

APPLICATION OR APEAL#: 32-20
APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

PROPOSAL
SEP 17 2020
ZONING BOARD OF APPEALS

1) Applicant: Diane Ashley
Mailing Address: 55 Lavelle Avenue
New Fairfield CT 06812 Phone#: 917-533-1740
Email: dianeashley620@gmail.com

2) Premises located at: 55 Lavelle Avenue on the (N S E W) (S) side of the street
at approx. 1500 feet (N S E W) from Route 39 (nearest intersecting road).

3) Property Owner Name: Diane Ashley
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 2 Block No.: 7 Lot No.: 28

5) Zone in which property is located: R-44 Area of Lot: .15 acre

6) Dimensions of Lot: Frontage: 50 ft Average Depth: 134 ft

7) Do you have any Right of Ways or Easements on the property? no

8) Is the property within 500 feet of Danbury, (S) or New York State? Yes, barely

9) Have any previous applications been filed with ZBA on this property? Yes

If so, give dates and application numbers: March 15, 2016 # 08-16

10) Proposal for which variance is requested: Requesting variance on placement of back-up generator in front of house and within setback but behind retaining wall to muffle noise from views.
Hardship: Insufficient area to place back-up generator given lot size, slope and setbacks

11) Date of Zoning Commission Denial: 8/15/20

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

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

Setbacks Requested: Front to: _____ Rear to: _____
Side to: 20' to 3' Side to: _____

13) Use to be made of property if variance is granted: No change in use. Requesting variance for placement of back-up generator

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: Diane Ashley DATE: 8/16/2020

(S)
received
8-20-20

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan White, Zoning Enforcement Officer

DATE: August 25, 2020

PROPERTY OWNER: Diane Ashley

PROPERTY ADDRESS: 55 Lavelle Ave.

APPLICANT/AGENT: Diane Ashley

MAILING ADDRESS: 55 Lavelle Ave.

ZONING DISTRICT: R-44 MAP: 2 BLOCK: 7 LOT: 28

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:

3.0.10-Mechanical Equipment

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

3.2.6-Minimum Building & Structure Setbacks (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 Building 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

**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: Diane Ashley

PROPERTY LOCATED AT: 55 Lavelle Avenue, New Fairfield, CT 06812

ZONING DISTRICT: Zoning District: R-44; Map: 2; Block: 7, Lot: 28

VARIANCE DESCRIPTION: A front setback to 21.8', side setbacks to 14.5' and 5.2' for the purpose of expanding the deck and house and changing the roof line, noting that the cedar tree be removed completely per the plans as submitted to the Zoning Board of Appeals on March 14, 2016.

ZONING SECTIONS VARIED: 3.2.5A&B, 3.2.6A Front Setback to 21.8', 3.2.6B Side Setbacks to 14.5' and 5.2', 3.2.11, 7.1.1.1A,B&C and 7.2.3A,B&E

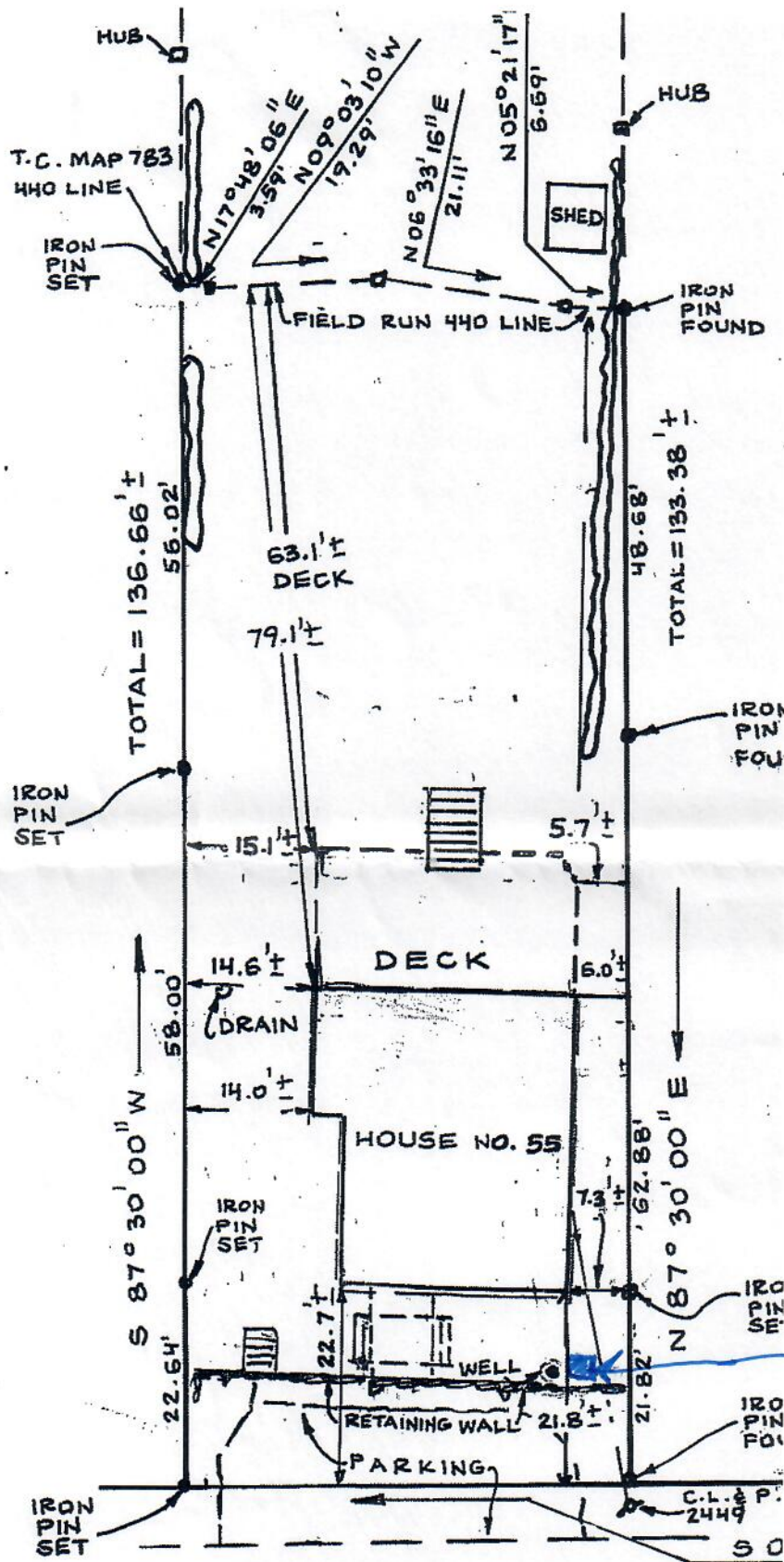
I hereby certify that the Zoning Board of Appeals of the Town of New Fairfield approved this variance on: March 14, 2016

Application # 08-16

Dated: March 15, 2016

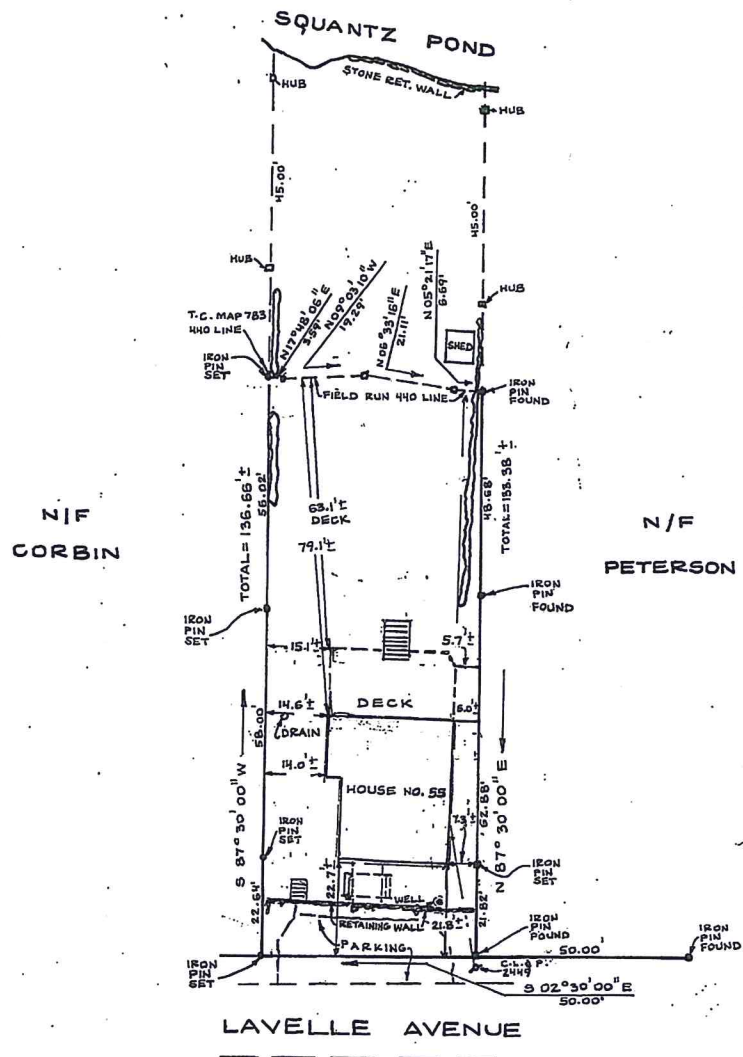
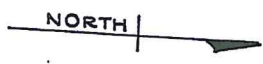
Joseph DePaul
Joseph DePaul, Chairman
Zoning Board of Appeals

