

APPLICATION OR APEAL#: 07-21

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS
MAR 18 2021
PROPOSAL

1) Applicant: Chipman Mazzecco Emerson LLC Attn: Ward J. Mazzecco
Mailing Address: 44 Old Ridgebury Road, Suite 320
Danbury, CT 06810 Phone#: 203-744-1929 x25
Email: wjm@dandburylaw.com

2) Premises located at: 21 Fox Run on the (N S E W) side of the street
at approx. 800 feet (N S E W) from 2 Laurel Lane (nearest intersecting road).

3) Property Owner Name: Thomas Terminelle
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 15 Block No.: 1 Lot No.: 218

5) Zone in which property is located: R-44 Area of Lot: 10,149 sq. ft.

6) Dimensions of Lot: Frontage: 140.73 Average Depth: 94'

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: ^① #68-19, 11/8/19, 12/12/19 hearing ^② #20-20, 5/18/20, 6/18/20 hearing
^③ #20-20, 8/20/20 hearing

10) Proposal for which variance is requested: One story, two car garage, 20' x 20' with 6 inches of overhangs

Hardship: Site and slope of the existing lot

11) Date of Zoning Commission Denial: 12/23/20, 1/20/21, 2/20/21, 3/20/21, 4/20/21, 5/20/21, 6/20/21, 7/20/21, 8/20/21, 9/20/21, 10/20/21, 11/20/21, 12/23/20

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

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

Setbacks Requested: Front to: 20' Rear to: ~~28'~~ 28'
Side to: OK Side to: OK

13) Use to be made of property if variance is granted: Two car garage, one story

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: [Signature] DATE: 12/23/20

received
1-20-21
(6)

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan White, Zoning Enforcement Officer

DATE: January 27, 2021

PROPERTY OWNER: Thomas Terminelle

PROPERTY ADDRESS: 21 Fox Run

APPLICANT/AGENT: Chipman Mazzucco Emerson LLC. Attn. Ward J. Mazzucco

MAILING ADDRESS: 44 Old Ridgebury Road, Suite 320 Danbury, CT 06810

ZONING DISTRICT: R-44 **MAP:** 15 **BLOCK:** 1 **LOT:** 218

Please be advised that the owner would like to propose (SEE ATTACHED APPLICATION...Proposal for which variance is requested).

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

Sections:

- 3.0.5-Private Detached Garages (C)
- 3.2.5-Minimum Lot Area and Frontage (B)
- 3.2.6-Minimum Building & Structure Setbacks (A+C)
- 3.2.11—Minimum Lot Dimensions
- 7.1.1.2-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

January 18, 2021

Chipman Mazzucco Emerson LLC
Attn: Ward J. Mazzucco, Esq.
44 Old Ridgebury Road
Suite 320
Danbury, CT 06810

Re: 21 Fox Run

Dear Ward:

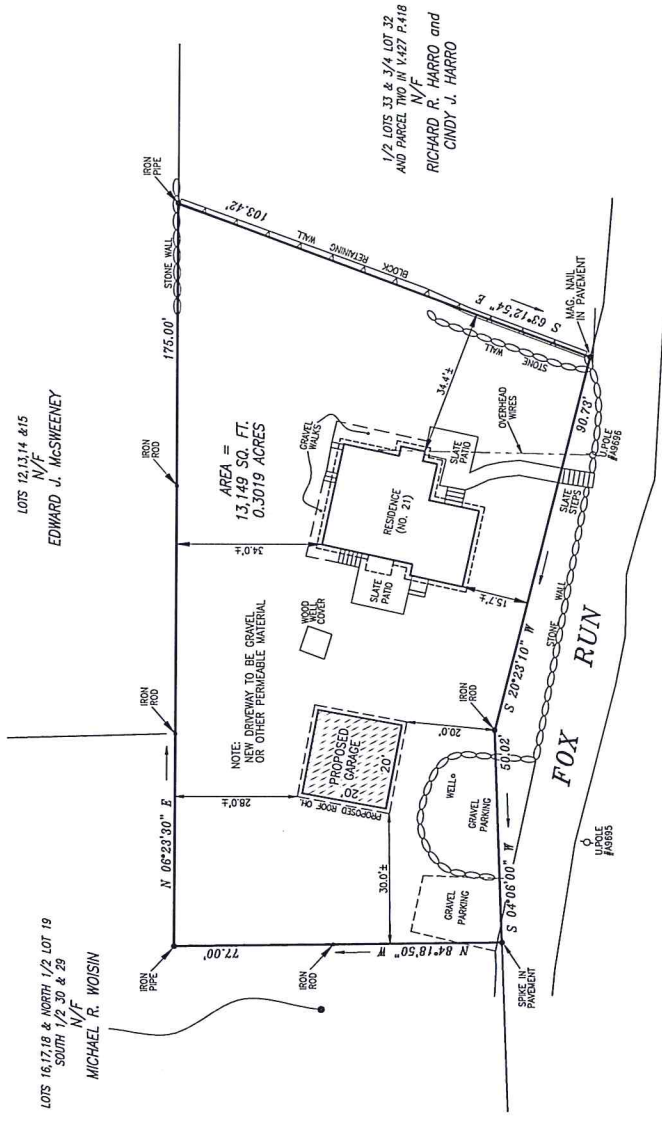
I authorize your firm to represent me in seeking a variance from the Town of New Fairfield to construct a 20 x 20 garage on the above-referenced property.

Thank you.

By: 

Thomas Terminelle
Property Owner

NORTH REF. - SEE NOTE NO. 3



PROPERTY SURVEY
 PREPARED FOR
THOMAS TERMINELLE, SR.
 21 FOX RUN
 TOWN OF NEW FAIRFIELD FAIRFIELD COUNTY, CT.

OCT. 7, 2019
 REVISED JAN. 8, 2020 TO REDUCE SIZE OF PROPOSED GARAGE
 SCALE: 1" = 20'

- NOTES:
- 1) PROPERTY IS LOCATED IN R-44 ZONING DISTRICT.
 - 2) REFERENCE MADE TO TOWN CLERK MAP NOS. 126, 1327, 1384 AND 1384 COR. 1248-1250 OF THE NEW FAIRFIELD LAND RECORDS.
 - 3) REFERENCE MADE TO A CERTAIN MAP PREPARED FOR MICHAEL R. WOISIN 19 RIDGE ROAD, BY THIS OFFICE, DATED MAR. 6, 2017.
 - 4) THIS MAP REPRESENTS A DEPENDENT RESURVEY OF PROPERTY AS DEPICTED ON TOWN CLERK MAP NOS. 1327 AND 1384 OF THE NEW FAIRFIELD LAND RECORDS.
 - 5) PROPERTY IS SUBJECT TO COVENANTS, RESTRICTIONS, CONDITIONS AND EASEMENTS OF RECORD, IF ANY.
 - 6) MONUMENTATION FOUND OR SET DEPICTED HEREON.
 - 7) UNDERGROUND UTILITIES, DRAINAGE SANITARY SYSTEMS, AND OTHER SUBSURFACE IMPROVEMENTS, IF ANY, ARE NOT SHOWN.
 - 8) EXISTING IMPERVIOUS COVERAGE EQUALS 10.02%±. PROPOSED IMPERVIOUS COVERAGE EQUALS 14.02%±.
 - 9) EXISTING BUILDING COVERAGE EQUALS 5.9%±. PROPOSED BUILDING COVERAGE EQUALS 9.02%±.



