

APPLICATION OR APEAL#: 35-23

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Cleon & Tinamarie Dawes  
Mailing Address: 4 Sherry Lane  
New Fairfield, CT 06812 Phone#: 203-746-1004 or 203-917-5478  
Email: Cleondawes@yahoo.com

2) Premises located at: 4 Sherry Lane on the (N S E W) side of the street  
at approx. 150' feet (N S E W) from POSSUM & Sherry Lane (nearest intersecting road).

3) Property Owner Name: Cleon & Tinamarie Dawes  
Interest in Property: OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 124 Block No.: 1 Lot No.: 95

5) Zone in which property is located: R-44 Area of Lot: .5939 Acres / 25,871 Sq Ft

6) Dimensions of Lot: Frontage: 126.60' Average Depth: 190'

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: NR

10) Proposal for which variance is requested: Proposing deck extension  
10x24 & 8x12 on western side of rear of house. set back on rear  
yard from 32.0' to 30.9' as a result of point of measurement.

Hardship: Pre existing none conforming narrow lot with decent slope  
towards western rear portion of property

11) Date of Zoning Commission Denial: August 29, 2023

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

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

Setbacks Requested: Front to: \_\_\_\_\_ Rear to: 30.9'  
Side to: \_\_\_\_\_ Side to: \_\_\_\_\_

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: Cleon Dawes DATE: 8/11/23



PROPOSAL

SEP 21 2023  
ZONING BOARD OF APPEALS

received  
8-14-2023

**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT:** VERIFICATION OF NON-COMPLIANCE

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

**DATE:** August 29, 2023

**PROPERTY OWNER:** Cleon & Tinamarie Dawes

**PROPERTY ADDRESS:** 4 Sherry Lane

**APPLICANT/AGENT:** Cleon & Tinamarie Dawes

**MAILING ADDRESS:** 4 Sherry Lane

**ZONING DISTRICT:** R-44    **MAP:** 24    **BLOCK:** 1    **LOT:** 95

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 (C)

3.2.11-Minimum Lot Dimensions

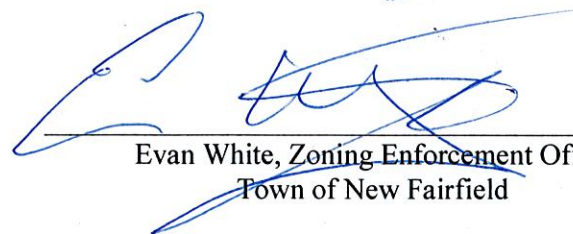
7.1.12-Improved Lots Not In a Validated or Approved Subdivision