Diane Ashley



APPROXIMATE
LOCATION
OF
PETERSEN
HOUSE

LAVELLE AVENUE



- LEGEND**
- IRON PIN OR PIPE
 - WOOD STAKE
 - ⊕ UTILITY POLE
 - STONE RETAINING WALL
 - HEDGE ROW
 - RETAINING WALL

ZONING LOCATION SURVEY
 PREPARED FOR
DIANE S. ASHLEY
 55 LAVELLE AVENUE
 NEW FAIRFIELD CONNECTICUT
 SCALE 1" = 20'
 AUGUST 5, 2015



6794 SQ. FT. ±
 0.155 ACRES ±

REV. 10-9-15
 REV. 10-10-15
 REV. 12-1-15 PROPOSED ADDITION.
 REV. 11-8-16 AS-BUILT

- GENERAL NOTES**
- 1) PROPERTY LOCATED IN R-1 ZONE.
 - 2) REFER TO MAP 783 OF THE NEW FAIRFIELD LAND RECORDS
 - 3) THIS MAP REPRESENTS A DEPENDENT RE-SURVEY OF LOT 55 T.C. MAP 783 N.F.L.R.
 - 4) 440 LINE FIELD RUN AND TAKEN FROM MAP 783.
 - 5) OFFSETS SHOWN TO THE FACE OF THE STRUCTURE.
 - 6) EXISTING IMPERVIOUS LOT COVERAGE 17.4%
 PROPOSED IMPERVIOUS LOT COVERAGE 18.7%
 (NEW 87 SQ. FT. ADDITION)

I HEREBY CERTIFY THAT THIS SURVEY AND MAP HAVE BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED JUNE 21, 1996. IT IS A PROPERTY SURVEY BASED ON A RESURVEY OF EXISTING MAPS.

THIS SURVEY CONFORMS TO CLASS A-2 MAP.
 TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

PREPARED BY THE OFFICE OF
ROBERT W. GROSSENBACHER L.S.
 NEW MILFORD, CT.
 CONN. REG. NO. 15772







Deane Ashley
page 2 of 2

Specifications

Enhance your Generac standby generator's performance with accessories from the leader in standby power. Products are available to maximize convenience and simplify maintenance for years of reliable standby power.

Automatic Standby Generators - Air-Cooled

	PowerPact			Guardian Series			Synergy	EcoGen
Pre-packaged models	6998 / 6999	7030	7032	7036	7039	7043	7040	N/A
Non pre-packaged models	N/A	7029	7031	7035	7038	7042	N/A	7163
Rated Power (LPG/NG)	7.5 / 8 kW	9 / 8 kW	11 / 10 kW	16 / 16 kW	20 / 18 kW	22/19.5 kW	20/18 kW	15 / 15 kW
Voltage (Single Phase)	240V	240V	240V	240V	240V	240V	240V	240V
Amps @ 240V LPG	31.25	33.3	45.0	66.0	33.3	91.6	33.3	62.5
Amps @ 240V NG	25.0	29.2	41.7	66.6	75	78.25	75	62.5
Engine/Alternator RPM	3600 / 3600	3600 / 3600	3600 / 3600	3600 / 3600	3600 / 3600	3600 / 3600	2700-3600	3600
Engine	OHV / 420cc	G-Force / 426cc	G-Force / 530cc	G-Force / 999cc	G-Force / 999cc	G-Force / 999cc	G-Force / 999cc	G-Force / 999cc
Fuel Consumption @ full load LPG cu. ft/hr (gal. hr)	51.6 (1.42)	51.6 (1.42)	70 (1.92)	130 (3.57)	140 (3.85)	133 (3.68)	116 (3.19)	116 (3.19)
Fuel Consumption @ Full Load NG cu. ft/hr (gal. hr)	117	120	159	309	301	310	312	312 (8.83)
Quiet-Test Mode	No	No	No	Yes	Yes	Yes	Yes	No
db(A) at Exercise	69	62	63	60	60	58	57	N/A
db(A) at Normal Operating Load	67	62	63	66	66	67	63	63
Automatic Transfer Switch	50 Amp	100 Amp	200 Amp	200 Amp	200 Amp	200 Amp	200 Amp	NA
Circuits Included	8	16	0	0	0	0	0	N/A
Enclosure	Aluminum	Aluminum	Aluminum	Aluminum	Aluminum	Aluminum	Aluminum	Aluminum
Enclosure Color	Bisque	Bisque	Bisque	Bisque	Bisque	Bisque	Bisque	Bisque
Warranty	3 Year Limited	5 Year Limited	5 Year Limited	5 Year Limited	5 Year Limited	5 Year Limited	5-Year Limited	3-Year 2000 Hour Limited
Dimensions (L" x W" x H")	36 x 27 x 25	46 x 25 x 29	48 x 25 x 29	48 x 25 x 29	48 x 25 x 29	46 x 25 x 29	48 x 25 x 29	48 x 25 x 29
Generator Weight (lbs.)	280	330	407	471	451	476	471	526
CARB Compliant	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

