

APPLICATION OR APEAL#: 51-20

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Spence Ridge Craftsmen
Mailing Address: 35 Ball Pond Rd East
New Fairfield Phone#: 914 403 4593
Email: Reillym@outlook.com

2) Premises located at: 4 Baybrook Ct on the (N) (S) (E) (W) side of the street
at approx. 600' feet (N) (S) (E) (W) from Elwell (nearest intersecting road).

3) Property Owner Name: Kenneth Ferry Audio
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 13 Block No.: 2 Lot No.: 1.3

5) Zone in which property is located: R88 Area of Lot: 2.0095 ACRES

6) Dimensions of Lot: Frontage: 193' Average Depth: 450

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: _____

10) Proposal for which variance is requested: 12x12 Pergola over existing
12x12 patio to keep lowest impact area development (LTD)

Hardship: ~~no~~ Pergola kits only come in equal dimensions
and with the burden of the current limited size of the pergola 5 feet

11) Date of Zoning Commission Denial: December 15, 2020

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

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

Setbacks Requested: Front to: NONE Rear to: NONE
Side to: NONE Side to: NONE

13) Use to be made of property if variance is granted: Outdoor sitting area

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: _____

NATURE OF OWNER OR AGENT: Joseph Reilly DATE: 11/5/2020

11/5/2020

#1

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: December 15, 2020

PROPERTY OWNER: Kenneth & Jenny Audo

PROPERTY ADDRESS: 4 Byebrook Court

APPLICANT/AGENT: Spruce Ridge Craftsmen

MAILING ADDRESS: 35 Ball Pond Road East

ZONING DISTRICT: R-88 MAP: 13 BLOCK: 2 LOT: 1.3

Please be advised that the applicant would like to request to build 12' x 12' Pergola over existing 12' x 12' patio to keep lowest impact development (LID).

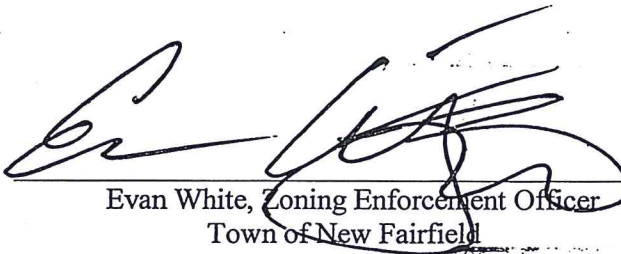
Review of the New Fairfield Zoning Regulations indicated that the above proposal fails to meet the following Zoning Requirements:

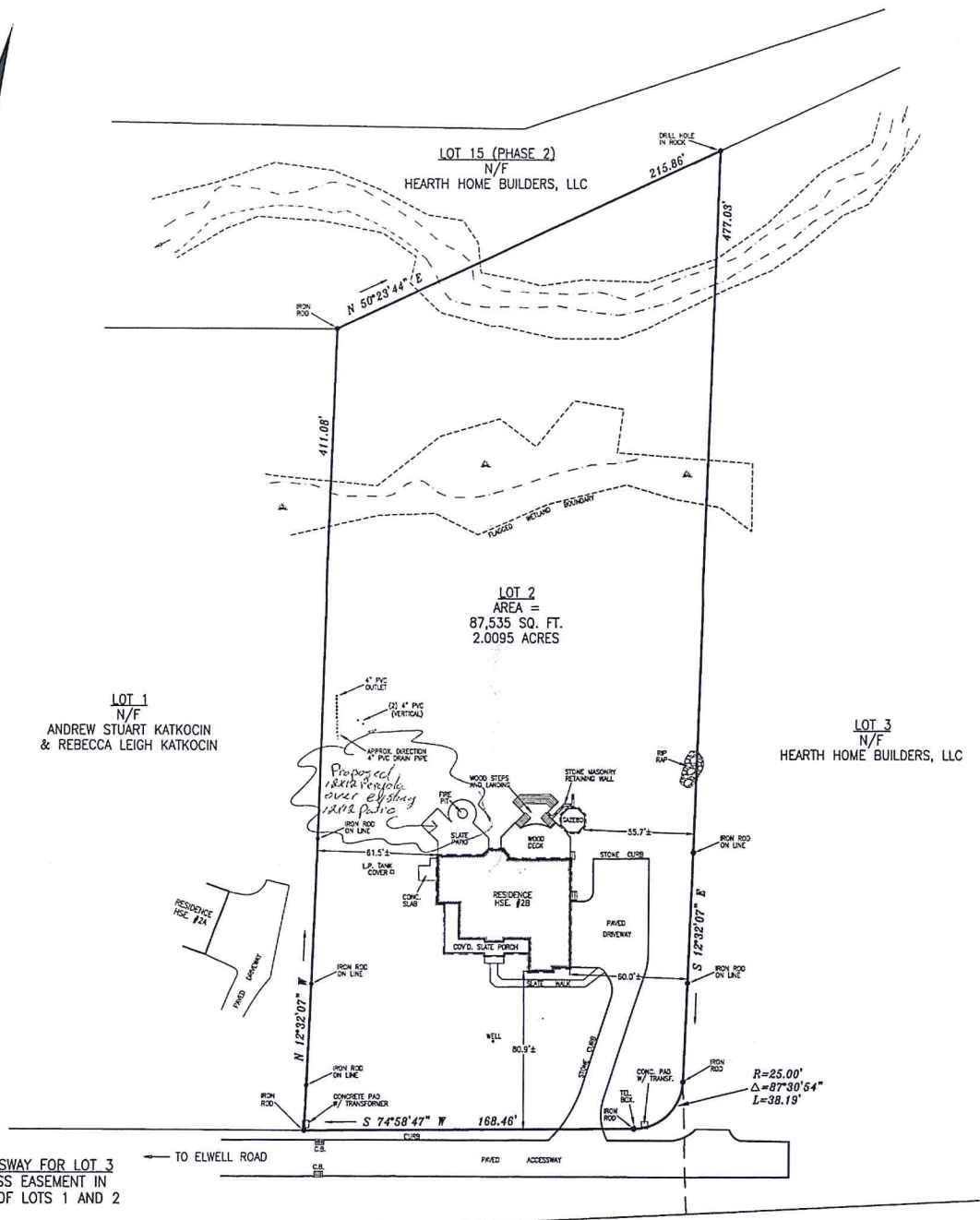
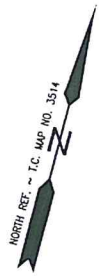
Sections:
3.0.9-Pergolas (C)

