



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, January 16, 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 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 Hearing.*
- c. **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 Hearings AND assessed a \$15,000.00 fine at 10/30/2019 Hearing.*
- d. **34 Meadow Street** – (Section 118-1451) – Non-compliance with conditions of Special Permit Approval (#2-17SP; Contractor’s Storage with Indoor Rock Crusher) - 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. *Continued by Hearing Officer at 11/14/2019 Hearing.*
- e. **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 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).*
- 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 and Continued at 05/29/2019, 06/27/2019 & 08/01/2019 & 10/30/2019 & 12/18/2019 Hearing.*
- g. **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 Hearings*
- h. **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



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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 Hearing.*

- i. **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 Hearings; Imposed a \$1000.00 ASSESSED FINE 10/10/2019 & 10/30/2019 Hearings (\$2,000.00 total Assessed fine)*
- j. **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 Hearing*

## II. Contested (New Items):

- a. **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.
- b. **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.*
- c. **56 Baxter Drive** – (Section 118-350B(4)(d)) - *Storage of multiple recreational vehicles on a property not in compliance with all setbacks and not adequately screened from adjacent properties, located within a 'C-Residential' zone* - 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.
- d. **27 Myrtle Street** – (Section 118-340B(4)(e)) - *Storage of a box truck 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 118-1220J) - *Utilization of an area within, or creation of an area within, the front setback (30 feet) of a property located within a 'B-Residential' zone 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 AND (Section 118-340B(4)(n)) - *Storage of multiple unregistered vehicles on a property located within a 'B-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.
- e. **4 Weatherly Lane** – (Section 118-340B) - *Creation of a 2<sup>nd</sup> 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



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in whole or in part for any purpose  
alteration of or addition to a dwelling, until a certificate of

whatsoever, except for the

zoning compliance shall have been issued by the Zoning Inspector stating that the premises or building complies with all the provisions of these regulations.

**III. Uncontested Hearings (Continued Items):**

- a. **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 Hearings; 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).*
- b. **45 Couch Street** – (Section 118-350B(4)(e)) – Storage of a commercial vehicle (taco-truck), with a greater than one ton rate capacity, on a property located within a 'C-residential' zone - Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the CT General Statutes, which does not exceed one-ton rated capacity. *Continued by Hearing Officer at 11/14/19 & 12/18/19 Hearings.*
- c. **39 Emerson Street** – (Section 118-910E) - (Placement of accessory structure not in compliance with accessory structure setbacks) - No accessory building shall be located within five (5) feet of its rear lot line. In the case of lots more than one hundred (100) feet deep, the aforesaid distance required between the rear lot line and the accessory building shall be increased to ten (10) feet AND (Section 118- 1420E, F, & G) - Construction of an accessory structure without a zoning application, zoning approval, or Certificate of Zoning Compliance. *Continued by Hearing Officer at 10/30/2019 Hearing.*
- d. **104 Bouton Street** – (Section 118-340B(4)(e)) - Storage of a commercial vehicle(s) over a 1-ton rated capacity - 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 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 at 6/12/2019 & 08/15/2019 Hearings (to allow for eviction (underway) process to take place).*
- e. **2 Crown Avenue (DBL = 2-33-6-0)** – (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 a D 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 118-360B(4)(d)(1) – Storage of boat or boats, which are NOT owned or leased by the occupant of the dwelling (property is vacant) - 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 at 12/18/2019 Hearing.*
- f. **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 no others. See Building Zone Regulations for the City of Norwalk for list of uses. *Continued by Hearing Officer at 12/18/19 Hearing.*

**IV. Uncontested (New Items):**

- a. **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.
- b. **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).