

APPLICATION OR APEAL#: #19-20

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Thomas Stalzer
Mailing Address: 6 Arnold Lane
Rowayton, CT. 06853 Phone#: 203.858.6492
Email: info@StalzerDesign.com

2) Premises located at: 5 East Lane on the (N S E W) side of the street
at approx. 375 feet (N S E W) from Windmill Road (nearest intersecting road).

3) Property Owner Name: Robert and Carolyn Flynn

Interest in Property: OWNER X CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 10 Block No.: 2 Lot No.: 2

5) Zone in which property is located: R-44 Area of Lot: 12,954

6) Dimensions of Lot: Frontage: 106.1 feet Average Depth: 123 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

If so, give dates and application numbers: 12/29/78 #38-78, 4/21/88 #14-88, 12/13/2018 #46-18

10) Proposal for which variance is requested: Maintain gutter location at front eave

Hardship: Pre-demo survey may not have documented existing gutter due to damage.
(see existing photos)

11) Date of Zoning Commission Denial:

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

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

Setbacks Requested: Front to: +/- 0.2' Rear to:
Side to: Side to:

13) Use to be made of property if variance is granted: Single Family 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: DATE: 4/8/2020

receives
4-20-20

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE
FROM: Evan White, Zoning Enforcement Officer
DATE: May 26, 2020
PROPERTY OWNER: Robert and Carolyn Flynn
PROPERTY ADDRESS: 5 East Lane
APPLICANT/AGENT: Stalzer Design LLC. (Thomas Stalzer)
MAILING ADDRESS: 6 Arnold Lane Rowayton, CT 06853
ZONING DISTRICT: R-44 **MAP:** 10 **BLOCK:** 2 **LOT:** 2

Please be advised that the owner would wish to enclose a portion of existing covered porch.

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

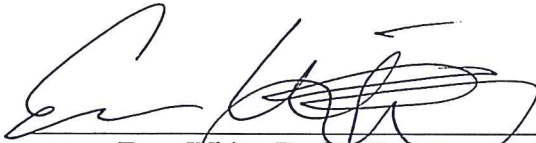
Sections:

- 3.2.5-Minimum Lot Area and Frontage (A+B)
- 3.2.6-Minimum Building and Structure Setbacks (A)
- 3.2.11-Minimum Lot Dimensions
- 7.1.12-Improved Lots Not in a Validated or Approved Subdivision (A+B)
- 7.2.3-Nonconforming Use of Building or Structure; Nonconforming Building or Structures (A+B+E)

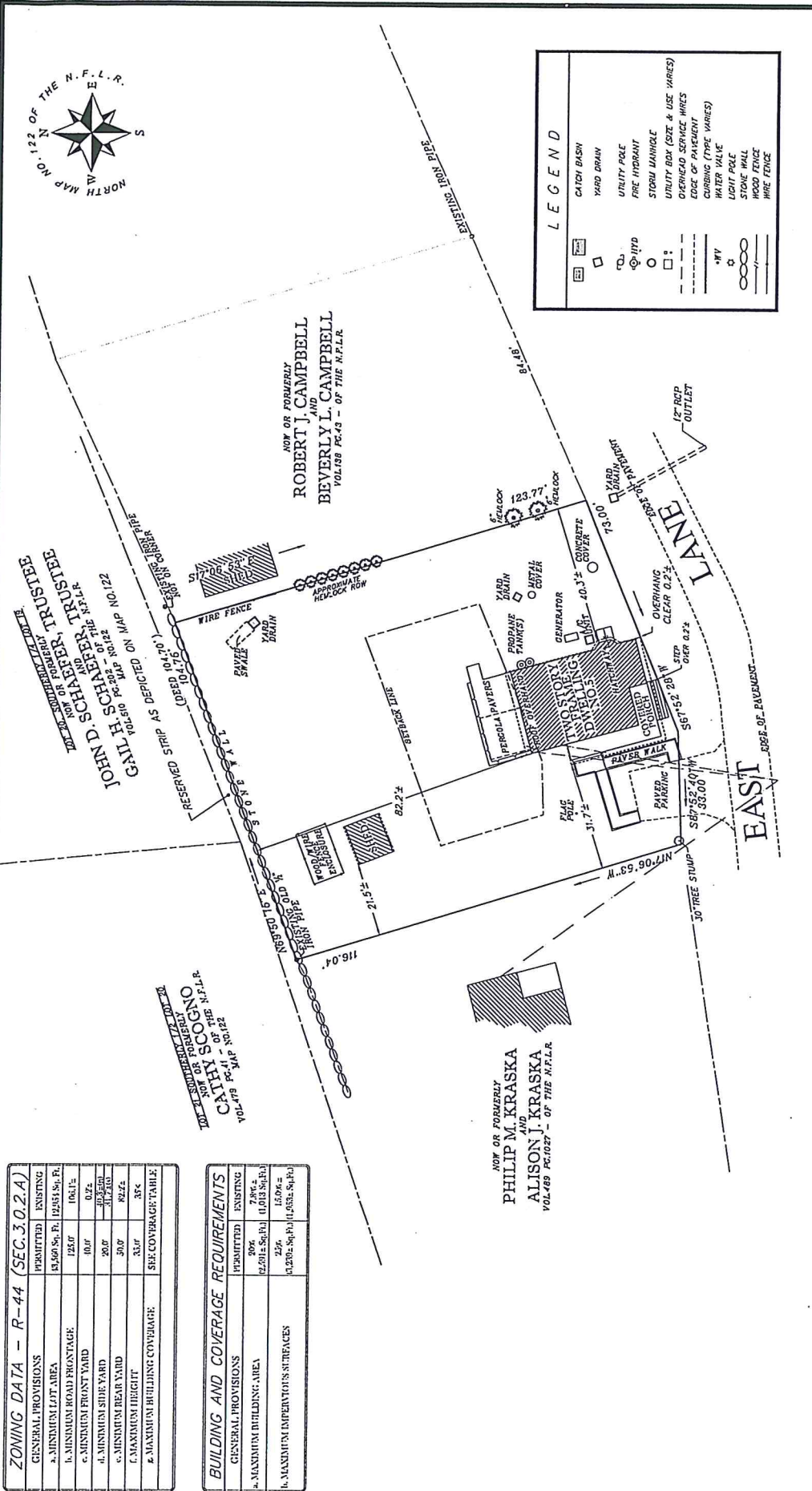
THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.