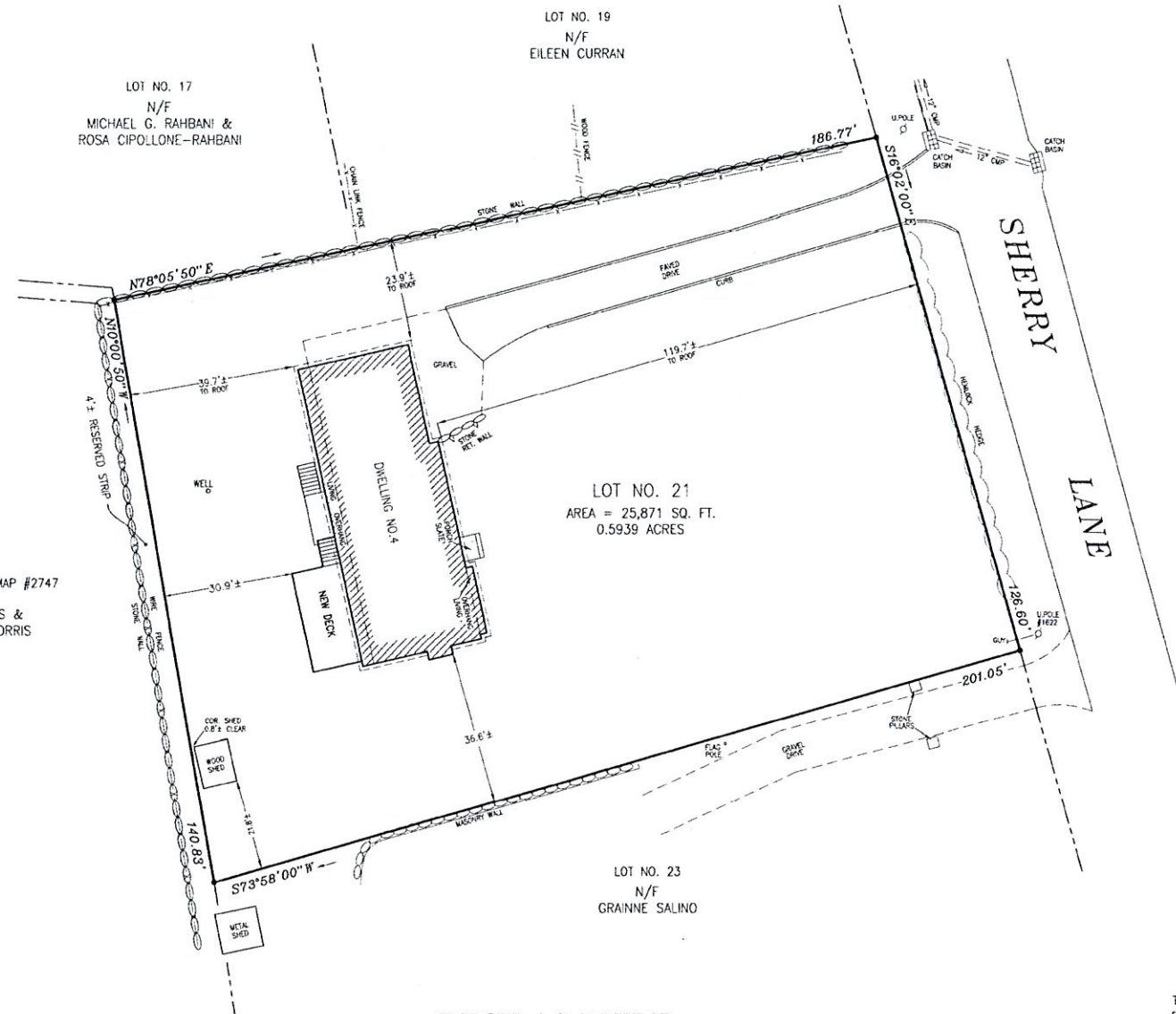
7.2.3-Nonconforming Use of Building or Structure; Nonconforming Buildings or Structures (A+B)

**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



LOT NO. 11 ~ T.C. MAP #2747  
N/F  
GARY B. MORRIS &  
CATHERINE G. MORRIS

**DECK AS-BUILT  
ZONING LOCATION SURVEY**  
PREPARED FOR  
**CLEON A. & TINAMARIE B. DAWES**

4 SHERRY LANE  
TOWN OF NEW FAIRFIELD      FAIRFIELD COUNTY, CT.  
JULY 17, 2023      SCALE: 1" = 20'



**SURVEY NOTES:**

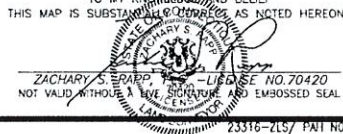
- 1) PROPERTY IS LOCATED IN R-44 ZONING DISTRICT.
- 2) REFERENCE MADE TO TOWN CLERK MAP NOS. 920, 992, 2747 AND VOL. 90 PG. 189, VOL. 367 PG. 677-678 OF THE NEW FAIRFIELD LAND RECORDS.
- 3) REFERENCE MADE TO A CERTAIN MAP ENTITLED "PROPERTY SURVEY PREPARED FOR THOMAS WESTLAKE, 4 SHERRY LANE, TOWN OF NEW FAIRFIELD, FAIRFIELD COUNTY, CT.", BY THIS OFFICE, DATED NOV. 22, 1996.
- 4) SEE MAP REFERENCED IN NOTE #3 ON FILE IN THE ZONING OFFICE, FOR BUILDING SETBACKS PERTAINING TO THIS LOT.
- 5) PROPERTY IS SUBJECT TO RESTRICTIONS AS NOTED IN VOL. 90 PG. 189.
- 6) REFERENCE MADE TO MAP ENTITLED "PROPERTY SURVEY PREPARED FOR CLEON A. & TINAMARIE B. DAWES 4 SHERRY LANE TOWN OF NEW FAIRFIELD, FAIRFIELD COUNTY, CT.", DATED OCT. 30, 2008, REVISED NOV. 24, 2008 PREPARED BY PAUL A. HIRO, P.C.
- 7) SUBJECT TO VARIANCE GRANTED AND RECORDED IN VOL. 570 PG. 264 OF THE NEW FAIRFIELD LAND RECORDS. (APPLICATION #31-22)
- 8) THE INTENTION OF THIS SURVEY IS TO DEPICT TO NEW DECK IN RELATION TO THE PROPERTY/BOUNDARY LINES. SOME FEATURES MAY NOT BE DEPICTED FOR THIS MAPPING.