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



ACCESSWAY FOR LOT 3
ACCESS EASEMENT IN
FAVOR OF LOTS 1 AND 2

PROPERTY SURVEY
PREPARED FOR
KENNETH G. AUDO
2B ELWELL ROAD (LOT 2)

TOWN OF NEW FAIRFIELD FAIRFIELD COUNTY, CT.

MAY 4, 2015 SCALE: 1" = 40'
REVISED AUG. 12, 2015 FOR UPDATE/AS-BUILT
REVISED FEB. 27, 2016 FOR FINAL UPDATE/AS-BUILT

- NOTES:
- 1) PROPERTY IS LOCATED IN R-88 ZONING DISTRICT.
 - 2) REFERENCE MADE TO TOWN CLERK MAP NO. 3513, 3514, 3523 AND VOL. 495 PG. 304-305 OF THE NEW FAIRFIELD LAND RECORDS.
 - 3) THIS MAP REPRESENTS A DEPENDENT RESURVEY OF LOT 2 AS DEPICTED ON T.C. MAP NO. 3514.
 - 4) PROPERTY IS SUBJECT TO NOTES, RIGHT, EASEMENTS, OBLIGATIONS, TERMS & CONDITIONS AS LISTED IN DEED VOL. 495 PG. 304-305.
 - 5) MONUMENTATION FOUND OR SET DEPICTED HEREON.
 - 6) UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON. "CALL BEFORE YOU DIG" (800-922-4455) PRIOR TO ANY EXCAVATION OR CONSTRUCTION.
 - 7) BUILDING COVERAGE EQUALS 4.1% ±. IMPERVIOUS SURFACES COVERAGE EQUALS 9.0% ±.
 - 8) BUILDING HEIGHT AS MEASURED FROM AVERAGE FINISHED GRADE TO MEAN ROOF ELEVATION EQUALS 31' ±.
 - 9) DRIVEWAY DOES NOT EXCEED MAXIMUM GRADES AS DEFINED IN SECTION 8.1.5 OF THE NEW FAIRFIELD ZONING REGULATIONS.

- CERTIFIED TO:
- 1) KENNETH G. AUDO
 - 2) UNION SAVINGS BANK
 - 3) TOWN OF NEW FAIRFIELD

THIS SURVEY MAP HAS 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" EFFECTIVE 06-21-96 AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC.

IT IS A PROPERTY SURVEY BASED ON A DEPENDENT RESURVEY OF EXISTING MAPS.

THIS SURVEY MEETS CLASS A-2 STANDARDS.

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

PREPARED BY THE OFFICE OF
PAH, INC. LAND SURVEYORS
35 DANBURY ROAD - NEW MILFORD, CT.

Paul A. Hiro
PAUL A. HIRO, L.S., CT. REG. NO. 15167