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



LEGEND

[Symbol]	CATCH BASIN
[Symbol]	YARD DRAIN
[Symbol]	UTILITY POLE
[Symbol]	FIRE HYDRANT
[Symbol]	STORM MANHOLE
[Symbol]	UTILITY BOX (USE & USE VARIES)
[Symbol]	OVERHEAD SERVICE WIRES
[Symbol]	EDGE OF PAVEMENT
[Symbol]	WATER VALVE
[Symbol]	LIGHT POLE
[Symbol]	STONE WALL
[Symbol]	WIRE FENCE
[Symbol]	WIRE FENCE

IMPROVEMENT LOCATION SURVEY

PREPARED FOR
ROBERT M. FLYNN and CAROLYN A. FLYNN
 DEPICTING PROPERTY SITUATED AT
 5 EAST LANE
 NEW FAIRFIELD, CONNECTICUT
 TAX ASSESSOR MAP 10 - BLOCK 2 - LOT 2

SCALE: 1"=20'
 AREA: 12,954 Sq. Ft.
 DATE: AUG 17 2018
 REVISION: JAN 14 2020

Zone: R-44
 THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON

ZACHARY S. RAPP, PLS LICENSE NO. 70420
 NOT VALID WITHOUT A PLS SIGNATURE AND PURSUED SFAL
 DRAWING NAME: 18179-ALSAB CF 11-096

JOHN D. SCHAEFER TRUSTEE
 GALILEO SCHAEFER TRUSTEE
 JOHN D. SCHAEFER TRUSTEE
 GALILEO SCHAEFER TRUSTEE
 JOHN D. SCHAEFER TRUSTEE
 GALILEO SCHAEFER TRUSTEE

NOW OR FORMERLY
ROBERT J. CAMPBELL
 AND
BEVERLY L. CAMPBELL
 VOL.188 PG.43 - OF THE N.F.L.R.

NOW OR FORMERLY
PHILIP M. KRASKA
 AND
ALISON J. KRASKA
 VOL.489 PG.1027 - OF THE N.F.L.R.

ZONING DATA - R-44 (SEC.3.0.2.A)

GENERAL PROVISIONS	PERMITTED	EXISTING
a. MINIMUM LOT AREA	15,600 Sq. Ft.	12,954 Sq. Ft.
b. MINIMUM ROAD FRONTAGE	125.0'	106.1'
c. MINIMUM FRONT YARD	10.0'	0.75'
d. MINIMUM SIDE YARD	20.0'	11.75'
e. MINIMUM REAR YARD	30.0'	12.25'
f. MAXIMUM HEIGHT	35.0'	38.5'
g. MAXIMUM BUILDING COVERAGE	SEE COVERAGE TABLE	

BUILDING AND COVERAGE REQUIREMENTS

GENERAL PROVISIONS	PERMITTED	EXISTING
a. MAXIMUM BUILDING AREA	20%	28%
b. MAXIMUM IMPERVIOUS SURFACES	15%	15%

- OWNERSHIP NOTES:**
- OWNERS OF RECORD: ROBERT M. FLYNN and CAROLYN A. FLYNN - VOL.126 PG.190 OF THE N.F.L.R.
- SURVEY NOTES:**
- THIS SURVEY AND MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT AND THE STANDARDS FOR SURVEYS AND MAPS OF THE STATE OF CONNECTICUT, AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS INC. ON AUGUST 10, 2010. THIS SURVEY IS AN APPROXIMATE LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2.
 - MONUMENTATION FOUND OR SET DEPICTED HEREON.
 - REFERENCE MADE TO MAP NOS. 122, 328 AND 398 OF THE NEW FAIRFIELD LAND RECORDS.
 - SUBJECT TO VARIANCE GRANTED AND RECORDED IN VOL.184 PG.411 OF THE NEW FAIRFIELD LAND RECORDS (LOCAL #14-88)
 - SUBJECT TO VARIANCE GRANTED AND RECORDED IN VOL.134 PG.29 OF THE NEW FAIRFIELD LAND RECORDS (LOCAL #14-88)
 - SUBJECT TO VARIANCE GRANTED AND RECORDED IN VOL.654 PG.837 OF THE NEW FAIRFIELD LAND RECORDS (APPLICATION #4518)
 - PREMISES MAY BE SUBJECT TO SECTION 9-13c OF THE CONNECTICUT GENERAL STATUTES.
 - REVISION OF JANUARY 14, 2020 MADE TO DEPICT CURRENT SITE CONDITIONS.