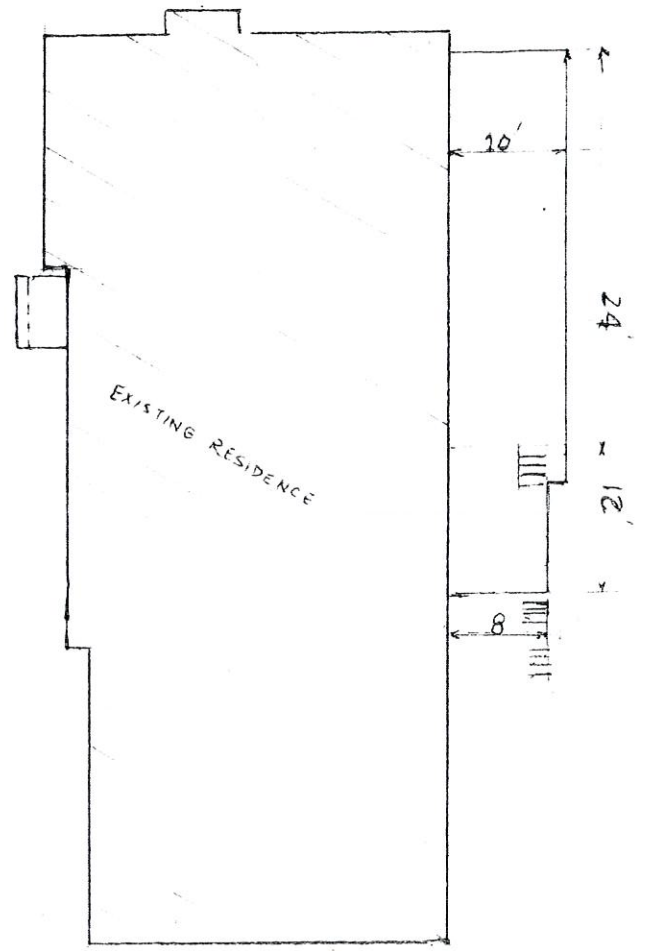
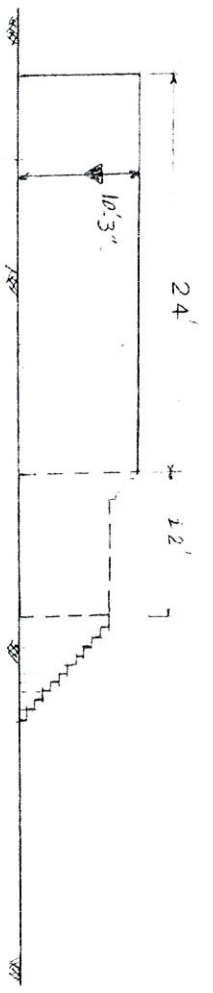
THIS SURVEY AND MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON AUGUST 29, 2019. IT IS A ZONING LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2.

**Sydney A. Rapp Land  
Surveying, P.C.**

30 Lindencrest Drive, Bethel, 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





SCALE 1"=10'

Lot 21 45' x 100' New Street T