

APPLICATION OR APPEAL#: 42-23

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: David & Mary Bevan

Mailing Address: PO Box 225, New Fairfield CT 06812 Phone#:203-733-8493

Email: 3davidb3@gmail.com

2) Premises located at: 16 Fox Run on the (N SEW) side of the street at approx. 21 feet (N SEW) from Laurel Lane (nearest intersecting road).

3) Property Owner Name: David & Mary Bevan

Interest in Property: OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 15 Block No.: 1 Lot No.: 237 238

5) Zone in which property is located: R44 Area of Lot: 23,034 SF (0.529 acres)

6) Dimensions of Lot: Frontage: 122 feet Average Depth: 182 feet

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, by previous owners (for shed)

If so, give dates and application numbers: Application Withdrawn 12/2001

10) Proposal for which variance is requested: This variance is requested to permit construction of a detached 20 by 20 foot garage on the residential property described above. This location was selected in consultation with the Town of New Fairfield Zoning Officer and Health Director, as well as a professional engineer and an architect.  
Hardship: This pre-existing, non-conforming semi-narrow lot is severely sloped with significant ledge.

#2

11) Date of Zoning Commission Denial: September 26, 2023

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

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

Setbacks Requested: Front to: 40 to 21.1 feet Rear to: N/A

South Side to: 20 to 2.5 feet Side to: N/A

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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: N/A

SIGNATURE OF OWNER OR AGENT: [Signature] DATE: 9/20/2023

received  
9-20-23

**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT:** VERIFICATION OF NON-COMPLIANCE

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

**DATE:** September 26, 2023

**PROPERTY OWNER:** David & Mary Bevan

**PROPERTY ADDRESS:** 16 Fox Run

**APPLICANT/AGENT:** David & Mary Bevan

**MAILING ADDRESS:** P.O. Box 225-New Fairfield, CT 06812

**ZONING DISTRICT:** R-44    **MAP:** 15    **BLOCK:** 1    **LOT:** 237+238

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:

3.0.5-Private Permanent Detached Garages (C)

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

3.2.6-Minimum Building & Structure Setbacks (A+B)

3.2.11-Minimum Lot Dimensions

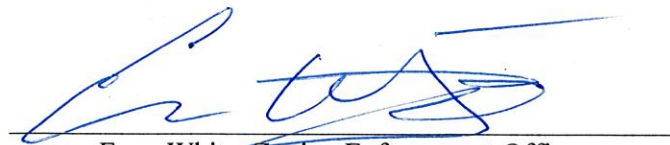
7.1.12-Improved Lots Not In a Validated or Approved Subdivision