*** IMPORTANT ***
 LOCATION OF UNDESIRABLE UTILITIES DEPICTED HEREON ARE APPROXIMATE, NO WARRANTY OR GUARANTEE OF LOCATION VALUE FOR ANY CONSTRUCTION OR REVISION WORK
 CALL BEFORE YOU DIG: 811 or (860)922-4455



11 May 2020

Town of New Fairfield
Zoning Board of Appeals
4 Brush Hill Road
New Fairfield, CT 06812

Re: Zoning Permit #Z-B-19-4 and ZBA Application #46-18
5 East Lane
New Fairfield, CT 06812
Tax Map 10 Block 2 Lot 2

Dear Chairman Joseph DePaul and members of the Zoning Board of Appeals,

In regards to the encroachment of #46-18 variance granted on December 13, 2018, and on behalf of the owners Robert and Carolyn Flynn, I'm attaching a letter from Sydney A. Lapp Surveying, P.C, the surveyor who performed the Existing Conditions Survey and As-Built Survey, stating that the discrepancy between their two surveys was caused by measuring the Existing Conditions to the fascia (due to the damaged gutter) but then measuring to the gutter for the As-Built survey.

Please incorporate the attached letter as part of the official record of the proceedings.
Thank you for your assistance.

A handwritten signature in black ink, appearing to read 'Thomas Stalzer', is written over a light blue horizontal line.

Thomas Stalzer
Architect

cc: Robert and Carolyn Flynn (owners of 5 East Lane)

Sydney A. Rapp Land Surveying, P.C.

May 8, 2020

Mr. Thomas Stalzer, NCARB
Stalzer Design LLC
Rowayton, Connecticut 06810
203.858.6492

Re: Robert M. Flynn and Carolyn A. Flynn
5 East Lane
New Fairfield, Connecticut 06812
Tax Assessor Map 10 Block 2 Lot 2

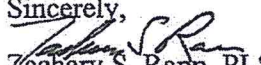
Dear Mr. Stalzer,

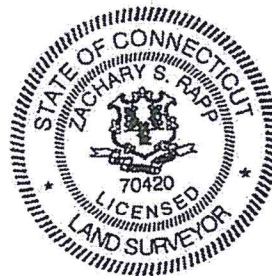
Pursuant to our recent email exchange with regards to the above referenced property and the offset distance on the southerly side of the property. I offer the following comments.

On August 17, 2018 this office prepared an Improvement Location Survey for Robert M. Flynn and Carolyn A. Flynn. The question has arisen in regards the offset distance of 0.8'+/- depicted along the East Lane boundary line. This distance was measured to fascia and not to the damaged gutter remains.

If you have any further questions , please do not hesitate to contact me.

Sincerely,


Zachary S. Rapp, PLS
Sydney A. Rapp Land Surveying, P.C.



1-B Grand Street, Bethel, Connecticut 06801
web: sarlandsurveying.com / phone: 203.744.6261 / email: maps@sarlandsurveying.com

Zachary S. Rapp, Professional Land Surveyor - CT # 70420

**New Fairfield Zoning Board of Appeals
4 Brush Hill Road
New Fairfield, Connecticut 06812**

VARIANCE

Pursuant to the requirement of the Connecticut General Statutes, the Zoning Board of Appeals of the Town of New Fairfield hereby gives notice that it has granted a Variance of the Zoning Regulations as more particularly set forth below:

RECORD OWNER OF PROPERTY: Robert and Carolyn Flynn

PROPERTY LOCATED AT: 5 East Lane

ZONING DISTRICT: R-44; Map: 10; Block: 2; Lot: 2.

VARIANCE DESCRIPTION: A front setback to 0.8' to allow reconstruction of a house and fill in 25 sf of a covered porch per the plans as submitted to the Zoning Board of Appeals on December 13, 2018.

