



**CITY OF NORWALK
Planning & Zoning**

Norwalk City Hall, Room 223
125 East Avenue, PO BOX 5125
Norwalk, CT 06856-5125

**City of Norwalk
ZONING CITATION HEARING PROCESS
Wednesday, February 27, 2019 at 3:30 p.m.
Planning and Zoning Department, City Hall, Room 220**

I. Contested Hearings (Contested):

- a. **242 New Canaan Avenue** - (Section 118-320B) – Operation of a contractor’s storage yard in a ‘AA-Residential’ zone - Principal uses and structures within a AA Residential Zone; premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other as described in this section (see section in Norwalk Building Regulations for list of uses allowed within a ‘AA-Residential’ zone). *Continued by Hearing Officer on 1/10/2019 Hearing.*

II. Contested Hearings (New):

- a. **127 Main Street** - (Section 118-522(B)) - Operation of a contractor’s storage yard (storage of contractor’s material, vehicles, and/or equipment) on a property located in a ‘Business #2’ zone - Principal uses and structures within a Business No. 2 Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other as described in this section ((See Section within Norwalk Building Zone Regulations for list of uses).
- b. **8 Pine Hill Avenue Extension** - (Section 118-1420(G)) – Occupying a land or space without a, or in contravention of an issued, Certificate of Zoning Compliance - No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling, until a certificate of zoning compliance shall have been issued by the Zoning Inspector stating that the premises or building complies with all the provisions of these regulations.
- c. **279 Newtown Avenue** – (Section 118-330(B)(4)(k)) – Placement of more than one shipping container on a residential property within an ‘A-Residential’ zone, without an active and valid building permit, for longer than one month in a calendar year – Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size.



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- d. **40-42 West Avenue** - (Section 118-1220(J)) – *Creation of a parking area, or utilization of an area, within the front setback, on a corner lot (35’ from centerline of Garner Street* - All off-street parking and loading facilities, including all parking aisles and backup spaces needed for vehicle maneuvers into and out of parking spaces, shall be located to the rear of the required front setback line as now or hereafter established. The area between the street line and the front setback line, and on a corner lot, the side setback line along a street, except for the required access driveway and pedestrian sidewalk leading from the street to the off-street parking and loading area, shall be landscaped with lawns or other appropriate planting.
- e. **12 Weed Avenue** - Section 118-310B (*Contractor’s Yard in ‘AAA-Residential’ zone*); Section 118-1130 (*Placement or excavation of fill without permit*); Section(s) 118-1420E, F, & G (*Construction of an accessory structure without a zoning approval application, a zoning approval, or Certificate of Zoning Compliance*); Section 118-310B4(m) (*Storage of more than 1 unregistered vehicle on a property within a ‘AAA-Residential’ zone*); Section 118-310B4(d) (*Storage of a recreational vehicle on a property, within the setbacks of a ‘AAA-Residential’ zone*); Section 118-310B4(e) (*Storage of a commercial vehicle over a 1-ton rated capacity on a property located within a ‘AAA-Residential’ zone*); Section 118-310B4(k) (*Placement of a storage container on a property located within a ‘AAA-Residential’ zone*).

III. Continued Hearings (Contested):

- a.

IV. Uncontested (Continued Hearings):

- a. **12 Valley View Road** - (Section 118-340B(4)(d)) - *Storage of a Recreational Vehicle (RV/Motor Home) on a property in a ‘B-Residential’ zone not in compliance with the front setback and not adequately screened from the street and/or neighboring properties* – Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front yard requirements of this zone and are effectively screened from view from the street and adjacent properties to the satisfaction of the Zoning Inspector. *Continued by Hearing Officer on 1/24/2019 Hearing.*
- b. **84 Murray Street** – (Section 118-1420E) – *Construction of shed without zoning application* -It shall be unlawful to construct or alter any building or structure, or any part thereof, until the *application* and plans herein required shall have been approved by the Zoning Inspector and a written zoning approval issued. The Zoning Inspector shall approve or reject any application or plan or amendment thereto filed with him within a reasonable time provided that no zoning violation exists on the property and, if approved, shall promptly issue a zoning approval therefor **AND** (Section 188-1420F) – *Construction of a shed without a Zoning Approval* - The Zoning Inspector may issue a *zoning approval*



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for the construction of part of a building or structure when plans and detailed statements have been presented for the same, before the complete plans and detailed statements of said building or structure have been submitted or approved **AND** (118-1420G) – **Construction of a shed Certificate of Zoning Compliance** - No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling, until a **certificate of zoning compliance** shall have been issued by the Zoning Inspector stating that the premises or building complies with all the provisions of these regulations. ***Continued by Hearing Officer on 1/24/2019 Hearing.***