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

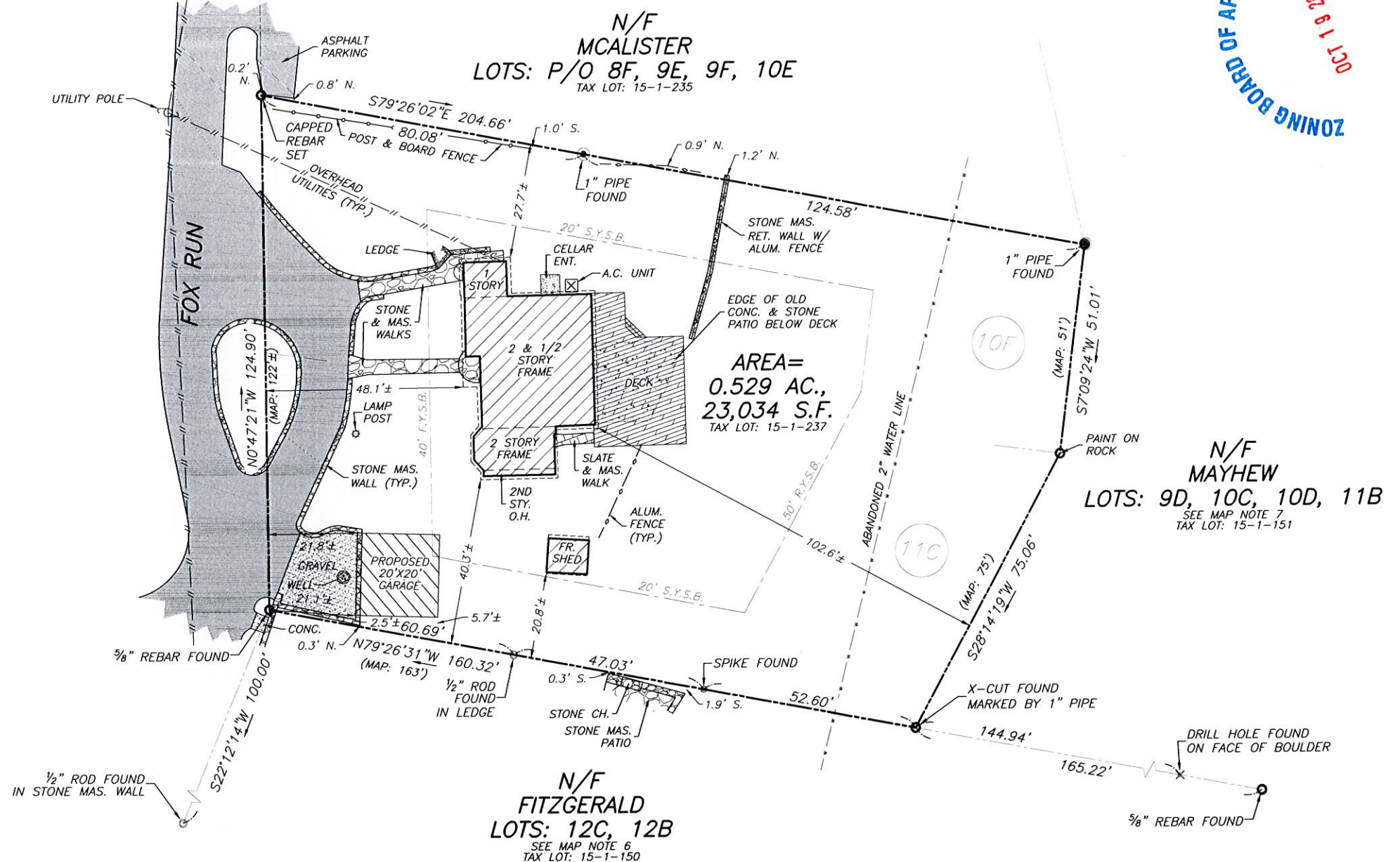
**THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.**

**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

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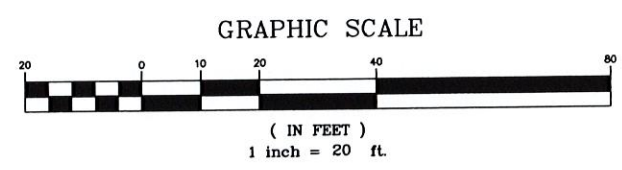


AREA =  
0.529 AC.,  
23,034 S.F.  
TAX LOT: 15-1-237

N/F  
FITZGERALD  
LOTS: 12C, 12B  
SEE MAP NOTE 6  
TAX LOT: 15-1-150

N/F  
MAYHEW  
LOTS: 9D, 10C, 10D, 11B  
SEE MAP NOTE 7  
TAX LOT: 15-1-151

ZONING TABLE - R44 (ZONE 1)				
	AREA (S.F.)	BUILDING AREA (S.F.)/%	IMP. SURFACE (S.F.)/%	
ALLOWABLE	43560	4607 20.0%	5759 25.0%	
EXISTING	23034	1320 5.7%	3367 14.6%	
PROPOSED	23034	1720 7.5%	3767 16.4%	



FIELD PARTY: EF  
DRAWN BY: EF  
CHECKED BY: 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 BOUNDARY/PROPERTY SURVEY.
- BOUNDARY DETERMINATION IS IN ACCORDANCE WITH THE STANDARDS FOR A DEPENDANT RESURVEY. (REFER TO T.C. MAP NO. 136 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

*Evan J. Fogie*  
EVAN J. FOGIE, P.L.S. Q. LICENSE NO. 70432



**PROPERTY SURVEY**

PREPARED FOR  
**MARY L. & DAVID H. BEVAN**  
BEING  
**LOTS 10F & 11C**  
(T.C. MAP No. 136)  
ALSO KNOWN AS  
**16 FOX RUN**  
SITUATE IN THE  
**TOWN OF NEW FAIRFIELD FAIRFIELD CO., CT.**  
SCALE: 1" = 20'  
FEBRUARY 21, 2022  
COPYRIGHT © 2022 GEOLGIC LAND SURVEYING, PLLC ALL RIGHTS RESERVED

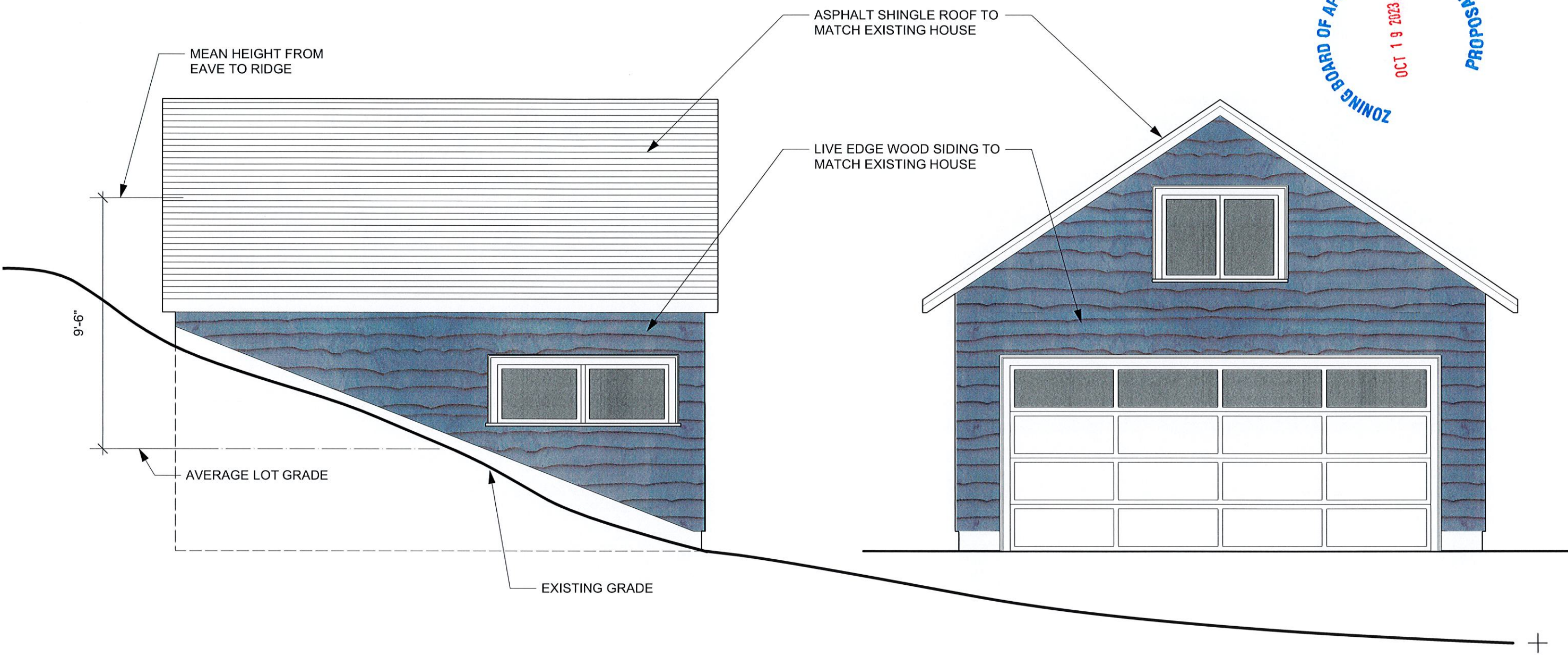
**REVISIONS / ADDITIONS**

DATE	DESCRIPTION	BY
3/1/22	ADD PROPOSED	EF

**MAP NOTES**

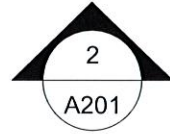
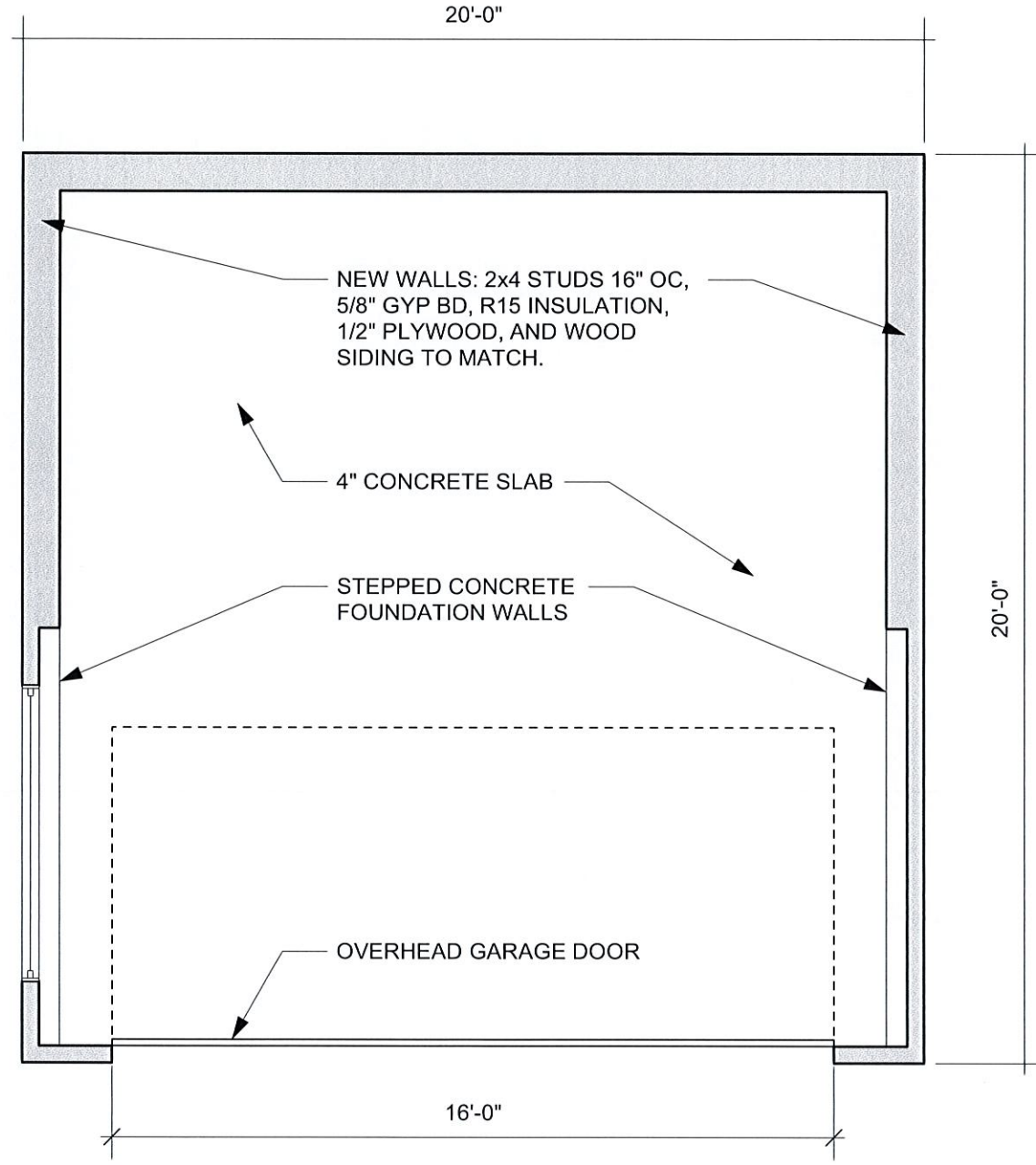
- THIS SURVEY WAS CONDUCTED ON THE GROUND ON FEBRUARY 21, 2022. MAP COMPLETED MARCH 1, 2022.
- PROPERTY LOCATED IN ZONE 1 (R44) ZONING DISTRICT.
- PROPERTY SUBJECT TO COVENANTS AND RESTRICTIONS OF RECORD.
- NO CERTIFICATION IS MADE TO THE LOCATION OF UNDERGROUND FEATURES AND/OR STRUCTURES; UNDERGROUND FEATURES, IF ANY, ARE NOT SHOWN HEREON.
- REFERENCES MADE TO TOWN CLERK MAP No. 126, 136, 1700, 2285, 3172, AS WELL AS BOOK 532 PAGE 1123.
- REFERENCES MADE TO MAPS PREPARED BY PAH, INC. ENTITLED "PROPERTY SURVEY PREPARED FOR GRACE SOSNICKI" LAST REVISED JUNE 17, 2014.
- REFERENCES MADE TO MAPS PREPARED BY PAH, INC. ENTITLED "PROPERTY SURVEY PREPARED FOR STEVEN & KIMBERLY MAYHEW" DATED NOVEMBER 29, 2010.
- 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. 15-1-237 (BEVAN 2022)



1 Garage Side Elevation  
Scale: 1/4" = 1'-0"

2 Garage Front Elevation  
Scale: 1/4" = 1'-0"



1 Garage Plan  
Scale: 1/4" = 1'-0"

ZONING BOARD OF APPEALS  
OCT 19 2023

PROPOSAL

ARCHITECT, LLC  
**peterwillcox**

206 FERNWOOD AVE, MONTCLAIR, NJ 07043  
973-714-2712 peterwillcoxarchitect@gmail.com

Bevan Garage  
16 Fox Run  
New Fairfield, CT

09-18-2023 Zoning Review

Garage Plan  
Scale As Noted

A101