



**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
Thursday, February 20, 2020 at 3:30 p.m.
Planning and Zoning Department, City Hall, Room 220**

I. Contested (Continued Items):

- a. 161 Main Street** – (Section 118-522B) – *Use of a parcel of land within a Business #2 zone for a use which is not permitted within the zone (Contractor's Yard Use)* - Principal uses and structures within a Business #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. **Hearing Officer Continued at 08/15/2019 & 09/17/2019 & 10/30/2019 & 1/16/2020 Hearing; IMPOSED A \$500.00 FINE**
- b. 179 South Main Street** - (Section 118-360B) – *Storage of commercial equipment and/or contractor's equipment/materials on a property located within a 'D-Residential' zone* - Principal uses and structures within an AAA-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. *Continued by Hearing Officer at 12/18/2019 & 1/16/2020 Hearing.*
- c. 89 Day Street (aka 0 aka 5 Burritt Avenue)** - (Section 118- 1420E, F, & G) – *Occupation of a structure, and/or property, without a zoning application, zoning approval, or Certificate of Zoning Compliance within an Industrial-1 zone.* *Continued by Hearing Officer at 12/18/2019 Hearing.*
- d. 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 Continued on 02/27/2019 & 04/18/2019 & 10/30/2019 & 12/18/2019 & 1/16/2020 Hearings AND assessed a \$15,000.00 fine at 10/30/2019 Hearing.*
- e. 9 Neptune Avenue** – (Section 118-350B) - *(Contractor's Yard) Storage of Contractor's Vehicles/Equipment/Material on a property within a 'C-Residential' zone* -Principal uses and structures within a C 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 AND (Section 118- 1420E, F, & G) - *Converted garage without a zoning application, zoning approval, or Certificate of Zoning Compliance* – AND (Section 1220J) - *Creation of parking within the front setback* – 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. *Hearing Officer Continued 04/18/2019 & 05/29/2019 & 6/27/2019 & 08/01/2019 & 10/10/2019 & 12/18/2019 & 1/16/2020 Hearings; Imposed a \$1000.00 ASSESSED FINE 10/10/2019 & 10/30/2019 Hearings (\$2,000.00 total Assessed fine)*

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- f. 184 West Rocks Road** - (Section 118-310B) – *Storage of commercial equipment and/or contractor’s equipment/materials on a property located within a ‘AAA-Residential’ zone* - Principal uses and structures within an AAA-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 AND (Section 118-1220J) – *Creation of parking within the front setback* - 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 at 12/18/2019 & 1/16/2020 Hearing.*
- g. 1 Railroad Place** – (Section 118-1110) - *Operation of an Auto Repair use on a property within a Coastal Area Management (CAM) zone, without applying for and obtaining a Coastal Area Management Approval* - 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 118-700B) *Operation of an Auto Repair on a property located within an ‘Industrial #1’ zone without applying for Auto Repair Approval or a Zoning Approval* - The primary purpose of this zone is to provide areas which permit manufacturing and related uses, including warehouse, office, retail and single- and two-family housing. Heavy industrial uses would be allowed by Special Permit. The district is intended to provide low-scale industrial facilities interspersed with other uses and with the utilities and infrastructure necessary to support such industrial operations...in an Industrial No. 1 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. See City of Norwalk Building Zone Regulations for complete list of permitted uses. *Continued by Hearing Officer at 1/16/2020 Hearing*
- h. 29 North Avenue** - (Section 118-1450) – *Lack of Special Permit Application/Approval, or in contravention of Special Permit Approval* - Certain uses and structures, because of their unique characteristics, cannot be specifically classified or regulated in a particular district without consideration in each case of the impact of such uses and structures upon the neighborhood and surrounding area and upon the public health, safety and welfare. Such uses and structures as specified elsewhere in the regulations may be permitted only by Special Permits. When an existing use or structure which is permitted only by special permit is proposed to be extended or altered in a manner which would in any way change the character or intensity of the use or feature, such proposed extension or alteration shall be treated as a new special permit under this section AND (Section 1420E, F, & G) – *Occupation of space without an Application for Zoning Approval, without obtaining a Zoning Approval, and without obtaining a Certificate of Zoning Compliance.* *Continued by Hearing Officer at 10/10/2019 & 11/14/2019 & 12/18/2019 & 1/16/2020 Hearings*
- i. 16 Half Mile Road** – (Section 118-910B) - *Placement of an accessory structure/building (shed) not in the quadrant farthest every street* - In the case of an interior lot fronting upon two (2) or more streets, no accessory building shall be erected or altered so as to encroach upon that fourth of the lot depth nearest each and every street AND (Sections 118-1420E, F, & G) - *Occupying a land, space, and/or structure without applying for a Zoning Approval, obtaining a Zoning Approval, and obtaining a Certificate of Zoning Compliance for construction of shed on property.* *Continued by Hearing Officer at 1/16/2020 Hearing.*
- j. 45 Wolfpit Avenue** – (Section 118-340B) - *Operation of a contractor’s storage yard, and/or the operation of a commercial contractor’s business out of, or use for contractor’s storage, a property located within a ‘B-Residential’ zone* – Principal Uses and structures. In an A Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and



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no others. See Building Zone Regulations for the City of Norwalk for list of uses. *Continued by Hearing Officer at 12/18/19 & 1/16/2020 Hearing.*

II. Contested (New Items):

- a. 182 Gregory Boulevard** - (Section 118-340B(4)(n)) - *Storage of a unregistered vehicle, or vehicles, on a property located within a 'B-Residential' zone stored within the front setback* - 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.