ZONING SECTIONS VARIED: 3.2.5A&B, 3.2.6A, 3.2.11, 7.1.1.2A&B and 7.2.3A,B&E

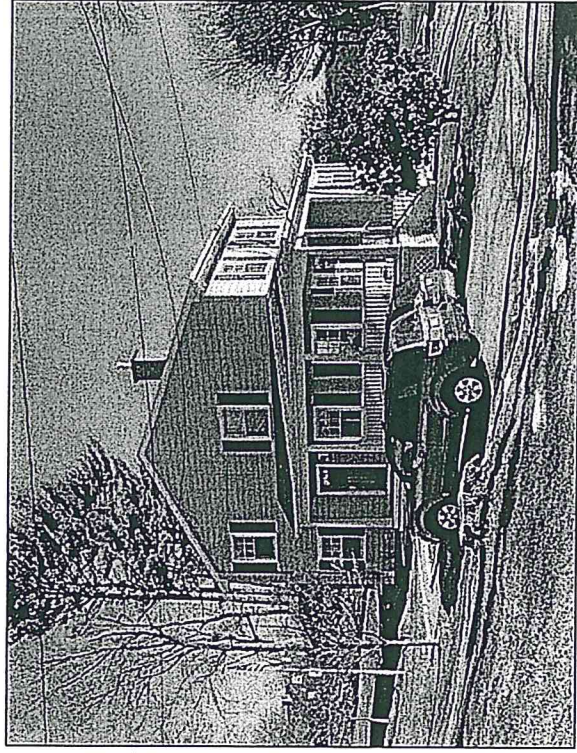
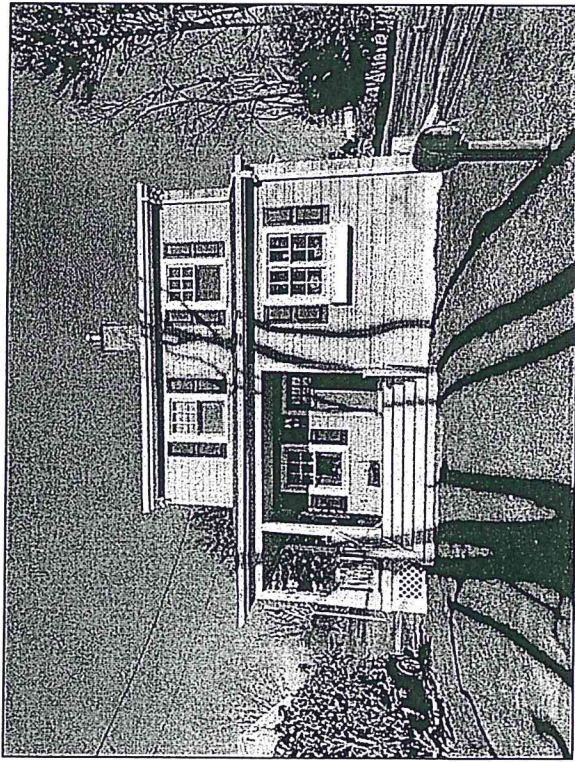
I hereby certify that the Zoning Board of Appeals of the Town of New Fairfield approved this variance on: December 13, 2018.

Application # 46-18

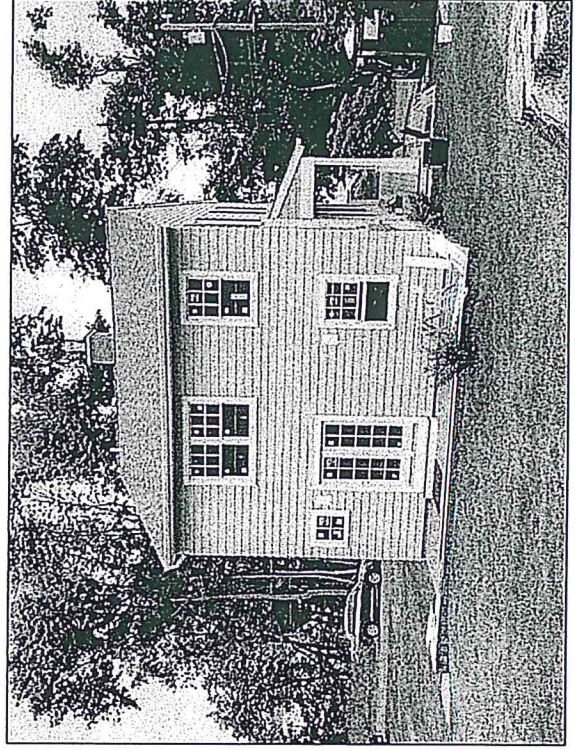
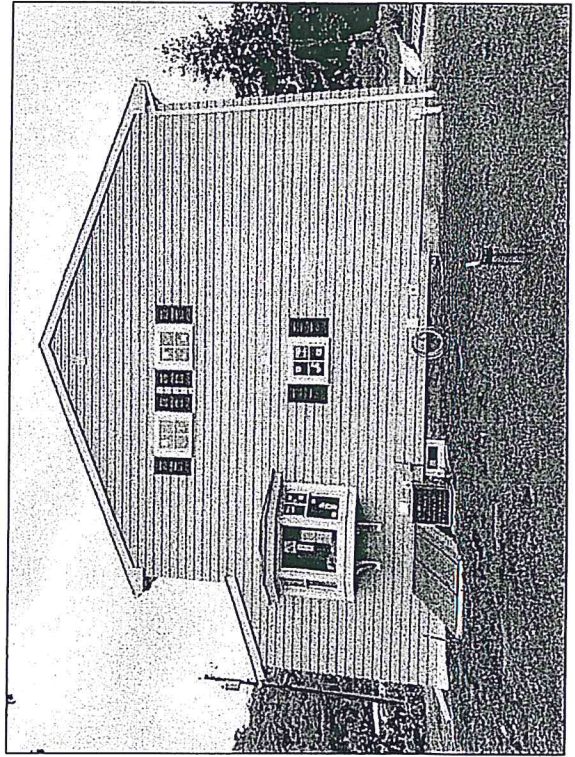
Dated: December 13, 2018

