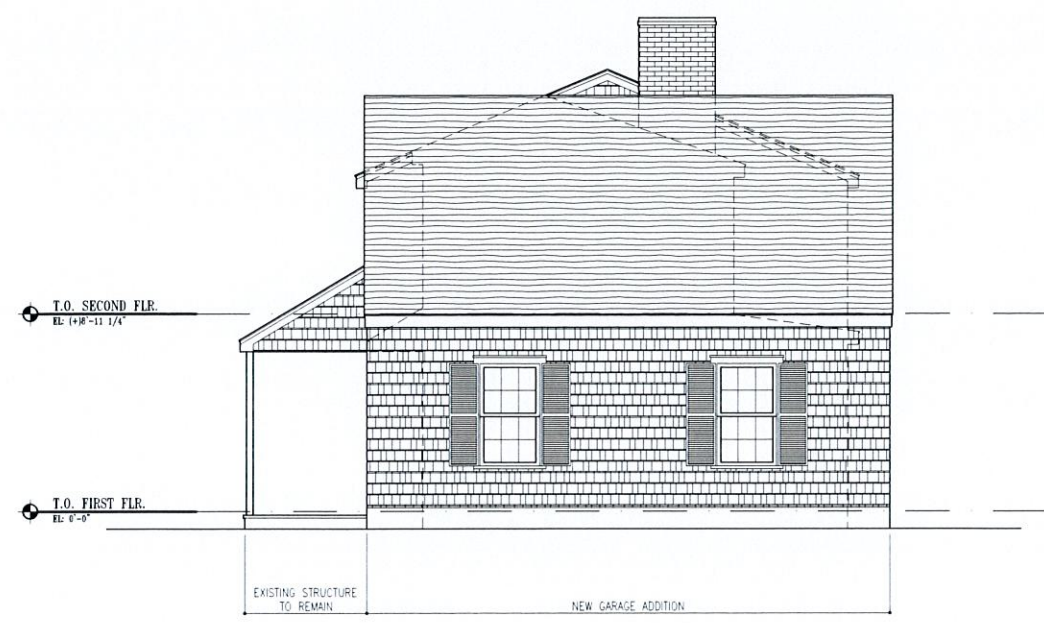
ENERSON/AMABILE RESIDENCE
NEW FAIRFIELD, CT

PROPOSED
EXTERIOR ELEVATIONS

Project #	CC	Scale	1/4" = 1'-0"	Sheet	A201
Date	2/01/23				



D3 PROPOSED REAR ELEVATION
1/4" = 1'-0"



H3 PROPOSED SIDE ELEVATION
1/4" = 1'-0"

NOTES

* NOTE: DO NOT SCALE FROM DRAWINGS

Drawing Issue		
No.	Date	By
1.	05.12.23	CC

Drawing Revisions		
No.	Date	By

Client: ENERSON/AMABILE RESIDENCE
NEW FAIRFIELD, CT

Title: PROPOSED EXTERIOR ELEVATIONS

Drawn by: CC	Scale: 1/4" = 1'-0"	Sheet: A202
Date: 2/01/23		