



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, May 29, 2019 at 3:30 p.m.
Planning and Zoning Department, City Hall, Room 220

I. Contested Hearings (Continued):

- 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 & 02/27/2019 Hearings. Also, Fine of \$2,000 assessed contingent on progress at 04/18/2019 Hearing***
- b. **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 on 04/28/2019 Hearings.***
- c. **69 Fort Point Street** - (Section 118-510B) **(Contractor's Yard) Storage of Contractor's Vehicles/Equipment/Material on a property within an 'A-Residential' zone** - Principal uses and structures. In a Neighborhood Business 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. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of § 118-451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein. For list of allowed uses, please see City of Norwalk Building Zone Regulations within the Section cited above. See City of Norwalk Zoning Regulations for complete list of permitted uses. ***Hearing Officer Continued on 05/08/2019 Hearing.***



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II. Contested Hearings (New Items):

- a. **36 Lexington Avenue** - (Section 118-1220(J)) – **Creation of a parking area, or utilization of an area, within the front setback, 35 feet from the centerline of the street (Lexington Avenue), within a “Neighborhood Business” 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 118-510B) – **Creation of a Contractor's Storage Yard (Vehicles/Equipment/Material) on a property within a “Neighborhood Business” zone** - Principal uses and structures. In a Neighborhood Business 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. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or moreshall be permitted subject to the provisions of § 118-451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.

III. Uncontested Hearings (New Items):

- a. **21 Old Trolley Way** - (Section 118-1220(J)) – **Creation of a parking area, or utilization of an area, within the front setback, 40 feet, within an “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.
- 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.



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- c. **2 Tito Court** - (Section 118-510B) – **Creation of a Contractor's Storage Yard (Vehicles/Equipment/Material) on a property within a "Neighborhood Business" zone** - Principal uses and structures. In a Neighborhood Business 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. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of § 118-451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.
- d. **48 High Street** - (Section 118-510B) – **Creation of a Contractor's Storage Yard (Vehicles/Equipment/Material) on a property within a "Neighborhood Business" zone** - Principal uses and structures. In a Neighborhood Business 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. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of § 118-451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.

IV. Uncontested Hearings (Continued):

- a. **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. *Hearing Officer Continued on 05/08/2019 Hearing*
- b. **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). *Continued by Hearing Officer on 1/24/2019 & 2/27/2019 & 3/27/2019 & 4/18/2019 Hearings.*
- c. **257 Ely Avenue** - Section(s) 118-1420F, & G) – Operation of a Contractor's Storage Yard without **Obtaining a Zoning Approval, or in contravention of a Zoning Approval and/or conditions of a Zoning Approval (specifically, placement/storage of contractor's materials, equipment, and/or vehicles not in**



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approved location(s) on plan) and without ***Obtaining a Certificate of Zoning Compliance. *Hearing Officer Continued 05/08/2019 Hearing****

- d. 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 Hearing****
- e. 12 Fort Point Street** – (Sections 118-360(B)(4)(n) 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. ***Continued by Hearing Officer on 2/27/2019 & 04/18/2019 Hearings.***
- f. 2 Muller Avenue** – (Section 118-522B) - ***(Special Permit - Contractor's Yard) Use of a parcel of land within a Business #2 zone without required Special Permit Application*** - Contractor's storage yard located on a parcel a minimum of two (2) acres in size that abuts a limited access highway and that the site does not abut an existing multifamily development in the Business No. 2 Zone and (Section 118-1420E, F, & G) - ***Use of a parcel of land within a Business #2 zone without an application for zoning approval, obtaining a zoning approval, and obtaining a Certificate of Zoning Compliance.*** ***Continued by Hearing Officer for 60 days, on 03/27/2019 Hearing.***

V. Items for Judgement:

- a. 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



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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. ***Fine of \$150 by Hearing Officer on 5/08/2019 Hearing.***

- b. 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). ***Fine of \$150 by Hearing Officer on 5/08/2019 Hearing.***



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I. Contested Hearings (Continued):

- 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 & 02/27/2019 Hearings. Also, Fine of \$2,000 assessed contingent on progress at 04/18/2019 Hearing.*
- b. **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 on 04/28/2019 Hearings.*

II. Contested Hearings (New Items):

- a. **36 Lexington Avenue** - (Section 118-1220(J)) – Creation of a parking area, or utilization of an area, within the front setback, 35 feet from the centerline of the street (Lexington Avenue), within a "Neighborhood Business" 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 118-510B) – Creation of a Contractor's Storage Yard (Vehicles/Equipment/Material) on a property within a "Neighborhood Business" zone - Principal uses and structures. In a Neighborhood Business 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. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of § 118-451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.

III. Uncontested Hearings (New Items):

- a. **21 Old Trolley Way** - (Section 118-1220(J)) – Creation of a parking area, or utilization of an area, within the front setback, 40 feet, within an "AAA-Residential" zone - All off-street parking



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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. 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.
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- d. 48 High Street** - (Section 118-510B) – **Creation of a Contractor's Storage Yard (Vehicles/Equipment/Material) on a property within a “Neighborhood Business” zone** - Principal uses and structures. In a Neighborhood Business 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. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or mores shall be permitted subject to the provisions of § 118-451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.

IV. Uncontested Hearings (Continued):

- 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). **Continued by Hearing Officer on 1/24/2019 & 2/27/2019 & 3/27/2019 & 4/18/2019 Hearings.**
- b. 257 Ely Avenue** - Section(s) 118-1420F, & G) – Operation of a Contractor's Storage Yard without **Obtaining a Zoning Approval, or in contravention of a Zoning Approval and/or conditions of a Zoning Approval** (specifically, placement/storage of contractor's



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materials, equipment, and/or vehicles not in approved location(s) on plan) and without **Obtaining a Certificate of Zoning Compliance.** **Hearing Officer Continued 05/08/2019 Hearing**

- c. 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 Hearing**
- d. 12 Fort Point Street** – (Sections 118-360(B)(4)(n) 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. *Continued by Hearing Officer on 2/27/2019 & 04/18/2019 Hearings.*
- e. 2 Muller Avenue** – (Section 118-522B) - **(Special Permit - Contractor's Yard) Use of a parcel of land within a Business #2 zone without required Special Permit Application** - Contractor's storage yard located on a parcel a minimum of two (2) acres in size that abuts a limited access highway and that the site does not abut an existing multifamily development in the Business No. 2 Zone and (Section 118-1420E, F, & G) - **Use of a parcel of land within a Business #2 zone without an application for zoning approval, obtaining a zoning approval, and obtaining a Certificate of Zoning Compliance.** *Continued by Hearing Officer for 60 days, on 03/27/2019 Hearing.*

V. Items for Judgement:

- a. 79 & 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. *Fine of \$150 by Hearing Officer on 5/08/2019 Hearing.*