

APPLICATION OR APEAL#: 39-28

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Eugene DeNoia  
Mailing Address: 315 State Rte 39  
New Fairfield CT Phone#: 917-733-6651  
Email: mrgadgetny@gmail.com

2) Premises located at: 319A Rt 39 New Fairfield on the (N S E W)  side of the street  
at approx. 500 ft feet (N S E W) from Lavelle Ave (nearest intersecting road).

3) Property Owner Name: Eugene DeNoia  
Interest in Property: OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 6/6/17.1A Block No.: 449 Lot No.: 385

5) Zone in which property is located: R44 Area of Lot: 647 sq Ft

6) Dimensions of Lot: Frontage: 27.5' Average Depth: 23.6'

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: N/A

10) Proposal for which variance is requested: Add a storage loft above an existing shed, accessible from top of sloping driveway

Hardship: Pre existing, non conforming, narrow, shallow lot with significant slope

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: 10' to 0'  
Side to: 10' to 7.5' Side to: 10' to 8'

13) Use to be made of property if variance is granted: gardening and lawn tool storage

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: 8/23/2023

PROPOSAL  
SEP 21 2023  
ZONING BOARD OF APPEALS  
#5

received  
8-23-23 (e)

**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT:** VERIFICATION OF NON-COMPLIANCE

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

**DATE:** August 29, 2023

**PROPERTY OWNER:** Eugene DeNoia

**PROPERTY ADDRESS:** 319A State Route 39

**APPLICANT/AGENT:** Eugene DeNoia

**MAILING ADDRESS:** 315 State Route 39

**ZONING DISTRICT:** R-44    **MAP:** 6    **BLOCK:** 6    **LOT:** 17.1A

Please be advised that the applicant would like to (See Noncompliance).

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 (A+B+C+D+E+F)

3.1.5-Minimum Lot Area & Frontage (A+B)

3.1.6-Minimum Building or Structure Setbacks (A+B+C)

3.1.11-Minimum Lot Dimensions

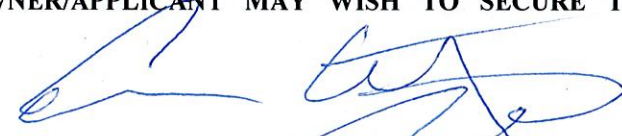
7.1.1.1-Improved Lots in Validated Subdivision or Recorded Subdivision and Resubdivision (A+B)

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

**Donald Blackwell &  
Anna M. Blackwell**  
Vol. 327, Pg. 920  
(see Map #1404)

REFER TO MAP No. 387 ON FILE  
IN THE NEW FAIRFIELD LAND RECORDS

NORTH



**n/f Eugene DeNoia**  
Vol. 449, Pg. 385  
(see Map #1405)

440 CONTOUR UNDER DECK.  
SAME DISTANCE AS NORTHERLY LINE  
HELD, BUT SUBJECT TO CHANGE.

**n/f Christopher Solimene**  
Vol. 388, Pg. 1035



IRON PIN SET  
AT 440 CONTOUR

10' ACCESS EASEMENT TO BE  
GRANTED TO EUGENE DENOIA  
BY CHRISTOPHER SOLIMENE

IRON PIPE  
(BENT)

87.53' TO IRON PIPE

EX. IRON PIPE

CLP A-8939

**PARCEL B**  
= 647 SQ. FT.  
= 0.01 AC.

STONE RETAINING WALL

STONE RETAINING WALL

DOCK

DECK

DECK

SHED

DECK

RESIDENCE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

IRON PIPE

PG. 613.

ONE PARCEL, AND

RACY.

## PROPERTY SURVEY

PREPARED FOR

## EUGENE DENOIA

SHOWING PROPERTY AT

**315 ROUTE 39**

## NEW FAIRFIELD, CONNECTICUT

PARCEL A = 3,601± SQ. FT.

PARCEL B = 647± SQ. FT.

TOTAL AREA = 4,248± SQ. FT.

= 0.09± AC.

REVISED JUNE 22, 2009 TO  
SHOW ACCESS EASEMENT

REVISED FEB. 4, 2011 TO  
CORRECT NOTE 2.( RE: LOT 1c  
AND TO NOTE IMPERMEABLE  
AREAS.

REVISED MAR. 18, 2011 TO CHAI  
DESCRIPTIONS OF PREVIOUSLY LA  
"CONCRETE PADS". SEE NOTE 6.