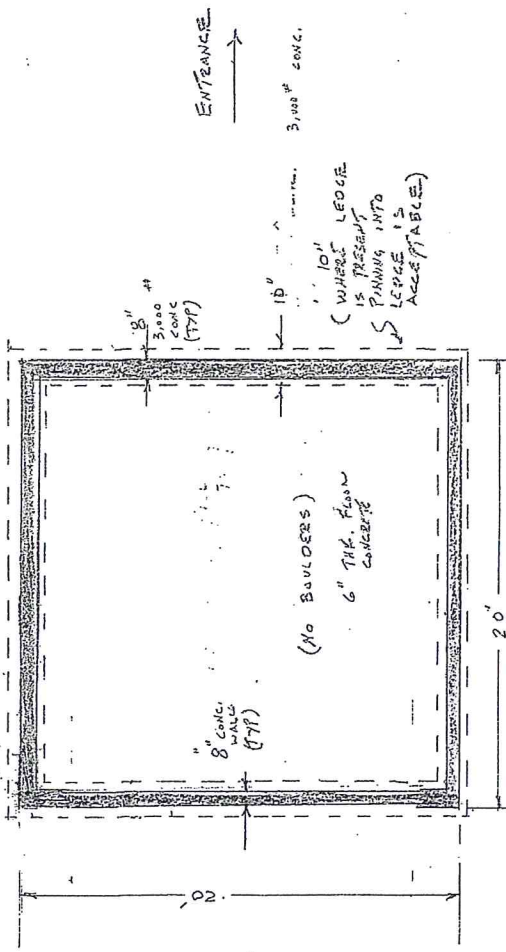
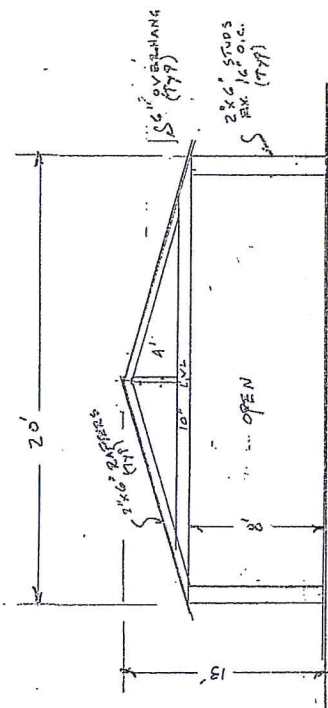
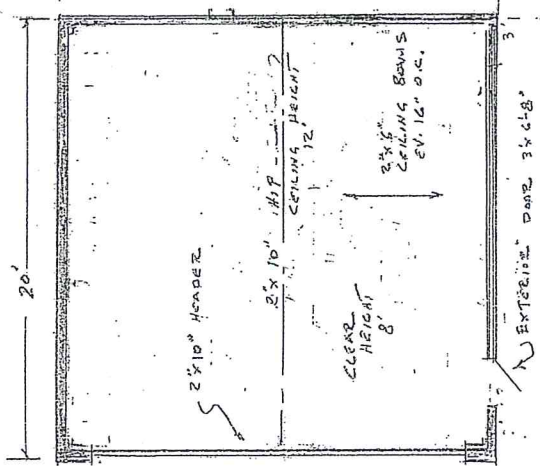
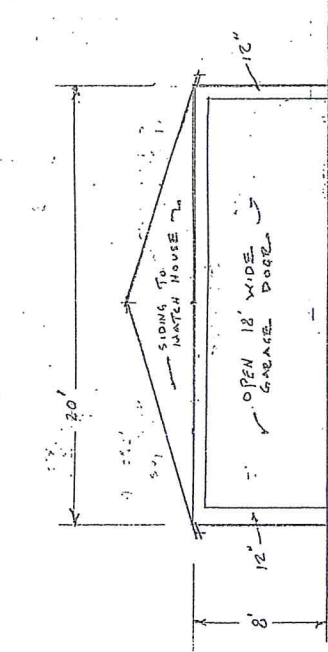
THIS SURVEY MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT EFFECTIVE 06-21-96" AND THE PROFESSIONAL STANDARDS OF THE ASSOCIATION OF LAND SURVEYORS, INC. IT IS A PROPERTY SURVEY BASED ON A 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
 85 DANBURY ROAD NEW MILFORD, CT.

PAUL A. HARRO, L.S. - CT. REG. NO. 15167
 JOB NO. 875A

ALFRED SACCO A.I.A.
6 PINE HILL RD.
NEW BRITAIN CT, 06812
203-826-6928
AC SACCO ID CHARTER, NCT



2 GAR GARAGE
AS PER CITY RECORDS