

received
9-23-20

APPLICATION OR APEAL#: 38-202

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: R. Mark Havira
Mailing Address: 16 Candlewood Rd New Fairfield CT 06812 Phone#: 203 698-1338
Email: MARKHAVIRA@YAHOO.COM

2) Premises located at: 16 Candlewood Rd on the (N S E W) side of the street at approx. 500 feet (N S E W) from crossway (nearest intersecting road).

3) Property Owner Name: R. Mark Havira

Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 39 Block No.: 5 Lot No.: 56-59

5) Zone in which property is located: R-44 Area of Lot: 2/10

6) Dimensions of Lot: Frontage: 80' Average Depth: 100'

7) Do you have any Right of Ways or Easements on the property? ~~Yes~~ 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: 1/16/20 # 05-20

* 10) Proposal for which variance is requested: Build wood deck under existing deck with increase to side

Hardship: Pre existing nonconforming, shallow and narrow lot, significant ledge

11) Date of Zoning Commission Denial: Sept 24, 2020

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

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

Setbacks Requested: Front to: 90' to 46' Rear to: 50' to 40'
Side to: 20' to 15' Side to: 20' to 21'

13) Use to be made of property if variance is granted: Residential

#4

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: R. Mark Havira DATE: 9/23/20

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan White, Zoning Enforcement Officer

DATE: September 24, 2020

PROPERTY OWNER: R. Mark Havira

PROPERTY ADDRESS: 16 Candlewood road

APPLICANT/AGENT: R. Mark Havira

MAILING ADDRESS: 16 Candlewood Road

ZONING DISTRICT: R-44 MAP: 39 BLOCK: 5 LOT: 56-59

Please be advised that the applicant would like to build a deck under the existing deck with a large footprint and side setback request.

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+C)

3.2.6-Minimum Building and Structure Setbacks (B+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 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

SPECIFICATIONS

GENERAL CONDITIONS
THESE SPECIFICATIONS ARE MADE IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

SCOPE OF WORK:
THE CONTRACTOR SHALL REMOVE ALL EXISTING INTERIOR AND EXTERIOR FINISHES AND RECONSTRUCT THE INTERIOR AND EXTERIOR OF THE HOUSE AS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

FOUNDATION:
ALL EXISTING FOUNDATION SHALL BE REMOVED AND RECONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

FRESH GRADES:
FRESH GRADES SHALL BE ESTABLISHED TO PROVIDE DRAINAGE AWAY FROM THE HOUSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