* Rating definitions - Standby: Applicable for supplying emergency power for the duration of the charging period. No overload capability is available for this rating. (All ratings in accordance with BS5614, ISO3046 and DIN6271). * Maximum wattage and current are subject to and limited by such factors as fuel Btu content, ambient temperature, altitude, engine power and condition, etc. Maximum power decreases about 3.5 percent for each 1,000 feet above sea level; and also will decrease about 1 percent for each 12° C (10° F) above 15.5° C (60° F). Not for sale in California.

PowerPact™ 7.5 kW unit

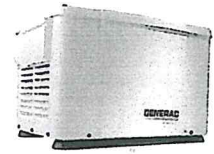


*Diane Ashley
35 Lavelle Avenue*

page 1 of 2

Generac's 7.5 kW Powerpact home standby generator is the affordable, automatic alternative to portable backup power. Features incorporate the quality and reliability of the best selling Guardian Series, while remaining the most affordable home standby generator available. Runs on LP or natural gas.

- Prepackaged system available with a 50 Amp transfer switch featuring an eight circuit load center including breakers
- Generac OHV engine is designed for reliability and long life
- True Power™ technology provides clean, smooth operation of sensitive electronics and appliances



Guardian Series® '9-22 kW units



Generac's Guardian Series offers a wide range of solutions, so you can get the level of coverage that is appropriate to your needs. Choose from a pre-packaged system or have your dealer or contractor help design the best system for you.

- Mobile Link Remote Monitoring - The ONLY generator you can buy with Mobile Link. Generac's Mobile Link actively monitors your generator status on your smartphone, tablet, anywhere in the world, for free
- 5 Year Limited Warranty for automatic standby generators
- Generac Generators and engines are Engineered and Built in the USA*
*Assembled in the USA using domestic and foreign parts
- The Generac G-Force Engine is purpose-built, pressure-lubricated engine capable of handling the rigors of generator use, resulting in power that's more reliable and requiring less routine maintenance than any competitive engine
- 24/7/365 Customer Support Team standing by all-day every-day from our headquarters in Wisconsin to answer any questions you might have



Synergy 20 kW unit



Protect your home with the industry's most advanced back-up power technology. The Generac Synergy™ automatic home standby generator delivers cleaner power than competitive units, our G-Flex™ Technology allows variable-speed operation based on your electrical demand.

- 5 Year Limited Warranty for automatic standby generators.
- Generac Generators and engines are Engineered and Built in the USA*
*Assembled in the USA using domestic and foreign parts
- The Generac G-Force Engine is purpose-built, pressure-lubricated engine capable of handling the rigors of generator use, resulting in power that's more reliable and requiring less routine maintenance than any competitive engine.



EcoGen 15 kW unit



Generac offers the only automatic standby generator engineered specifically for off-grid applications. The EcoGen eliminates the expense and unreliability previously associated with alternative energy backup power options, instead providing affordable, reliable, low emission, off-grid standby power.

- Engineered to easily integrate into the existing inverter and battery storage system
- Runs on environmentally friendly, energy-efficient propane gas, an alternative fuel that stores easily and indefinitely, and is freely available at many off-grid locations