- c. 79 Cedar Street** - (Section 118-1220J) – **Creation of parking within the front setback (5 feet) of a property located within the ‘Golden Hill Village District’ zone.** - All off-street parking and loading facilities, including all parking aisles and backup spaces needed for vehicle maneuvers into and out of parking spaces, shall be located to the rear of the required front setback line as now or hereafter established. The area between the street line and the front setback line, and on a corner lot, the side setback line along a street, except for the required access driveway and pedestrian sidewalk leading from the street to the off-street parking and loading area, shall be landscaped with lawns or other appropriate planting. ***Continued by Hearing Officer on 1/24/2019 Hearing.***
- d. 87 Cedar Street** - (Section 118-1220J) - **Creation of parking within the front setback (5 feet) of a property located within the ‘Golden Hill Village District’ zone.** - All off-street parking and loading facilities, including all parking aisles and backup spaces needed for vehicle maneuvers into and out of parking spaces, shall be located to the rear of the required front setback line as now or hereafter established. The area between the street line and the front setback line, and on a corner lot, the side setback line along a street, except for the required access driveway and pedestrian sidewalk leading from the street to the off-street parking and loading area, shall be landscaped with lawns or other appropriate planting **AND** (Section 118-532B) **storage of unregistered vehicles, commercial/contractor’s vehicles, and location of refuse containers placed/stored not in accordance with approved site plan and regulations of the ‘Golden Hill Village District’ zone** - In a Golden Hill Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other (See Norwalk Building Zone Regulations for list of uses). ***Continued by Hearing Officer on 1/24/2019 Hearing.***
- e. 664-666 Main Avenue** – (Section 118-1451(C)(2)) - **Creation of parking within the front setback (50 feet from centerline of Main Avenue) of a property located within the ‘Business #2’ zone.** All off-street parking and loading areas shall be arranged in an orderly manner so as to provide safe and convenient access for vehicles and pedestrians using the area (specifically, *Addition of parking area which has not been reviewed and approved by the zoning commission*). ***Continued by Hearing Officer on 12/18/2018 Hearing.***



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V. Uncontested Hearings (New Items)

- a. **12 Fort Point Street** – (Sections 118-360(B)(4)(m) and 118-1220(J)) – *Storage of more than 1 unregistered vehicle, and/or not in compliance with the setbacks of a ‘D-residential zone’ and creation of parking within the front setback (30 feet from front property line) of a property located within the ‘D-Residential’ zone.* Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone AND all off-street parking and loading areas shall be arranged in an orderly manner so as to provide safe and convenient access for vehicles and pedestrians using the area.
- b. **2 Melbourne Road** - (Section 118-500(B)) – *Creation of a use (Parking Lot) which is not permitted in the ‘East Avenue Village District’ without an established/permitted principle use* - It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide areas primarily for offices and other compatible uses which will meet existing and future needs within the city and which will constitute a harmonious and appropriate part of the physical development of the city. The provisions of this zone are intended to preserve and enhance the character of the East Avenue Village district by encouraging the preservation of sites and buildings of unique historical and architectural value and assuring that new structures and uses will be in keeping with the established character of the area, thereby strengthening the economy of the city and promoting the education, pleasure and welfare of its people.
- c. **21 Old Trolley Way** - (Section 118-1220(J)) – *Creation of a parking area, or utilization of an area, within the front setback (40’ from front property line) within a ‘AAA-Residential’ zone* - All off-street parking and loading facilities, including all parking aisles and backup spaces needed for vehicle maneuvers into and out of parking spaces, shall be located to the rear of the required front setback line as now or hereafter established. The area between the street line and the front setback line, and on a corner lot, the side setback line along a street, except for the required access driveway and pedestrian sidewalk leading from the street to the off-street parking and loading area, shall be landscaped with lawns or other appropriate planting.
- d. **2 Meadow Street Extension** - (Section 118-1000 (Definition of a ‘Contractor’s Storage Yard’)) – *Storage of contractor’s material, equipment, and/or vehicles on a property not having 12,500sq feet in lot size* - A parcel of land, with or without structures, a minimum of 12,500 square feet in size, used for the storage of equipment and materials used in the construction...including, but not limited to, trucks, vans, bulldozers, backhoes and other similar equipment and/or stockpiles of construction materials, such as concrete, gravel, woodchips, logs, plant stock, masonry, plumbing or electrical supplies, and other similar materials.
- e. **16 Meadow Street Extension** - (Section 118-1000 (Definition of a ‘Contractor’s Storage Yard’)) – *Storage of contractor’s material, equipment, and/or vehicles on a property not having 12,500sq feet in lot size* - A parcel of land, with or without structures,



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a minimum of 12,500 square feet in size, used for the storage of equipment and materials used in the construction...including, but not limited to, trucks, vans, bulldozers, backhoes and other similar equipment and/or stockpiles of construction materials, such as concrete, gravel, woodchips, logs, plant stock, masonry, plumbing or electrical supplies, and other similar materials.

- f. **11 Woodlawn Avenue** - (Section 118-340(B)(4)(e)) – ***Storage of commercial vehicle, or vehicles, over a 1-ton rated capacity, on a property within a 'B-Residential' zone*** - Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.

VI. Continued Hearings (Status Update)

- a. **2 Meadow Street** – (Section 118-1110C&D) (Modifications to Coastal Area Management plan) All structures and uses in the Coastal Zone, unless exempt under § 118-1110E, shall comply with coastal site plan review requirements in Sections 22a-105 through 22a-109 of the Coastal Management Act, as amended, in addition to complying with the other requirements of these regulations AND (section 118-1451) (Unauthorized Modifications to Site Plan Review) The purpose of site plan review to aid in determining the conformity of a proposed building or use with the specific provisions of these regulations. Only uses and structures as specified elsewhere in the regulations shall be subject to site plan review AND (Section 118-1420G) (Occupying space without a Certificate of Zoning Compliance) no land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling, until a certificate of zoning compliance shall have been issued by the Zoning Inspector stating that the premises or building complies with all the provisions of these regulations. ***Hearing Officer Assessed Fine of \$4,000 on 08/22/2018.***