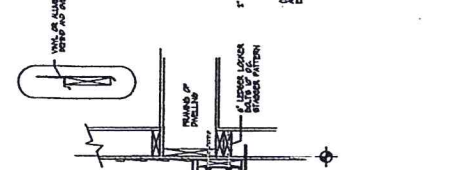
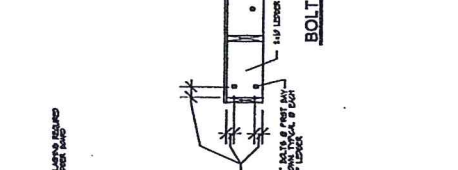
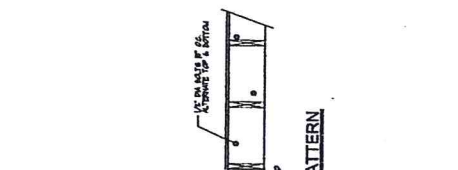
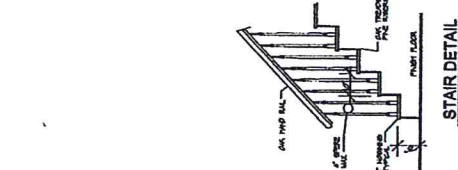
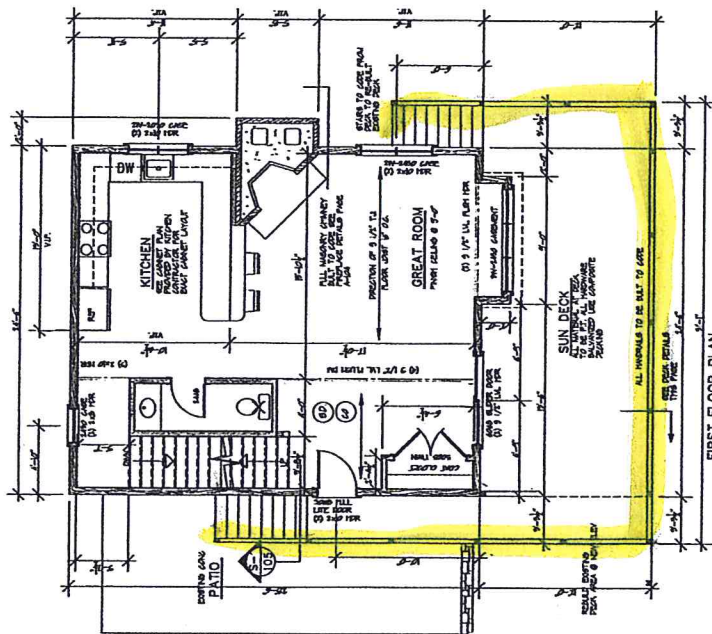
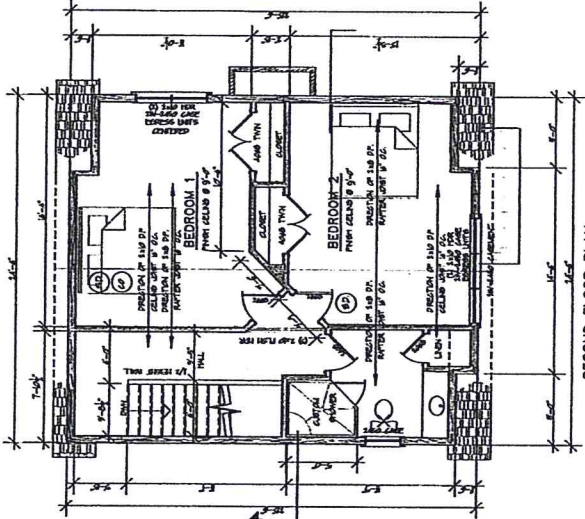
CONCRETE:
CONCRETE SHALL BE PLACED IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

FINISHES:
ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

DETAILS:
ALL DETAILS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

TERMINAL AND WINDSTOP PROTECTION:
ALL TERMINAL WALLS SHALL BE PROTECTED WITH TERMINAL WALL PROTECTION. ALL WINDSTOP WALLS SHALL BE PROTECTED WITH WINDSTOP PROTECTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

GENERAL NOTES AND REQUIREMENTS:
1) ALL FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE.
2) ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE SPECIFIED.
3) ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE BUILDING CODE OF THE STATE OF CONNECTICUT AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE.
4) ALL MATERIALS SHALL BE PROTECTED FROM WEATHER AND DAMAGE.
5) ALL MATERIALS SHALL BE STORED PROPERLY ON THE JOB SITE.
6) ALL MATERIALS SHALL BE USED WITHIN THE SPECIFIED TIME FRAME.
7) ALL MATERIALS SHALL BE USED WITHIN THE SPECIFIED TIME FRAME.
8) ALL MATERIALS SHALL BE USED WITHIN THE SPECIFIED TIME FRAME.
9) ALL MATERIALS SHALL BE USED WITHIN THE SPECIFIED TIME FRAME.
10) ALL MATERIALS SHALL BE USED WITHIN THE SPECIFIED TIME FRAME.