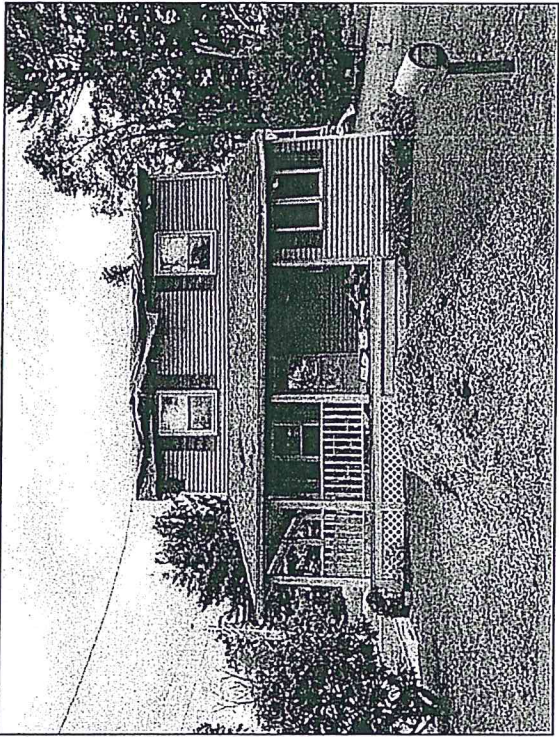
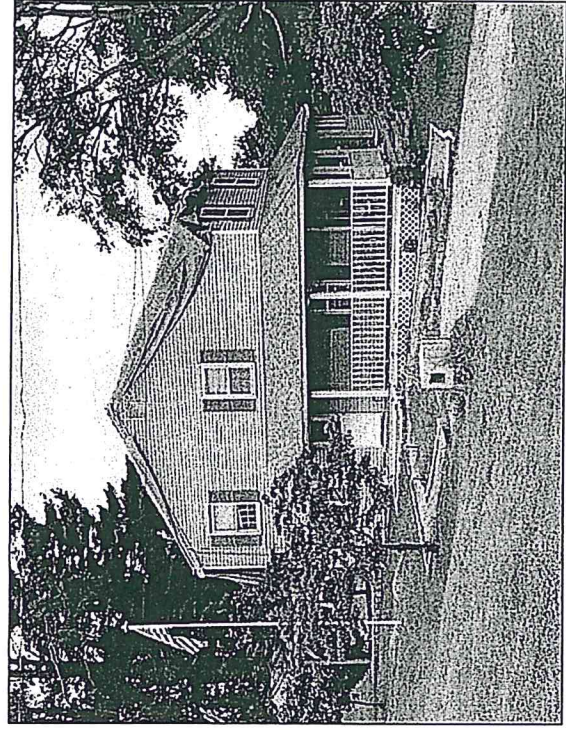
Joseph DePaul

Joseph DePaul, Chairman
Zoning Board of Appeals

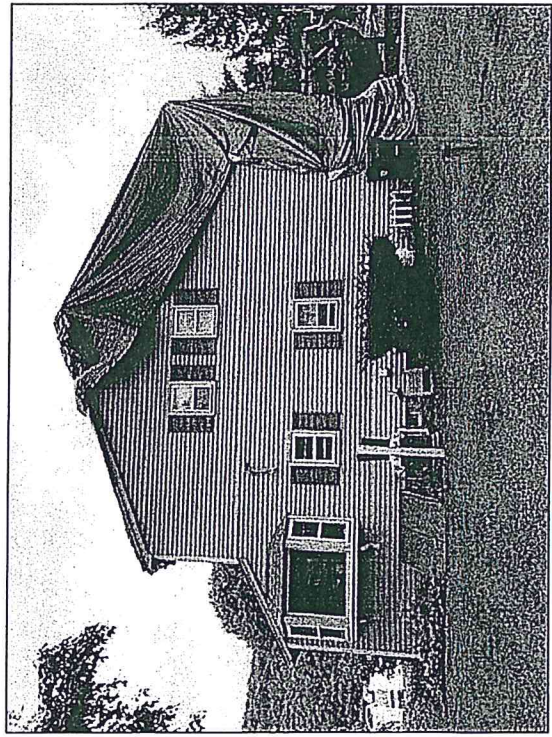
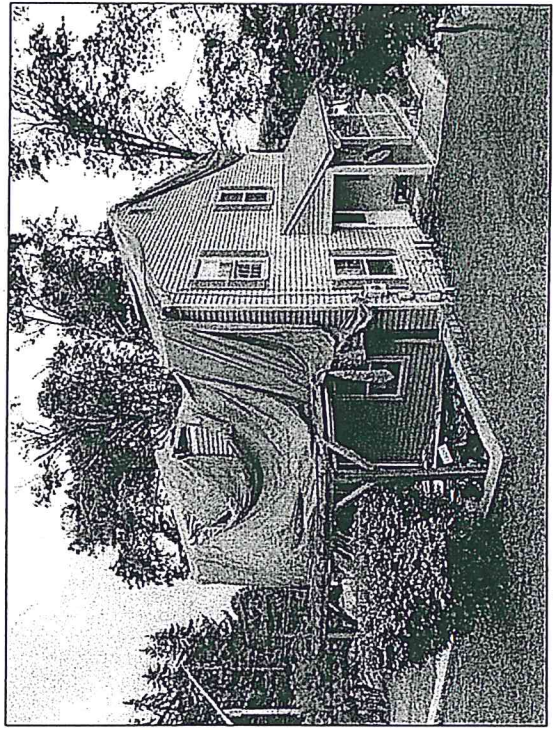


FLYNN RESIDENCE
TOWN OF NEW FAIRFIELD, CONNECTICUT
PHOTOGRAPHS OF AS-BUILT CONDITIONS

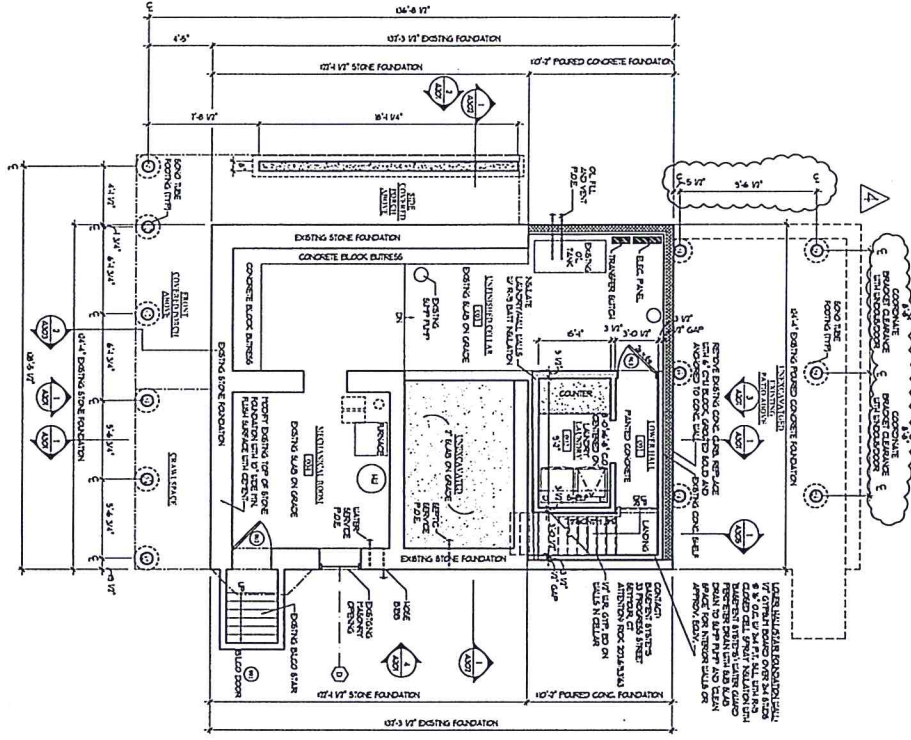




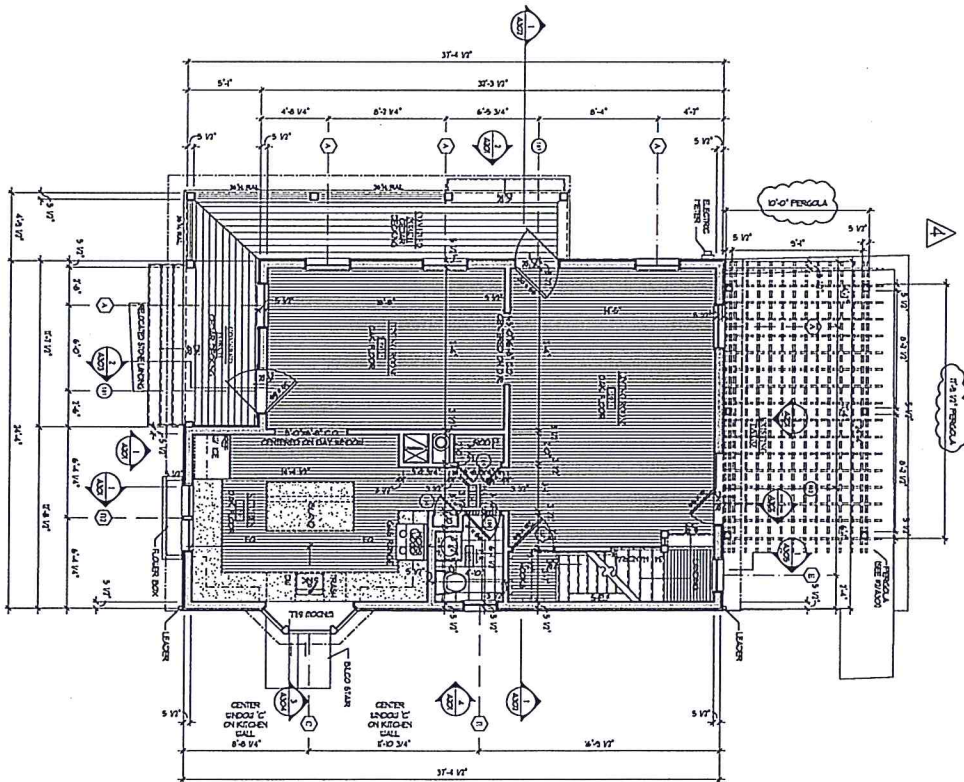
FLYNN RESIDENCE
TOWN OF NEW FAIRFIELD, CONNECTICUT
PHOTOGRAPHS OF EXISTING CONDITIONS



1 CELLAR FLOOR PLAN



2 FIRST FLOOR PLAN



A-101

CELLAR FLOOR PLAN AND FIRST FLOOR PLAN

SCALE:	1/4" = 1'-0"	
DATE:	22 OCTOBER 2015	
PROJECT NO.:	10121	
REV	DATE	DESCRIPTION
1	5/27/8	PERGOLA
2	1/28/8	ACROSTICH
3	8/27/8	FOR PERM
4	8/27/8	FOR ED
5		DESCRIPTION

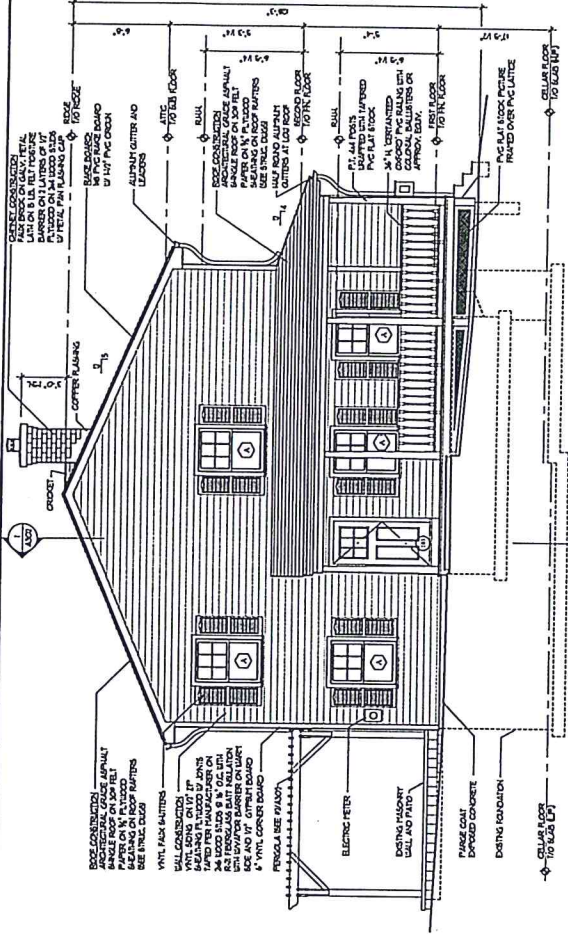
STALZER DESIGN, LLC
 Timeless Design · Relaxed Elegance
 ARCHITECTURE
 SIX ARSOLD LANE · ROWAYTON, CT 06433
 TEL: (203) 859-6492 · EMAIL: INFO@STALZERDESIGN.COM

FLYNN RESIDENCE
 TOTAL - LOSS REBUILD
 5 EAST LANE
 TOWN OF NEW FAIRFIELD, CONNECTICUT

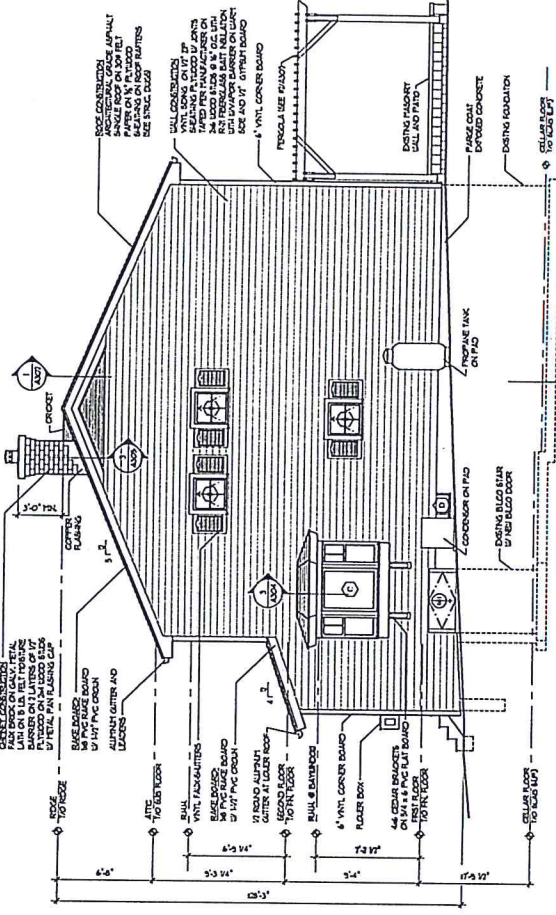
SCALE:	1/4" = 1'-0"	
DATE:	21 OCTOBER 2018	
PROJECT NO.:	1807	
PROJECT FOR:	1 2028 FOR BID	
DESIGNER:	2 2028 FOR BID	
CONTRACTOR:	3 2028 FOR BID	
REV:	DATE:	DESCRIPTION:

STALZER DESIGN, LLC
 Timeless Design • Related Elegance
 111-101-533-4402 EMAIL: INFO@STALZERDESIGN.COM
 5 EAST LANE
 TOWN OF NEW FAIRFIELD, CONNECTICUT

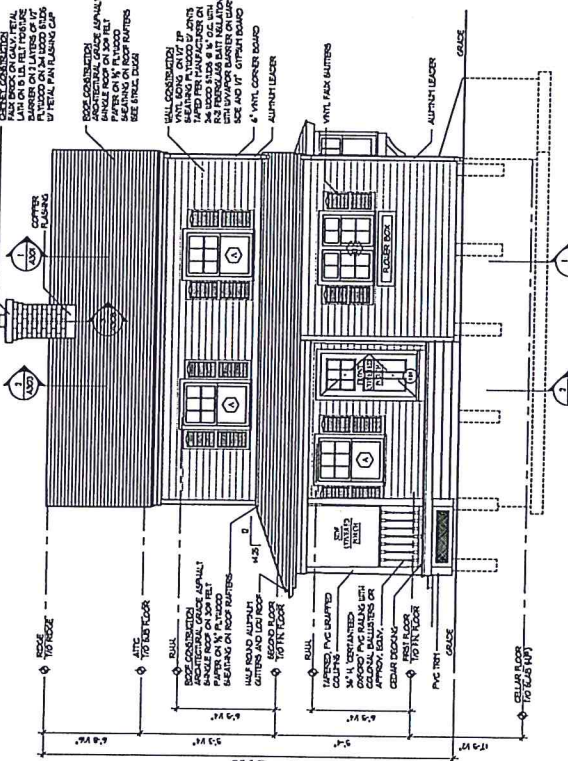
FLYNN RESIDENCE
 TOTAL - LOSS REBUILD



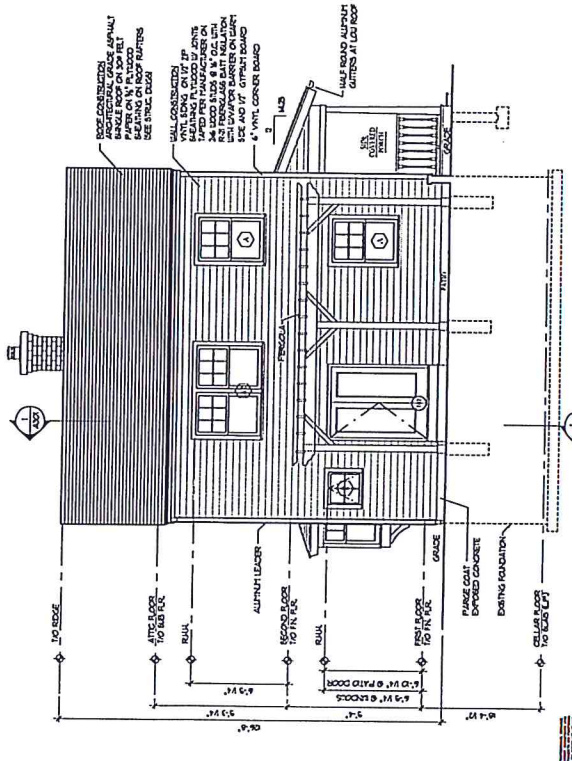
2 WEST ELEVATION



4 EAST ELEVATION



1 SOUTH ELEVATION



3 NORTH ELEVATION

GENERAL NOTES:
 1. ALL MATERIALS TO BE SUPPLIED BY CONTRACTOR.
 2. ALL MATERIALS TO BE INSTALLED BY CONTRACTOR.
 3. ALL MATERIALS TO BE MAINTAINED BY CONTRACTOR.
 4. ALL MATERIALS TO BE PROTECTED BY CONTRACTOR.
 5. ALL MATERIALS TO BE REPAIRED BY CONTRACTOR.
 6. ALL MATERIALS TO BE REPLACED BY CONTRACTOR.
 7. ALL MATERIALS TO BE DISPOSED BY CONTRACTOR.
 8. ALL MATERIALS TO BE STORED BY CONTRACTOR.
 9. ALL MATERIALS TO BE HANDLED BY CONTRACTOR.
 10. ALL MATERIALS TO BE TRANSPORTED BY CONTRACTOR.
 11. ALL MATERIALS TO BE UNLOADED BY CONTRACTOR.
 12. ALL MATERIALS TO BE LOADED BY CONTRACTOR.
 13. ALL MATERIALS TO BE STAGED BY CONTRACTOR.
 14. ALL MATERIALS TO BE DELIVERED BY CONTRACTOR.
 15. ALL MATERIALS TO BE RECEIVED BY CONTRACTOR.
 16. ALL MATERIALS TO BE INSPECTED BY CONTRACTOR.
 17. ALL MATERIALS TO BE APPROVED BY CONTRACTOR.
 18. ALL MATERIALS TO BE SIGNED BY CONTRACTOR.
 19. ALL MATERIALS TO BE DATED BY CONTRACTOR.
 20. ALL MATERIALS TO BE INITIALED BY CONTRACTOR.