III. Uncontested Hearings (Continued Items):

- a. 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. *Hearing Officer Continued on 03/27/2019 and 04/28/2019 and 06/12/2019 and 08/01/2019 and 08/28/2019, 10/10/2019, & 10/30/2019 & 1/16/2020 Hearings AND \$100.00 assessed fine at the 10/30/2019 Hearing AND assessed and additional \$75.00 fine with \$600.00 contingent fine (total assessed = \$175.00; contingent = \$600.00).*
- b. 81 George Avenue** - (Section 118-1220(J)) – *Creation of a parking area, or utilization of an area, within the front setback, 30 feet, within a "B-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. *Continued by Hearing Officer at 5/29/2019 6/12/2019 & 8/1/2019 & 1/16/2020 Hearing*
- c. 21 Old Trolley Way** – (Section 118-1220J) - *Creation of parking within the front setback* - 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 at 6/12/2019 & 08/27/2019 & 11/14/2019 1/16/2020 Hearing; Fine ASSESSED of \$500.00 at 08/28/2019 Hearing AND additional \$1000 fine assessed at 11/14/2019 Hearing AND additional \$1000 fine assessed at 12/18/2019 Hearing (total assessed fine = \$2500.00).*
- d. 4 Weatherly Lane** – (Section 118-340B) - *Creation of a 2nd unit with in structure located within a 'B-Residential' zone.* - Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others. See City of Norwalk Building Zone Regulations for list of allowed uses with 'B-Residential' zone AND (Section 1420G) - *Occupying a space, or land, without obtaining a Certificate of Zoning Compliance (specifically, as pertaining to a Zoning Approval issued on June, 23, 2017)* - 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 at 1/16/2020 Hearing*



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- e. **92 Main Street** – (Section 118-1420E, F, & G) - *Occupying a land, space, and/or structure without applying for a Zoning Approval, obtaining a Zoning Approval, and obtaining a Certificate of Zoning Compliance for tenants on premises (Taco Truck & Auto Repair). Continued by Hearing Officer at 1/16/2020 Hearing*
- f. **105 South Main Street** – (Sections 118-1420E&F) - *Construction of dormers on a property, in contravention of plans submitted for Application for Zoning Approval & approved plans for work to property. Continued by Hearing Officer at 1/16/2020 Hearing*

IV. Uncontested (New Items):

- a. **150 Bouton Street** - (Section 118-340B) – *Operation of a Contractor’s Storage yard on a property located with a ‘B-Residential’ zone stored within the front setback* -Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others. See Building Zone Regulations for the City of Norwalk for list of uses, AND (Section 118-340B(4)(e)) – *Storage of one, or more, commercial vehicles on a property located 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, AND (Section 188-1220J) – *Creation of a parking area, or utilization of an area, within the front setback for the parking of vehicles* - 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.
- b. **4 Riordan Street** - (Section 118-340B) – *Operation of a Contractor’s Storage yard on a property located with a ‘B-Residential’ zone stored within the front setback* -Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others. See Building Zone Regulations for the City of Norwalk for list of uses, AND (Section 118-340B(4)(e)) – *Storage of one, or more, commercial vehicles on a property located 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.
- c. **152 Bouton Street** - (Section 118-340B) – *Operation of a Contractor’s Storage yard on a property located with a ‘B-Residential’ zone stored within the front setback* -Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others. See Building Zone Regulations for the City of Norwalk for list of uses, AND (Section 118-340B(4)(e)) – *Storage of one, or more, commercial vehicles on a property located 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, AND (Section 188-1220J) – *Creation of a parking area, or utilization of an area, within the front setback for the parking of vehicles* - 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. **3 Riordan Street** - (Section 118-340B) – *Operation of a Contractor’s Storage yard on a property located with a ‘B-Residential’ zone stored within the front setback* -Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others. See Building Zone Regulations for the City of Norwalk for list of uses, AND (Section 118-340B(4)(e)) – *Storage of one, or more, commercial vehicles on a property located*

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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, AND (Section 188-1220J) – ***Creation of a parking area, or utilization of an area, within the front setback for the parking of vehicles*** - 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. **5 Riordan Street** - (Section 118-340B) – ***Operation of a Contractor's Storage yard on a property located within a 'B-Residential' zone stored within the front setback*** -Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others. See Building Zone Regulations for the City of Norwalk for list of uses, AND (Section 118-340B(4)(e)) – ***Storage of one, or more, commercial vehicles on a property located 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.