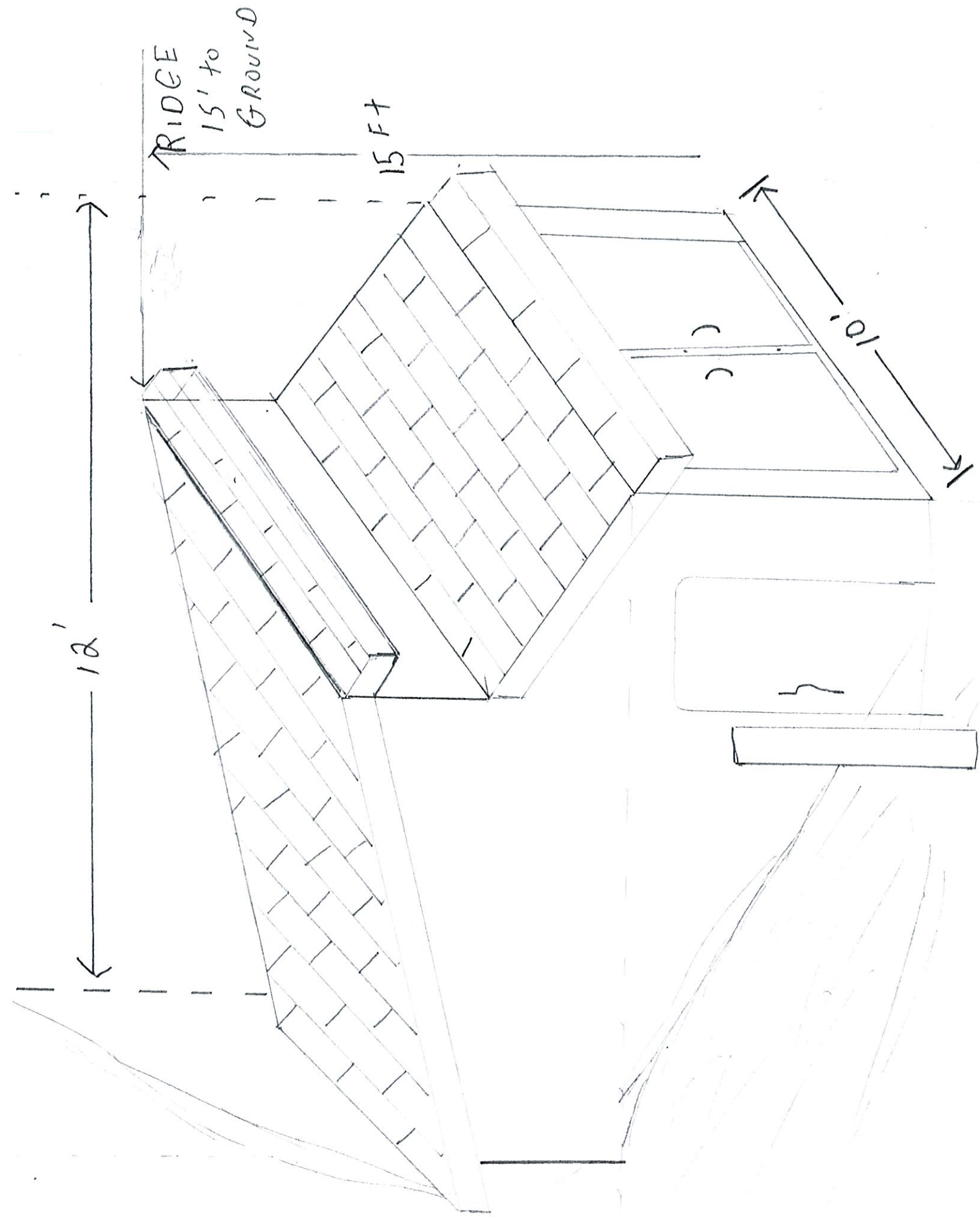
FOR  
THE BEST OF MY KNOWLEDGE AND BELIEF, THIS  
IS SUBSTANTIALLY CORRECT, AS NOTED HEREON.

SCALE: 1"=20' OCT 21, 2008



MARTIN J. POST, L.S. No. 17252

POST LAND SURVEYING  
250 TOWN HILL ROAD  
NEW HARTFORD, CONNECTICUT



① As shown on survey, Existing set backs

on existing shed are

7' to North

8' to South

440 line to the West.

② The Zoning regulation for a shed is 12' in height.  
I am requesting a variance of 3' to bring shed  
to a height of 15'