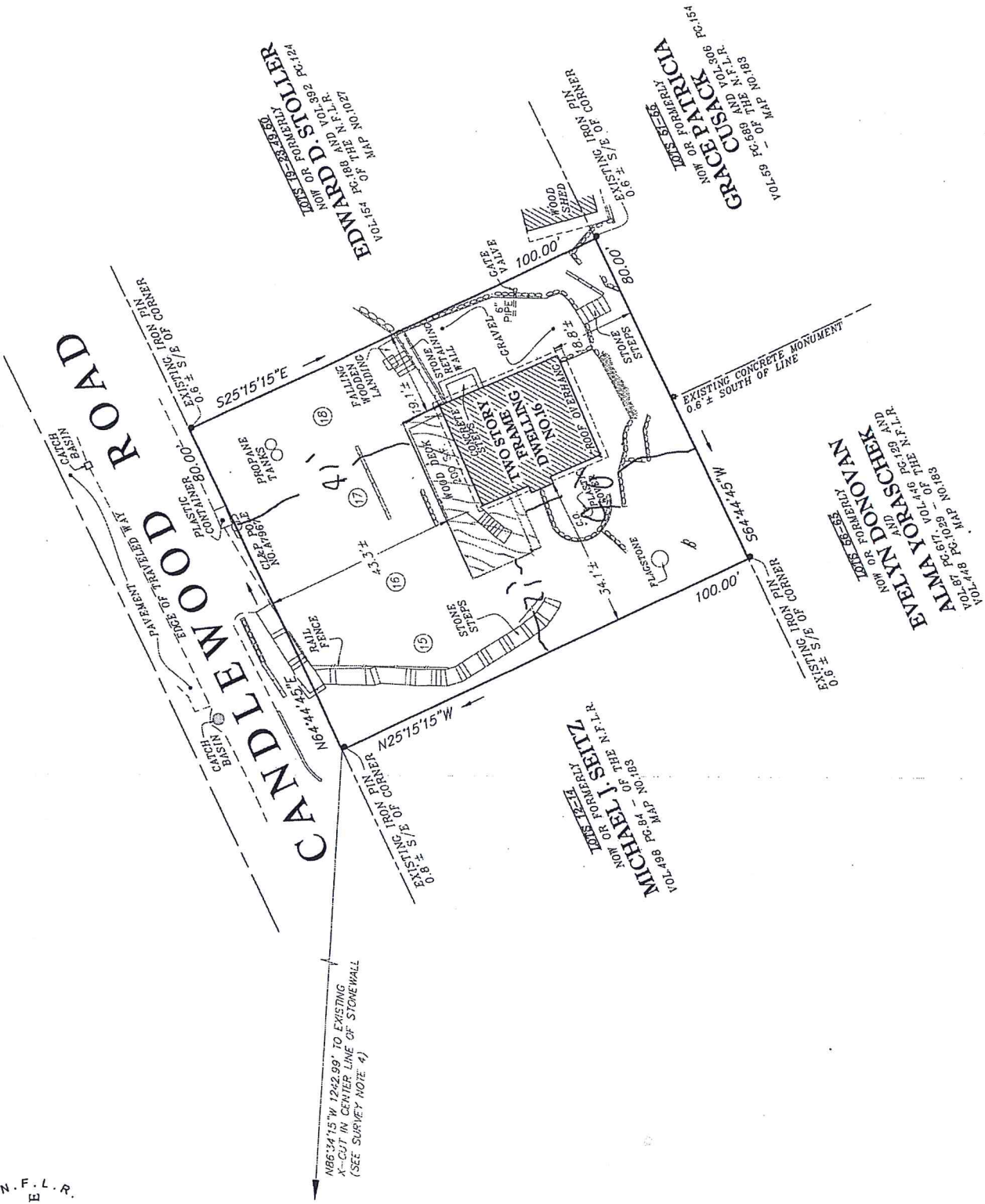


ZONING DATA

GENERAL PROVISION
a. MINIMUM LOT AREA
b. MINIMUM ROAD FRONT
c. MINIMUM FRONT YARD
d. MINIMUM SIDE YARD
e. MINIMUM REAR YARD
f. MAXIMUM HEIGHT
g. MAXIMUM BUILDING

BUILDING AND

GENERAL PROVISION
a. MAXIMUM BUILDING AREA
b. MAXIMUM IMPERVIOUS



EXISTING
IMPROVEMENT LOC
PREPARED

OWNERSHIP NOTES: